PARLIAMENTARY DEBATES

(HANSARD)

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HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FIFTY-FIRST PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-FOURTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1994–95

COMPRISING PERIOD
19 June—30 June 1995

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THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTY-FIRST PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 27 APRIL 1992]

FORTY-FOURTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 262**

THIRTEENTH VOLUME OF SESSION 1994–95

House of Commons

Monday 19 June 1995

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

Disabled People

1. **Mr. Evennett:** To ask the Secretary of State for Social Security what action his Department is taking to tackle discrimination against disabled people; and if he will make a statement. [27598]

The Minister for Social Security and Disabled People (Mr. William Hague): The Government's Disability Discrimination Bill will provide effective protection for disabled people against discrimination in employment, access to goods, services and premises, transport and education. The Bill, unrivalled in the history of Government provision for disabled people, has already received the approval of the House and is currently being considered in another place.

Mr. Evennett: I thank my hon. Friend for that reply and congratulate him and his Department on their excellent work in this field. Does he agree that education is important in raising public awareness? Furthermore, many public body facilities, such as the British Rail station at Erith, at which it is impossible for disabled people to get on to the London-bound platform, have to be brought into line. Public bodies must provide access for disabled people to railway stations, and Erith station must be one of the first to have such provision.

Mr. Hague: My hon. Friend is right to draw attention to the continuing importance of education and persuasion. Even after the Disability Discrimination Bill becomes law, it will be important for people in all political parties to join together and lead the nation in showing why it is important to combat discrimination against disabled people. My hon. Friend is also right to draw attention to the difficulties that disabled people often face when using public transport. I assure him that the transport infrastructure will be covered by the Bill, which will also contain the power to set minimum access standards for public transport vehicles.

Mr. Barnes: The unrivalled Bill on disability is not that of the Government but the Civil Rights (Disabled Persons) Bill, which has had solid support in the House. Will the Government at least seriously consider introducing a disability rights commission, in line with that proposed in the Civil Rights (Disabled Persons) Bill, through their measure? That would start to turn it into far more reasonable legislation and give all disabled people hope for the future because, in time, that commission would see that the Government's Bill was brought into line with the principles in the Civil Rights (Disabled Persons) Bill.

Mr. Hague: The hon. Gentleman's Bill—he knows my view on it after our eight Committee sittings—is confusing, unfair and inflexible. The Government measure is clear and fair to others, and it will command the support of the nation in bringing discrimination against disabled people to an end.

Mr. Tredinnick: Can my hon. Friend confirm that the Disability Discrimination Bill, which is in another place, will do much for schoolchildren? Does he agree that it will oblige education providers to make special provision for disabled people at school and university?

Mr. Hague: Yes. The Bill will strengthen the Education Act 1993 by further improving provision for disabled pupils. In addition, the Government have announced a new £10 million fund for education providers to improve physical accessibility at schools.

Mortgage Interest

2. **Mrs. Liddell:** To ask the Secretary of State for Social Security what estimate he has made of the effect of his proposals to alter the present system of help with mortgage interest payments under income support on the number of repossessions. [27600]

The Secretary of State for Social Security (Mr. Peter Lilley): Current income support provision is costly yet fails to cover the majority of people who fall into difficulty with their mortgage payments. The new proposals encourage the provision of comprehensive, high-quality mortgage protection for all new home owners should they suffer a loss of income. This should help to reduce the number of repossessions.

Mrs. Liddell: The Secretary of State is being most unreasonable in this matter. Does he agree with the Council of Mortgage Lenders and the Association of British Insurers, which have already pointed to the likely dramatic increase in repossessions? If he is not prepared to listen to the common sense of Opposition Members who are concerned about repossessions, will he at least respond to the fear on his Back Benches about the consequences of these moves for those who are already suffering the effects of negative equity?

Mr. Lilley: The hon. Lady is entirely mistaken. The Association of British Insurers has said the complete opposite of what she has said. It has said that virtually everybody who can obtain a mortgage should be able to obtain insurance. As a result, there should in due course be a reduction in repossessions and in the number of people who fall into arrears.

Mrs. Roe: Is my right hon. Friend aware that, according to a recent survey in the *Mortgage Finance Gazette*, two thirds of the building societies polled said that they are planning to provide block insurance for their members and that 60 per cent. of those will provide it free? Does that not show that it is not only the Skipton building society but also many others that are likely to provide free unemployment insurance cover for their borrowers?

Mr. Lilley: My hon. Friend is absolutely right. It was very interesting to see the reaction of the Labour Benches when the survey and the news which it brought forward were brought to their attention. They were shocked at the good news, because what is good news for home owners is bad news for Labour.

Ms Lynne: Does the Secretary of State not understand that there is genuine concern that those who have been encouraged to buy their homes could, because of the cut in income support for mortgage benefit, face homelessness? Can the Secretary of State tell the House whether he has fully thought through all the implications of the policy? Whatever he says at the Dispatch Box, I do not think that he has.

Mr. Lilley: I can, of course, give the hon. Lady that assurance. We are consulting about it with the help of the Social Security Advisory Committee. We have had a very good response from the insurers, and the evidence is that the building societies will follow the excellent example set by the Skipton building society. However, I find it a bit rich for the sole representative of the Liberal party here present to pose as being interested in home owners when her party is actively contemplating abolishing mortgage interest tax relief.

Mr. Congdon: May I congratulate my right hon. Friend on his determination to reduce the £90 billion a year spent on social security? Is it not right that those who are acquiring an asset that they will use and benefit from for their lifetimes should contribute towards insuring it rather than expect other taxpayers to bail them out?

Mr. Lilley: It is certainly absolutely right that we should try to move from a system which, at present, leaves 70 per cent. of people with mortgages, who may find themselves unemployed or without an income, uncovered by the existing state system to one where all new home owners have protection and cover against the risk of losing their jobs. The extraordinary complacency of the Labour party, which had a debate on the subject and revealed that it had no policy to help those 70 per cent. will, I think, be recognised as a letdown to home owners.

Mr. Dewar: Does the Secretary of State hold to the estimate—rather optimistic, I fear—referred to by the hon. Member for Broxbourne (Mrs. Roe) that a minimum of 40 per cent. of home owners will have to meet a significant additional cost to have insurance cover in the private market? Does he endorse that estimate? Has he noted the rather endearing, touchingly loyal, advice from the Secretary of State for Employment that the problem for the Tory party will be solved if it pulls up its socks? Would not dropping a plan for mortgage interest payments, which would add greatly to the uncertainty in the housing market, be an absolutely excellent contribution to that rather odd exercise?

Mr. Lilley: The hon. Gentleman, who had the opportunity to tell us what Labour party policy is, tacitly criticises us because there may be some small cost to 40 per cent. of home owners in getting the protection that everybody believes they should have when taking out a new mortgage, and ignores the fact that his party proposes to leave 70 per cent. of them without any cover at all. The other day, he disowned his party's housing spokesman, who had at least offered to do something for that 70 per cent., but at the expense of abolishing mortgage interest tax relief.

Mr. Peter Bottomley: Does my right hon. Friend agree that it is good to see a split among the members of the Council of Mortgage Lenders, and that those building societies that remain neutral look as though they have an interest in trying to help people not only to buy homes but to keep them after they have contracted to buy them, and that that example should be followed, not criticised, by the banks?

Mr. Lilley: I am not one to rejoice in splits in any direction. I thought the correspondence from the chairman of Skipton building society was very interesting. In one respect, he is in agreement with the chairman of the Cheltenham and Gloucester, who himself a little while ago said there was no need for building societies to raise interest rates—which they did—because there was an

ample profit level. That means that they will have the means to provide cover without undue cost to home owners.

Absent Parents

3. **Mr. Gunnell:** To ask the Secretary of State for Social Security what measures he has taken in respect of those absent parents who as well as contributing to the upkeep of their absent children have negative equity in the housing they occupy. [27601]

The Parliamentary Under-Secretary of State for Social Security (Mr. Alistair Burt): The vast majority of absent parents have their housing costs taken fully into account under existing child support rules. The problem of negative equity may affect parents other than those who have separated but we have no evidence of its being a significant problem in relation to child support.

Mr. Gunnell: Will the Minister bear in mind the fact that financial tensions often give rise to marital tensions? Would he have a different answer if he were considering the specific case of a person whose negative equity was in the original family home and who, when that home was sold, crystallised that equity as a debt and is now paying that debt on behalf of himself and his former partner? Would that payment be taken into account in assessing his contribution to a CSA payment?

Mr. Burt: The hon. Gentleman has written to me about those circumstances; a reply is being signed and will be waiting for him after Question Time. The circumstances that he describes are slightly unusual because, in most cases where there is negative equity, the property would not be sold and one party would remain in it. In that case, there would be extensive protection. In the circumstances that the hon. Gentleman describes, the debt would not be a housing cost as such. It could, however, be construed as a debt of the relationship. As the hon. Gentleman is aware, the Child Support Bill that is currently going through Parliament will provide the opportunity to consider such debts as a departure from the maintenance formula.

Dr. Spink: Will my hon. Friend stay true to the principle that parents are financially responsible for their children and that that responsibility comes before almost every other responsibility unless the parents do not have the financial wherewithal, in which case the state should step in? Will my hon. Friend take all possible steps to ensure that the parent with care and control of the child receives a reasonable sum from the absent parent, who is often using every possible means to avoid paying for the child that he has left behind?

Mr. Burt: Yes. I am grateful for my hon. Friend's comments. He is right to say that the principle that parents should maintain their children rather than leave it to the taxpayer to do so is at the heart of the Child Support Agency. It is not often realised that more than 70 per cent. of absent parents who have been asked to pay by the agency this year were not previously paying any regular maintenance. Given that 95 per cent. of parents with care exist on benefits, it is time that people appreciated that there is another side to the child support story. I am grateful to my hon. Friend for putting it so clearly.

State Pension

5. **Mr. Winnick:** To ask the Secretary of State for Social Security what recent representations he has received over the state pension. [27604]

The Parliamentary Under-Secretary of State for Social Security (Mr. James Arbuthnot): Since the beginning of this year, Ministers have received a number of pieces of correspondence from organisations, Members of Parliament and members of the public, covering all aspects of policy on the state pension.

Mr. Winnick: I am not sure what the Minister means by "pieces of correspondence", if I heard the phrase correctly. Is he aware that the National Pensioners Convention, which represents many organisations for retired people, was deeply disappointed by the response that it received from Ministers, including him? Is he further aware that millions of pensioners who are living in or near poverty believe, with justification, that they have been swindled by the Government during the past 16 years? They could not care less who leads the Government; they want decent policies for pensioners, and they have every right to demand them.

Mr. Arbuthnot: Under the Conservative Government, pensioners' incomes have increased almost as much every year as they did during the entire period of the previous Labour Government. I met representatives of the National Pensioners Convention in August last year. We had a constructive and helpful meeting, and I was left with no sense that they had the reaction that the hon. Gentleman describes.

Mr. Jacques Arnold: Is not the whole point of the state pension that it is the foundation stone on which people provide for their old age? Is it not a fact that, under the Conservative Government, most people do not have to rely on the state pension as their sole income because more than 20 million people are now members of occupational pension schemes and can look forward to a far better old age than would have been provided by the Government supported by the hon. Member for Walsall, North (Mr. Winnick)?

Mr. Arbuthnot: My hon. Friend is right. He has concentrated on people at the upper end of the income range. They are important, but it is also interesting to note that the proportion of pensioners in the bottom decile has fallen dramatically under this Government. In 1979, 31 per cent. of pensioners were in the bottom decile; now, 9 per cent. of them are in the bottom decile after housing costs—an important improvement.

Mr. Ingram: Does the Minister agree with the assessment made in December 1993 by the then Chief Secretary to the Treasury, the right hon. Member for Enfield, Southgate (Mr. Portillo), that the value of a state pension scheme under current Government policy would be worth a nugatory amount in the coming century? Coupled with the massive reduction announced by the Government in state earnings-related pension scheme entitlement, does that not show that the Government are prepared to increase pensioner poverty, in addition to the 1.5 million pensioners who already receive income support?

Mr. Arbuthnot: I am a little surprised at the hon. Gentleman. First, my right hon. Friend did not say that. Secondly, our policy is to ensure that the state retirement

pension remains the bedrock of pensioners' incomes and that it will be increased in terms of prices year by year. If the state retirement pension becomes a smaller proportion of pensioners' incomes, it is because, under the prosperity introduced by the Government, their other income is growing so fast. That is why pensioners' incomes have gone up by more than those of the rest of the country as a group.

Mr. John Marshall: Will my hon. Friend join me in congratulating John Cuckney on the award given to him in the recent honours list? Does my hon. Friend agree that that is a suitable reward for the man who rescued the Maxwell pension fund? Does he also agree that pensions in this country are better funded for the next century than are those anywhere in the continent of Europe, due to the importance of our occupational pension schemes?

Mr. Arbuthnot: My hon. Friend is right. I and, I am sure, the entire House would wish to pay particular tribute to Sir John, now Lord, Cuckney for his amazing achievement in making secure the future of Maxwell pensioners. I should like to put on record my gratitude, and that of the entire House, to Lord Cuckney.

Arcola Street Social Security Office

6. **Ms Abbott:** To ask the Secretary of State for Social Security what plans he has to visit Arcola street social security office to discuss the payment of benefits. [27605]

The Parliamentary Under-Secretary of State for Social Security (Mr. Roger Evans): My right hon. Friend has no immediate plans to do so.

Ms Abbott: Is the Minister aware of the recent Public Accounts Committee report which revealed that the benefits of 266,000 claimants, out of a total of 5 million, were underpaid to the tune of £76 million? What will he do to ensure that the Benefits Agency does not penalise the poorest in our society by that sort of inefficiency, and when will he make the actual take-up of benefits a target for the Benefits Agency?

Mr. Evans: Ministers are of course aware of the Public Accounts Committee report. The Arcola street social security office has met all the main targets apart from, as the hon. Lady very properly mentions, those on income support accuracy. Our principal difficulty with income support accuracy statistics involves the issue of mortgage interest rates and their variation. That is why, with the agreement of those involved, we are introducing a standard rate that will be simpler to administer and that will lead to a much more satisfactory position.

Family Policy

7. **Mr. Soley:** To ask the Secretary of State for Social Security which minister is responsible for the co-ordination of family policy within his Department. [27606]

Mr. Burt: Although overall policy co-ordination is, of course, the responsibility of the Secretary of State, I have responsibility for responding on general family issues in the Department.

Mr. Soley: Is the Minister aware that almost everyone outside the House who is concerned about family policy and the enormous impact that it could have on the welfare of our society, if we got it right, take the view that the Government do not have a real family policy and that there is virtually no effective co-ordination between Departments? If he believes that that is not correct, will he put out a statement saying who is responsible for what and what is the structure of co-ordination?

Mr. Burt: I do not accept the hon. Gentleman's point. Just about every Government Department handles policies that are of direct relevance to families, and individual Departments work closely together on matters that are common to them. A number of regular meetings to consider issues that impact on the family are held through, for example, the ministerial committee on home affairs and the ministerial sub-committee on women's issues. The whole of Whitehall is concerned about co-ordination of those policies. Such co-ordination does take place. The hon. Gentleman's plea for greater co-ordination is not falling on deaf ears. The work of each Department is complex and involves families in many different ways. The work is going on, even though the hon. Gentleman is not prepared to accept it.

Mr. Harry Greenway: Does my hon. Friend agree with Cardinal Hume that the nuclear family is the bedrock of our society? Although a family who are unfortunate enough not to have both parents must be given help, basically we are aiming, as a party and as a Government, to support the family, and that is the right aim to have.

Mr. Burt: I agree with my hon. Friend. The family is an integral part of the United Kingdom. We spend a lot of time concentrating on the income that goes into families, but we have spent rather too little time considering the structure of families and the damage that has been done over the past 20 or 30 years, with the changing structure of families and the pressure that is put on the relationships that keep families together. Anything that can focus both the mind of the House and the mind of the public at large on the importance of those relationships and the importance of families is a good thing. I wish that the ideal of a particular family type—that is, marriage—as the best basis for raising children would also be in the mind of the Church of England as it considers its conclusions to its report.

Mrs. Dunwoody: Then perhaps the Minister would like to consider the position of families, many of them old-age pensioner couples, who find themselves required to find extra money for their own parents because of the Government's policy of moving an increasing number of geriatric patients out of the health service and dumping them in the community without proper support. What kind of family policy is that, pray?

Mr. Burt: If I remember rightly, the change to community care was welcomed by the vast majority of local authorities, which competed keenly with Government to get the responsibility to look after elderly people. Substantial Government money has been put in to ensure that local authorities live up to those obligations; in many cases, they do.

Fraud

8. **Mr. Lidington:** To ask the Secretary of State for Social Security what steps his Department is taking to reduce social security fraud. [27607]

Mr. Lilley: My Department has been developing a comprehensive strategy to combat fraud, moving from reliance primarily on detection to a much greater reliance on prevention and deterrence. It is devoting increasing resources to achieving this end.

Mr. Lidington: Does my right hon. Friend agree that, with social security expenditure now by far the largest component of all Government expenditure, it is doubly important to maintain public confidence in the system by ensuring that every possible measure is taken to reduce and to prevent fraud? Will my right hon. Friend use the opportunities presented by new information technology to carry forward the struggle to prevent and deter fraud?

Mr. Lilley: I can assent to both my hon. Friend's propositions. Fraud is a matter that gives rise to great public concern, and it is right that we should do all in our power to combat it. That undoubtedly means taking advantage of modern information technology and data-matching processes, which is part of my strategy.

Mr. Frank Field: Will the Secretary of State confirm that about 10 million additional national insurance numbers that are not attached to individuals are floating around the system and that, last year, 30 million national insurance accounts neither had contributions paid to them nor credits made to them? Does he accept that, with a social security budget of £90 billion, it would be inconceivable, in view of what we know about City fraud and financial fraud, for there not to be the most sophisticated gangs operating against the social security budget? What action does the Secretary of State intend to take to protect that part of the budget, and how does he answer the charge that, in this most important of areas, he is soft on fraud and soft on causes?

Mr. Lilley: The hon. Gentleman is probably the only person who thinks that I am soft on fraud. If I am honest, he is the only Labour Member who is not soft on fraud. None the less, he should not give the impression that national insurance numbers are "floating around", as he put it, because of fraud. There are national insurance numbers that no longer have people in this country attached to them simply because the people concerned are abroad. In other cases, there is a period of some months after death before probate is got through, so the number exists in the meantime. We want to tighten up on this issue so that we can make better use of national insurance numbers to combat fraud. The phenomenon to which the hon. Gentleman refers is not the result of fraud.

Incapacity Benefit

10. **Lady Olga Maitland:** To ask the Secretary of State for Social Security what representations he has had with regard to the incapacity benefit. [27609]

Mr. Hague: I have received a number of letters about incapacity benefit. This major reform was introduced because, when the nation's health was improving, the number of people claiming invalidity benefit doubled.

Lady Olga Maitland: I thank my hon. Friend for that reply. Will he confirm that, last year, the Government spent £7 billion on invalidity benefit—more than the total sum spent on further and higher education? Will he therefore join me in welcoming the new incapacity benefit, which will control that spending and ensure that only those who are genuinely incapable of working will receive benefit?

Mr. Hague: My hon. Friend is right. Reform of the system was vital to ensure that benefit went to the people that it was intended for. Without that reform, expenditure would have grown at an unsustainable rate. That is the reality that the Government have faced up to and which the Opposition are unwilling to confront.

Ms Eagle: Will the Minister comment on the distress that some of the questions on the incapacity benefit form are causing my constituents and many other people, especially questions such as "Does your bladder work?" for which they are asked to tick the yes or no box? Those who drew up the questionnaire did not even have the decency to put "Private and Confidential" on the top. My constituents are having to answer questions on things about which they feel embarrassed, knowing that there is not even any confidentiality in the processing of the form. Will the Minister reconsider the design of the form to take account of some of those difficulties?

Mr. Hague: The hon. Lady must recognise that the form is an opportunity for individuals to express their opinion about whether they are incapable of work and to give their own account of the difficulties that they face and any conditions that they have. Many of them will also have a medical examination to make a further assessment and many of them will find that their GPs are asked for their opinions. The hon. Lady would be the first to come to the House and complain if we did not ask individuals for their opinions. The information is not publicly available. There is no question of distributing such information in the public domain; she need have no worries about its confidentiality.

Mr. Luff: On the subject of the medical test, will my hon. Friend confirm that many GPs will welcome these changes? They will no longer have to act as gatekeepers for long-term incapacity benefit, a role which many of them greatly disliked.

Mr. Hague: My hon. Friend is right. Many GPs have welcomed the changes because, with the best will in the world, in the past, their decisions about benefit produced haphazard and inconsistent results. That was one of the principal problems with the old system, and we have removed it from the new system.

Mr. Bradley: Has the Minister received representations from individuals who are terminally ill or from groups which represent them? I am sure that he remembers accepting the Labour amendment which will allow the higher rate of incapacity benefit to be paid to terminally ill people at 28 weeks instead of 52 weeks. Will he ensure that all the regulations allow for all linked benefits, including the Christmas bonus, to be paid to terminally ill people at 28 weeks instead of their having to wait for 52 weeks, so that they receive the maximum amount of benefits at the earliest possible opportunity?

Mr. Hague: The hon. Gentleman knows that the exemptions from the test provide for people with severe conditions, which will include people who are terminally ill. If the hon. Gentleman thinks that any commitment that we have made is not being met, I will certainly look at it. At the moment, I am not aware of any such instances.

National Insurance

11. **Mr. French:** To ask the Secretary of State for Social Security when he proposes to meet the chief executive of the Contributions Agency to discuss national insurance contributions. [27610]

Mr. Arbuthnot: My right hon. Friend the Secretary of State has regular meetings with Mrs. Faith Boardman, chief executive of the Contributions Agency, to discuss a wide range of issues.

Mr. French: When my right hon. Friend next meets the chairman of the Contributions Agency, will he ask her why the tests to determine whether an individual is employed or self-employed are sometimes applied differently by the Contributions Agency and the Inland Revenue? Does he accept that the tests ought to start off being the same and be applied consistently? Unnecessary confusion arises when the Inland Revenue accepts individuals as being self-employed while the Contributions Agency says that they are employed. Will he bring measures to bear to ensure consistency?

Mr. Arbuthnot: I have sympathy with my hon. Friend's question. My Department and the Inland Revenue have a common approach to employment status. Where one person is described as employed by one department, that judgment is normally accepted by the other department. That is intended to reduce burdens on businesses and on employees, and in almost every case it has that effect. If my hon. Friend would care to contact me about any individual cases that he might have in mind, I shall be pleased to take them up.

Mr. Flynn: Why are the Government planning to reduce the value of employees' and employers' contributions from 18.25 per cent. of median wages to 14. per cent. in the next century, while allowing the value of the basic state pension to fall? The pension has already fallen from 20 per cent. of average male wages in 1979 to 15 per cent. now, and it will be 10 per cent. in 2020. Is that not an example of the Government trying to drive people into poor value private pensions and away from a good value national insurance scheme, the running costs of which are a mere 5 per cent.? In private pensions, the cost of administration, commissions and profit is 50 per cent. Is that not very poor value for future pensioners?

Mr. Arbuthnot: No. Perhaps the hon. Gentleman was not listening to some of the answers that I gave earlier. The state pension, as a proportion of earnings, is falling because other people's earnings and occupational pensions are going up so fast. One of the reasons for the prosperity of this country is that so many people have opted out of the state earnings-related pension scheme into private, funded occupational pension schemes. The result of that is that we now have more money set aside in occupational pension schemes in this country than in the whole of the rest of the European Union put together. We are in a very good position indeed.

Benefit Reductions

13. **Mr. Ainger:** To ask the Secretary of State for Social Security how many claimants have had their benefit reduced as a result of adjudication officers ruling that they are not available for work because their homes are remote from work opportunities. [27612]

Mr. Roger Evans: None in the terms of the question asked. Benefit can be refused if a person imposes restrictions on his or her availability for work and has no reasonable prospect of securing employment. That is a different situation from a person being in circumstances that impose their own restrictions. No one should be refused benefit purely on the grounds of where he or she lives.

Mr. Ainger: That answer runs contrary to the evidence from my constituent in Rhosfach near Maenclochog, whose income support was suspended at the beginning of this year. The reason given in its evidence by the Department of Employment to the appeal tribunal was:

"Unless she moves to a less remote area or obtains her own transport it is difficult to see what work she could take."

That is contrary to what the Minister has just told the House. Is it not true that the way in which the rules are being applied discriminates against people in remote areas where there is virtually no public transport and against those who do not have their own personal transport?

Mr. Evans: No. The rules have remained unchanged since 1955. I am aware of the case of another constituent of the hon. Gentleman, in respect of whom he has written to me. A review has taken place and it has been agreed that benefits should be payable. I have had no specific notice of the particular constituent whom the hon. Gentleman now mentions, but I can assure him that the guidance that has been issued to adjudicating officers has been clear and in the same terms for some considerable period. If people impose conditions, that is their own choice. If the adjudicating officer is satisfied that they have done so, there may be grounds for refusing benefit, but no one is to be denied benefit simply because he or she happens to live in a beautiful, rural and remote part of the hon. Gentleman's lovely constituency.

Sir Donald Thompson: Will my hon. Friend ask the adjudicating officers to examine the case of two of my constituents who live in a beautiful part of Todmorden? They went to a remote area of the United States for 11 months and returned to find themselves totally out of benefit.

Mr. Evans: As far as I can recall, my hon. Friend has not given me details of that particular case. It sounds as though the difficulty would seem to be the issue of habitual residence, which is a different matter.

Old Age Pensions

14. **Mr. Skinner:** To ask the Secretary of State for Social Security when he last met a group of pensioners' representatives to discuss the level of old age pensions and other entitlements. [27614]

Mr. Arbuthnot: During the passage of the Pensions Bill, which is currently before the House, Ministers have had many meetings, both formal and informal, with pensioners' representatives and organisations.

Mr. Skinner: Is it not a scandal that, at a time when pensioners have been robbed blind by the Government—they lost up to about £20 a week when the Government changed the system of paying pensions in relation to wages and prices—a few thousand Lloyd's names have been given £2.8 billion in tax relief? If as much as £2.8 billion is in the country, is it not high time for that money

to go to hard-pressed pensioners and not to Tory Back Benchers who have been saved from bankruptcy and financial ruin?

Mr. Arbuthnot: As a Lloyd's name, I suppose I should declare an interest. As the hon. Gentleman is coming up to pension age, perhaps he, too, should declare his interest.

I always enjoy the hon. Gentleman's contributions. On this occasion, as he mentioned wages and prices, he had the opportunity to set out whether it was Labour party policy to uprate pensions by prices or by wages.

Mr. Skinner: It is mine.

Mr. Arbuthnot: How reassuring for us.

The Labour party has, however, produced no policy on that. It is not so much a pig in a poke as a porker in a pickle.

PUBLIC ACCOUNTS COMMISSION

Value-for-money Audits

28. **Mr. Cohen:** To ask the Chairman of the Public Accounts Commission what funds will be provided to the National Audit Office for value-for-money audits. [27642]

Sir Peter Hordern (representing the Public Accounts Commission): The net budget of the National Audit Office for 1995-96 is £37.6 million. That includes provision for both financial audit and value-for-money investigations. The Commission will meet on 4 July to consider the future expenditure of the NAO.

Mr. Cohen: Is not the Government's incompetence becoming legendary—witness the fiasco at the weekend when tens of thousands of officially held documents were found? Is not such incompetence expensive for the taxpayer? The shadow Chief Secretary to the Treasury has produced a document entitled "Waste Watch", which shows that more than £21 billion has been wasted by the Government since 1989 on wrong priorities and ideological experiments. Is there not a case for more value-for-money audits—conducted sooner rather than later—so that Government incompetence can be exposed and prevented. That would put an end to such plain bad management.

Sir Peter Hordern: The hon. Gentleman did not give me notice of his exact question, but I have read the document to which he referred. It is a rag-bag of some quite good points and some absolute rubbish, as one would expect from the Labour party. I had the good fortune to a member of the Public Accounts Commission during the previous Labour Government, under whom the omissions and faults were just as bad as they are under this Government.

Mr. Campbell-Savours: The right hon. Gentleman is supposed to be neutral.

Sir Peter Hordern: The hon. Member for Workington (Mr. Campbell-Savours) would bear witness to that record.

Mr. Hawkins: Are there any plans to introduce value for money audits, supervised by the National Audit Office, of inefficient, wasteful Labour councils, such as Hackney, Islington and those in Lancashire?

Sir Peter Hordern: No. Such work would be for the Audit Office, not the National Audit Office.

Statisticians

29. **Mr. John Marshall:** To ask the Chairman of the Public Accounts Commission what is the current number of statisticians employed by the National Audit Office. [27643]

Sir Peter Hordern: The National Audit Office employs about 550 staff who either have accountancy qualifications or are training for them. Of those staff, 25 have degrees in statistics or mathematics. There are eight full-time professional statisticians or operational researchers. In addition, when specialist statistical advice is needed, the NAO uses external experts.

Mr. Marshall: I thank my right hon. Friend for that answer. He is no doubt well aware of the difficulties that the NAO has experienced when dealing with the World Health Organisation. Would he like to comment on them and to offer any advice to the Government?

Sir Peter Hordern: The House may be aware that the Comptroller and Auditor General thought it right not to carry on with his work as auditor of the World Health Organisation because it involved a most unsatisfactory process. The Comptroller and Auditor General has issued a statement, which I expect Members will have seen. The House and all subscribing countries owe a vote of thanks to the Comptroller and Auditor General for his hard work and assiduousness on behalf of all subscribing nations to the WHO.

Mr. Campbell-Savours: Is the best way to deal with the problem simply to pull out? I have every respect for the Comptroller and Auditor General, but would it not be wiser to stay in, argue the issue publicly and secure reforms? At the moment, we have no guarantee that changes will be made to the process. May I suggest to the right hon. Gentleman that in his reply to me he freezes the political content that he used in answer to the question asked by my hon. Friend the Member for Leyton (Mr. Cohen), as he holds a non-political office?

Sir Peter Hordern: I apologise most sincerely to the hon. Gentleman for offending his political sensibilities in any way. I understood that there was a hint of political content in the hon. Member for Leyton's question, and I hope that the hon. Member for Leyton did not mind the way in which I answered.

In answer to the hon. Gentleman's question, I would say that—so far as I know—this country is still a subscribing member of the World Health Organisation.

HOUSE OF COMMONS

Hourly Wages

32. **Mr. Wicks:** To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, how many House of Commons employees employed directly or on contract, receive hourly wages of (a) £4 or less, (b) £3.50 or less and (c) £3 or less; and what is the lowest hourly rate for anyone working in the House of Commons. [27631]

Mr. A. J. Beith (representing the House of Commons Commission): None of the staff employed by the House of Commons Commission is paid an hourly rate of less than £4. The minimum point on the salary scale of the

most junior grade equates to £4.39 per hour. Two staff in this grade are currently paid at that rate. The House authorities do not hold details of the wages of staff employed by contractors.

Mr. Wicks: Is it not a disgrace that the House does not know the level of pay of staff employed by contractors? Is not that pay likely to be very low? Should not we satisfy ourselves from data that the people we employ are paid a fair wage, so that we are not an exploitative employer and the House of Commons is not a House of poverty?

Mr. Beith: As I pointed out, the people whom we employ are paid a fair wage. The House uses contractors principally in the Parliamentary Works Directorate and the Refreshment Department, and usually has contracts with firms or agencies rather than with individuals. If the hon. Gentleman has evidence of low pay in those areas, he should draw it to my attention so that I may draw it to the attention of the Department concerned. The rates paid by the House to contractors take account of the prevailing rates of pay for the appropriate levels of skill for which the contract is made.

Mr. Peter Bottomley: Does the right hon. Gentleman know whether the House of Commons Commission employs anyone below the ages of 18 or 19? He may discover that, as in some other public organisations, the rates of pay are high while the number of young people employed is nil.

Mr. Beith: I would require notice of that question, but I shall obtain the information and let the hon. Gentleman have it.

PUBLIC ACCOUNTS COMMISSION

Expenditure

30. **Mr. Janner:** To ask the Chairman of the Public Accounts Commission whether he will make a statement on the current year's expenditure of the National Audit Office. [27644]

Sir Peter Hordern: The Public Accounts Commission approved the National Audit Office estimate of £37.6 million net for 1995-1996 on 6 December 1994.

Mr. Janner: Will the Chairman tell the House how much of that expenditure goes towards producing the figures on unemployment, which nobody in the country believes to be anything other than fiddled? Will he consider whether the National Audit Office might not produce another set of figures to show how many people in this country want a job but cannot get one, because that is the real measure of joblessness in this land?

Sir Peter Hordern: On the unemployment statistics, the hon. Gentleman may be referring to a report by the Royal Statistical Society, which is not a matter for either the National Audit Office or the Comptroller and Auditor General. The comptroller's job is to look into waste in Departments and value for money. The hon. Gentleman may care to put his question to the Secretary of State for Employment.

SOCIAL SECURITY

Pensioner Incomes

17. **Mr. Mark Robinson:** To ask the Secretary of State for Social Security what has been the real average increase in pensioner household income since 1979; and what was the increase for the average household of the United Kingdom overall. [27617]

Mr. Arbuthnot: Between 1979 and 1992-93, average household income rose by at least 43 per cent. for pensioners. During the same period, average household income in the United Kingdom rose by about 38 per cent.

Mr. Robinson: I thank my hon. Friend for that answer. Does that not show that all pensioners are now better off in real terms than they were in 1979, thus giving the lie to some of the Labour party's claims?

Mr. Arbuthnot: Yes, it does. It shows also the virtues of our pursuing funded occupational pension provision and other policies that have been dramatically successful in improving this country's economy.

Mortgage Interest

18. **Mr. Pike:** To ask the Secretary of State for Social Security what recent representations he has received regarding changes in benefit to meet mortgage interest payments. [27618]

Mr. Roger Evans: A number.

Mr. Pike: Does the Minister recognise that, despite what was said in response to questions earlier this afternoon, the only free thing about the Skipton building society is the free publicity that it is receiving from the Government in the form of answers to questions? Is it not true that the Government can no longer claim that they are the friend of the house owner when that house owner runs into difficulty?

Mr. Evans: The answer to the last part of the hon. Gentleman's question is no. Far from receiving free publicity, the Skipton building society has behaved in a thoroughly responsible fashion.

As a socialist, the hon. Gentleman might have bothered to notice that the margins of building societies and lenders are at an historic high of nearly 2 per cent. and that they are in a position to help their borrowers in times of adversity. The report by Special Risks Services showed clearly that many lenders will now introduce free insurance in such circumstances and that prudent lenders will do so universally.

Mr. Dewar: As the Minister has praised the Skipton building society for its responsible approach to the problem, will he comment on its clear view that the Government have got it wrong and on its opposition to their plans?

Mr. Evans: That is not so, as one can see if one reads all the statements of the Skipton building society. Ultimately, it will introduce the scheme and that is the important thing.

Mortgage Interest

24. **Mr. Campbell-Savours:** To ask the Secretary of State for Social Security what modifications he will

introduce to his proposals for paying mortgage interest in the light of the Loughborough university and Policy Studies Institute research into the housing market, commissioned by the Department of the Environment. [27624]

Mr. Roger Evans: The research commissioned by the Department of the Environment was not directed specifically to the Government's income support mortgage interest proposals. The report confirmed that the majority of those who are affected by arrears and repossessions do not currently qualify for income support. Our proposals will encourage the development of comprehensive quality insurance, as I mentioned a moment ago, so that all new home owners should obtain proper protection if they suffer a loss of income.

Mr. Campbell-Savours: Is it true that the report showed that two thirds of mortgage protection policies issued were invalid for reasons of exclusion? If so, is it not a remarkable statistic?

Mr. Evans: It is a remarkable statistic, but the sample was 12. The Special Risks Services report showed that 75 per cent. of those involved in lending were surveyed not only about their intentions in respect of mortgage insurance, but also about the issue that the hon. Gentleman has raised. The *Housing Finance Gazette* of April 1995 stated:

"One of the most unexpected results of the survey was the satisfaction with the claims service. The evidence, mostly anecdotal, from newspaper articles complaining about the claims service on creditor is largely unsupported by these figures."

The lender, as much as the borrower, has a vested interest in ensuring that quality insurance is in place to ensure that the borrower's obligations to the lender are met when the borrower falls into unemployment.

Mr. McLoughlin: Will my hon. Friend confirm that the Conservative party is the party of home ownership, that it encourages and will continue to encourage home ownership, that it has enabled millions of people throughout the country to buy their own council homes and that we shall continue to encourage people who wish to buy their own homes?

Mr. Evans: My hon. Friend puts four questions robustly. The answer to each is yes, and that historically is in stark contrast to the policies of the Labour party.

Benefits

26. **Mr. Mackinlay:** To ask the Secretary of State for Social Security by what machinery or method he obtains the views of recipients of social security benefits; and if he will make a statement. [27626]

Mr. Hague: The Benefits Agency commissions an annual national customer survey, carried out by an independent external research contractor, to examine customer opinion of the service that it provides. The overall satisfaction rating for the 1994 survey was 83 per cent.

In addition, all BA districts carry out local customer surveys, which focus on the difficulties encountered by customers. BA also holds a series of biannual meetings to provide organisations with an opportunity to discuss issues of concern to customers. The surveys are in accordance with citizens charter principles and the BA customer charter.

Mr. Mackinlay: Is the Minister aware that pensioners will not consider an independent research company a proper way of sounding out individual views and frustrations, bearing in mind that married couples are losing some £20 a week due to the Government's meddling with the system of uprating pensions? Is it not time that the Government listened to pensioners, who feel frustrated by the level of their pensions and their lack of mobility on public transport? On the 50th anniversary of voting for a Labour Government and a welfare state, they see the great prize for which they fought and for which they voted in 1945 being eroded by the Government.

Mr. Hague: Pensioners are included in the survey to which I referred, but in recent years they have benefited from the uprating of the pension in line with prices, the increased resources being given to the less well-off and oldest pensioners and the low inflation that the Government have delivered, in stark contrast to their predecessor.

HOUSE OF COMMONS

Business Questions

33. **Mr. Flynn:** To ask the Lord President of the Council what percentage of requests for debate at business questions resulted in parliamentary debates. [27632]

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): Representations at business questions are among a wide range of factors that influences the content and timing of the business of the House. In recent months, several debates have responded to such representations.

Mr. Flynn: Unfortunately, the Leader of the House has not answered the question. Does he agree that most right hon. and hon. Members regard business questions as a valuable opportunity to raise matters that are not otherwise on the Order Paper, with no real expectation of securing a debate? Does he agree that the system of business questions is now a meaningless ritual and that we should replace it with the system used in many Parliaments around the world, such as India and the United States, where, with the agreement of the Speaker, Members can speak for one minute during a period of about 10 minutes every day and raise any subject? Does he agree that the system of business questions and points of order is now archaic, meaningless, time-wasting and inefficient?

Mr. Newton: It is clear that, were any such opportunity to be created, the hon. Gentleman would almost immediately talk it out. Many of his suggestions are clearly for the Procedure Committee. It seems sensible that there should be a weekly business statement. How people choose to use it is a matter for them, under the rules laid down by you, Madam Speaker, but much ingenuity is undoubtedly used.

Mr. Dykes: Contrary to the previous churlish and over-lengthy question, will my right hon. Friend accept the thanks of the House for being a fair-minded Leader of the House and providing opportunities for debates on many subjects? In the same constructive spirit, will he give a little more thought to having slightly more debates

on Europe on the Floor of the House, not just in Committee, so that we can debate the obvious merits of the single currency more often?

Mr. Newton: On the latter part of my hon. Friend's question, on one recent occasion many members of the Select Committee on European Legislation found it useful to be able to question a Minister in a way that would not be possible on the Floor of the House. I agree entirely with the first part of my hon. Friend's question.

Privy Council Office

34. **Mr. Mackinlay:** To ask the Lord President of the Council if he will make a statement on the work of the Privy Council Office. [27633]

Mr. Newton: The Privy Council Office acts as the secretariat to the Privy Council. Among other things, it considers applications for the granting or amendment of royal charters, scrutinises changes in the byelaws or statutes of chartered institutions and in the governing instruments of universities and colleges, and arranges a variety of Crown and Privy Council appointments. The Judicial Committee of the Privy Council is serviced by the Department, which also contains the central drugs co-ordinations unit.

Mr. Mackinlay: Will the Lord President reflect on the fact that, had the Halifax summit occurred any time after the third week of July and before the third week of October, there would have been no statement in this House of Commons? If the BMARC affair had cropped up in that time, there would have been no debate here. Is it not time that this Parliament provided, at least in the first or second week of September, a period when we could have statements from Ministers and could probe the Executive? How is it that I can table parliamentary questions in January, February and March but cannot get replies in July, August, September or October? It is time this Parliament had proper sittings in the autumn to allow for proper scrutiny.

Mr. Newton: The hon. Gentleman's question is all very interesting, but it has absolutely nothing to do with the one that I was asked.

Divisions

35. **Mr. Skinner:** To ask the Lord President of the Council how many Divisions have taken place in the House since January; and what was the figure for a comparable period in 1994. [27634]

Mr. Newton: The number of Divisions in the House for the period from Tuesday 10 January 1995 to Friday 9 June 1995 inclusive was 129. That period represented 90 sitting days. During the first 90 sitting days of 1994, covering the period from Tuesday 11 January 1994 to Thursday 26 May 1994 inclusive, there were 202 Divisions.

Mr. Skinner: Does the Leader of the House agree that there has been a dramatic change since the Jopling proposals were introduced in the House? I could not for the life of me understand why Tory Back Benchers, almost certainly facing a Labour Government in the near future, would want to throw away the opportunity to oppose that Labour Government. Then I suddenly realised why: because most of them realise that there will be a Canadian whitewash, and they will not have jobs.

Mr. Newton: An above-average amount of ingenuity is being shown this afternoon—quite apart from the first question. The principal reason for the figures that I have just given is likely not to have been the Jopling changes but the fact that the usual channels were not operating in the first half of last year.

Halifax Summit

3.31 pm

The Prime Minister (Mr. John Major): With permission, Madam Speaker, I should like to make a statement on the Halifax summit, which I attended with my right hon. Friend the Foreign Secretary, my right hon. and learned Friend the Chancellor of the Exchequer and my hon. Friend the Minister of State, Treasury. I have placed the communiqué and the chairman's statement in the Library of the House.

As last year, the summit was in two parts. We started with a G7 meeting focusing on economic matters and were then joined by President Yeltsin for a G8 meeting on wider political issues.

In the G7 countries, growth averaged 3 per cent. last year, with the United Kingdom growing somewhat faster. The issue of most concern is the continuing high level of unemployment, particularly in continental Europe. Unemployment, for example, across the western European states in the European Union is currently at 11 per cent. We are all agreed on the policies needed to tackle that. They are those set out in the G7 jobs conference last year and taken forward in the recent Organisation for Economic Co-operation and Development study: more flexible labour markets, deregulation and the scrapping of restrictive practices, and better training and education. Those are the policies being pursued by the Government of this country, which have led to unemployment falling by more than 600,000 in the past two years.

We agreed to hold another jobs conference in France next year to review progress on those issues. All countries will be represented by Finance and Employment Ministers, and further consideration will be given to including others, such as Education and Trade Ministers, as well.

Last year at Naples we agreed to conduct a review of international institutions. At Halifax we have drawn up a series of specific proposals to strengthen the Bretton Woods institutions and the United Nations.

We all agreed that the most effective way to tackle exchange rate instability is the pursuit of sensible economic policies domestically. Finance Ministers and central bank governors will maintain close co-operation on economic surveillance and on exchange markets. We also agreed on a range of measures to strengthen co-operation between the world's financial regulators and supervisors on such matters as prudential standards and transparency. Among the proposals for the international financial institutions, I would single out those aimed at improving the International Monetary Fund's early warning mechanisms and its ability to handle crises where prevention fails.

The summit also discussed the problems of poverty and sustainable development. We agreed in particular to encourage better use of all existing World bank and IMF resources to tackle the substantial burden of multilateral debt faced by some of the world's poorest countries. That is an area where the UK has taken the lead in pressing for action. All G7 countries have now agreed to explore the option of pledging some of the IMF's gold, and we and some others will continue to argue the case for modest outright sales of gold to help reduce the debt burden.

This year is the 50th anniversary of the United Nations. We all wish to see a strong and purposeful UN, able to play the full role envisaged under its charter. We agreed that reform is essential if the UN is to continue to meet the demands placed upon it. We have made a number of proposals for eliminating duplication and waste, and consolidating and streamlining the UN's economic and social bodies.

We shall be actively pursuing those proposals in partnership with the rest of the UN's membership, as decisions on them are not solely for the G7. We also recognised the need for the UN to be properly financed. All UN member states should meet their financial obligations and agree to reform the system of assessment.

The G7 gave a strong push to the next stage in liberalising world trade. There is unfinished business from the Uruguay round, as well as new areas to be tackled, including non-tariff barriers, investment and Government procurement.

We dealt with a number of other issues, including the environment, where we agreed on the need to review and, where appropriate, strengthen the commitments that we made at the 1992 Rio summit. We also discussed international crime, where the G8 has taken up our suggestion to establish a high-level group to look at existing arrangements for co-operation against crime and to make practical proposals to improve them.

President Yeltsin played a full part in the political discussions. He described the tragic consequences of the taking of hostages by Chechen guerrillas in Budyonnovsk. The crisis, which has claimed many lives, has taken a new turn today. The guerrillas are now reported to be leaving, by agreement, but with a large number of hostages as well as Russian deputies and journalists. I hope that there will be no further loss of innocent lives, but the wider problem of Chechnya remains. We urged President Yeltsin to do all that he could to find a political solution.

Terrorism has been a problem in many of our countries, and we agreed to set up a better system for exchanging information about terrorist incidents and methods of dealing with them. We also agreed to President Yeltsin's proposal to hold a special summit in Moscow next year to discuss a range of issues on civil nuclear safety.

On Bosnia, Security Council resolution 998 on the reinforcement of UN protection forces was adopted on 16 June. The summit supported the new rapid reaction force, which the UK and France have helped to establish. President Clinton said that he had not yet secured congressional approval for that force to be funded from UN assessments, but made it clear that he wanted the US to share in the financing.

Following new offensives in Bosnia, summit leaders called for an immediate moratorium on military operations so that political negotiations based on the contact group proposals could resume.

Over the past day, the remaining protection forces' hostages have been released and the level of fighting has decreased. There has so far been no significant change in the military situation as a result of the latest offensives, and we continue to believe that this question will not be solved militarily.

Bosnia clearly remains in a dangerous phase. Mr. Carl Bildt, the former Swedish Prime Minister, is about to begin his mission as the European Union's negotiator. He will do so with the strong support of all the eight summit nations.

[The Prime Minister]

This was a summit that addressed a range of primarily long-term but in some instances short-term issues: growth and employment; the reform of international institutions; the debt problems of the poorest countries; pushing forward free trade; the conflict in Bosnia; and terrorism.

The people of Nova Scotia gave the summit a conspicuously warm welcome. That helped to make it a friendly and productive meeting without the over-elaborate formalities that have often characterised previous summits. That is something that I have pressed for for some time, and I hope that we can take the process forward even more next year.

Mr. Tony Blair (Sedgefield): I broadly welcome the statement that the Prime Minister has just made. I shall deal with it briefly under four key headings: Bosnia; global finance; action on jobs and the environment; and other related matters.

On Bosnia, the Prime Minister knows that we support the deployment of the rapid reaction force. May I simply press him, though, on its role? Is the intention that it be limited mainly to the protection of UNPROFOR troops, or will it be more vigorous in implementing the UN mandate, for example, in trying to secure convoy routes or in the policing of safe areas? I add our regret that the United States Congress has not thought it right—yet, at any rate—to contribute to the funding of the force. Can the right hon. Gentleman say whether that is likely to change? Are there other measures with which the US is proposing to help?

Was it impressed on President Yeltsin in particular that continuing pressure on Serbia by Russia is essential to a solution in Bosnia? Did the Prime Minister make it clear to Mr. Yeltsin, as other leaders did, that our desire for him to act over Serbia, and our deploring of any acts of terrorism by Chechen guerrillas, does not mitigate our concern for minimum standards of proper conduct on all sides in the handling of the crisis in Chechnya?

On global finance, I regret that the Government's proposals on the use of gold sales to help the debtor nations did not find support. Does the Prime Minister agree with us that the summit was disappointingly empty of new measures to assist poverty in the poorer countries? Does he further agree that such measures are in the interests not just of those countries but of the wealthier nations, too?

It is clearly right, especially following the financial crisis in Mexico, that the IMF pays greater attention to the way in which a crisis is prevented rather than merely to the way in which it is resolved once it has happened. I therefore agree with the improvements that have been suggested to allow for a better early warning system where problems have arisen and with the key benchmarks agreed on the publication of economic and financial data, but does the Prime Minister accept that doubling the IMF's general arrangement to borrow, as has been agreed, to allow earlier intervention in an emergency, is sensible, but only if the other reforms that have been agreed and the tough conditions necessary are put in place?

I also welcome the increased emphasis on co-operation over banking regulation in the wake of Barings, but is not the central issue the revolution in the globalisation of the financial and currency markets, which now wield massive speculative power over the Governments of all countries and have the capacity seriously to disrupt economic progress?

Apart from the general words—*[Interruption.]* Conservative Members may find this a problem of no account at all—but that is hardly surprising—but I think that most sensible people do. Apart from the general words in the communiqué, were there any specific proposals as to how the G7 countries—*[Interruption.]* I do not think that Conservative Members realise that the G7 summit specifically drew attention to those problems, and most sensible people would regard it as intelligent to ask questions of the Prime Minister on them.

Apart from the general words in the communiqué, were there any specific proposals as to how the G7 countries could promote the greater stability in the new financial world that they have asked for?

On jobs, without such stability, job prospects are much bleaker, and the Prime Minister will know that the G7 suggested, as well as the elimination of unnecessary regulation, a greater emphasis on investment in skills. Will he not therefore reconsider the irresponsible cut of around 20 per cent. in the Government's budget for training the long-term unemployed? Does he agree with the emphasis in the communiqué not just on jobs, but on jobs of quality that pay wages that allow people to enjoy decent living standards?

As for the environment and related matters, especially nuclear power, we welcome the statement on the environment and, in particular, the decommissioning of Chernobyl nuclear power station. But is the Prime Minister as sanguine as the G7 appears to be about the state of the other nuclear power stations in the former eastern bloc? The chairman's statement mentions the importance of bringing the chemical weapons convention into force at the earliest possible date; what are the Government's current plans for its ratification, and when can we expect legislation?

We also welcome the initiative on fighting international crime and terrorism. Does the Prime Minister agree that the global nature of organised crime today makes concerted action imperative? We also approve of the mention of the position of Mr. Salman Rushdie, and the support for him expressed at the summit.

Finally, may I make a point with which I am sure the Prime Minister will agree, although he may not say so? When he next represents our country at an international financial summit, will he do so without his efforts being overshadowed by undisciplined shenanigans on the Conservative Benches? In the end, the loser from such behaviour is not just the Conservative party, but Britain.

The Prime Minister: First, let me thank the Leader of the Opposition for the areas in which he supported the decisions and proposals that were made at the summit.

I shall take the right hon. Gentleman's questions in the order in which he raised them. He asked about Bosnia. The role of the rapid reaction corps is primarily to reinforce and protect, but it may well be operating in greater numbers in terms of some elements of convoy protection. For example, it will have much better equipment to remove mines. It is difficult not to give a misleading impression by saying that it is there to add muscle; it is emphatically not there to fight—that point should be clear—but the greater reinforcements and equipment will assist in ensuring that more convoys can

get through, because of the ability that they will have in greater numbers to deal with problems that are currently extremely difficult to overcome.

As for funding by Congress, President Clinton faces the difficulty that he needs the approval of Congress and at present does not have it. He wishes to pay, and he wishes to make it clear that the United States would wish to pay its equivalent to an assessed United Nations contribution towards the cost of the rapid reaction corps. He will be looking to see how that can be done. Moreover, around the table, every Head of Government agreed that, in the absence of an assessed contribution, they would themselves voluntarily pay the contribution that they would have paid under a system of assessed contributions.

The right hon. Gentleman asked about President Yeltsin's relationship with Serbia. President Yeltsin has repeatedly put pressure on President Milosevic; he did so most recently when I telephoned him with Chancellor Kohl from Germany when the present difficulties began. He reassured us yet again that he would continue to do so—although I think that the degree of pressure subsequently exerted by President Milosevic on Karadzic is a different matter, over which the Russian leader feels that he has less direct control.

The chairman's statement made clear the feelings of the G7 about Chechnya, the need for a political solution and the need to ensure proper standards in dealing with the conflict. President Yeltsin knows from what we have said on this and other occasions that we do not believe that it was handled in the most appropriate fashion.

As for finance, we would have preferred an outright sale of gold by the IMF to help to deal with the problems of the very poor nations. The intention, however, was never to sell the gold and use the proceeds, but to sell the gold, maintain the proceeds and use the interest to alleviate the debt of the poorest. I think that that can broadly be met by the pledge, although I share the right hon. Gentleman's view that the pledge is second best: we would have preferred the outright sale of gold, and we shall continue to press for it to assist those very poor nations.

I welcome the right hon. Gentleman's support on the IMF questions and agree that doubling the general arrangement to borrow is sensible, but that the other reforms need to be put in place. That point has been securely made. I also agree about the co-operation that is necessary to deal, in terms of IMF surveillance, with countries that are running into economic difficulties.

I now refer to speculative flows. Everyone is concerned about an element of speculation, although sometimes people confuse speculation, which does exist, with significant movements of large pension funds from one country to another. Those responsible for pension funds are sometimes under a statutory requirement to move funds if that is right and is thought to be in the interests of their pension holders. There is undoubtedly some speculation. The problem in dealing with it is that even the sum total of foreign exchange reserves of the world's seven largest industrial countries, whose representatives were seated around that table, would probably be less than the flow of foreign exchange through the New York exchanges on a single day.

The reality is that we are no longer in the circumstances that we may have been in 15 or 20 years ago to deal with open market operations on speculation. Frankly, it is no longer true and no one should harbour the belief that it can be tackled in that fashion because the market is now much too big for the problem to be dealt with in that way. We looked at how best to deal with it and reached the unsurprising but, I think, sensible conclusion that the only way to deal with it is for countries not to place themselves in that position. They will not do that if they follow sensible economic policies, so that their currencies are not likely to become subject to speculation. I think that that was universally agreed around the table. There are areas in which there can be central bank co-operation, but we felt that they were very much on the margins of what could be achieved and that those achievements cannot be central because the market is too big.

On the environment and nuclear power, we welcomed the decommissioning of Chernobyl. I am sorry if the right hon. Gentleman thinks that the communiqué is sanguine on the eastern bloc problems. I do not think that that was the view of those who were present. Certainly, Chernobyl has caused great trouble, but there is a large number of unsafe nuclear establishments across eastern Europe. They have not become Chernobyls and we hope and pray that they never will, but judged by the safety standards that we wish, they are not safe. That is one of the reasons for not only the financial assistance that has previously been offered but the decision to hold a conference on civil nuclear safety in Russia in the first half of next year.

I cannot give the right hon. Gentleman a date on the chemical weapons convention, but I can tell him that we shall proceed to ratification as soon as we can. I am grateful to him for his support for the condemnation of Iran's fatwa on Salman Rushdie. On jobs, we agree about greater investment in the right sort of skills. We were looking at skills and education expenditure right across the board. In our view, it is a matter not just of more spending but of how existing resources were being used.

On jobs, we supported what was said by the Organisation for Economic Co-operation and Development, which made the position clear on the policies that it supported. The OECD also highlighted policies that it felt cost jobs. They included: high non-wage costs, artificial training levies and high minimum wages—all of which will be familiar to the right hon. Gentleman.

Sir Peter Hordern (Horsham): My right hon. Friend said that the United States sanctioned the United Nations rapid reaction force, but is not prepared to pay for it. Is there some prospect of that being reversed, and does he agree that if it is not, there will be an unacceptable burden on ourselves and the French? Would reform of the IMF mean that we could avoid the problems that occurred when Mexico was bailed out by the United States and by the International Monetary Fund without, I understand, any consultations with those, including ourselves, who subscribe to the IMF?

The Prime Minister: In response to my right hon. Friend's first point, I hope very much that the President will be able to find a way of meeting what would otherwise be the assessed United Nations contribution of the United States. Whether the President will be able to change the present opposition by Senator Dole and Speaker Gingrich is not a matter that I can judge from here. I am in no doubt about the President's willingness to do that or to find some other way to meet that cost. If not, it will, of course, have to be met either by France and

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Britain or by a voluntary settlement from other members of the G8 and other United Nations members. That also is a possibility; both possibilities exist.

One impetus for the reform of the IMF was, of course, the lack of proper surveillance that predated the problems with Mexico. The difficulties in Mexico should have been spotted earlier by the IMF, but they were not. The problems created a great deal of currency turbulence in central Europe and also played a material part in the rising level of the deutschmark against other European currencies. It is precisely for that reason—among others, but certainly for that reason—that we are looking at reform of the institutions.

Mr. Paddy Ashdown (Yeovil): I welcome the Government's proposals for the limited sale of gold to relieve the debt burden on third-world countries. I am sorry that they did not receive the full support that they deserved. May I assure the Prime Minister that if the Government continue to press those proposals, he will, I suspect, have the full support of all Opposition Members?

On currency speculation, the Prime Minister described very accurately both the scale of the problem and its danger. Have the Government given any thought to the proposals, which have been very well worked out over a number of years, that are being put forward by, among others, Professor Tobin for an international scheme for a low level of taxation of speculators in the spot markets in currency? Many believe that that would have a stabilising effect and it is well within the scope of the international institutions' power.

On Bosnia, the Prime Minister will no doubt understand why the very disappointing decision of the Americans not to fund the rapid reaction force at the moment will be regarded by many as yet another example in the long chapter of disorganisation, disarray and disunity for which the UN, the Bosnians and our troops on the ground have paid such a price in the past. I would ask the Prime Minister one specific question. On Saturday, he said that, if the UN was forced to withdraw, the result would be a massacre. I believe that that calculation is correct. Does it not follow that if, against our will, the UN is forced to withdraw from Bosnia, it would be inconceivable to leave the Bosnian Government without the means of their own defence?

The Prime Minister: Again, let me take the right hon. Gentleman's points in order. On gold, yes, we shall continue to press and I shall be happy to have the right hon. Gentleman's support and that of other hon. Members. It is the right way forward. Pledging the gold will certainly make an improvement, but we think that outright sales of gold would have been better.

On speculation, we did not specifically refer to the Tobin proposals, but we did discuss matters such as the imposition of taxes and exchange controls. However, we agreed without dissent that either the reimposition of exchange controls or new taxes on financial transactions would be counterproductive. We did consider those proposals, but there was unanimous agreement among the G7 that that was not the direction in which we wished to go.

On Bosnia, I think that the first half of the right hon. Gentleman's remarks was inaccurate, in the sense that the responsibility for the fact that the United States is unprepared to contribute lies not with the United Nations, the Bosnians or the American Administration, but with Congress itself. I very much hope that that will be able to be corrected. As I indicated to my right hon. Friend the Member for Horsham (Sir P. Hordern) a moment ago, we must wait and see whether that is the case.

I did say that, if the United Nations protection force were forced to withdraw, I feared that one of the outcomes would be a massacre. That is a position that I have held to for a long time; it is why I remain rigorously opposed to the withdrawal of the United Nations protection forces unless and until it becomes transparently clear that it is no longer safe or prudent for us to leave our troops there. So I very much wish them to remain. Were the United Nations protection force to leave, I think that it is very likely that the arms embargo would be lifted.

Several hon. Members *rose—*

Madam Speaker: Order. A number of right hon. and hon. Members are seeking to question the Prime Minister. I caution the House that now that we have heard from the two major Opposition parties, I am seeking one question each from Back Benchers to the Prime Minister; otherwise, there will be great disappointment. There may be disappointment in any event, but this is not a debate. It is one question to the Prime Minister, who, I am sure, will give a brisk answer.

Mr. David Shaw (Dover): My right hon. Friend will have met President Chirac at the conference, someone who has suffered a number of political disappointments in his political life, but who won through in the end. Perhaps my right hon. Friend had the opportunity to talk to President Chirac about reports last week that he criticised our overseas aid budget. Did my right hon. Friend have the opportunity to point out to him that Britain not only spends some £3 billion a year on overseas aid, but puts £3 billion into Europe, whereas France gets about £3 billion from Europe? Should—

Madam Speaker: Thank you. I meant it.

The Prime Minister: I did not spend any time discussing overseas aid with President Chirac. We had the opportunity to discuss that the week before, so we did not do so this weekend. I think that President Chirac knows and accepts that we have a very high-quality aid programme.

Mr. Tony Benn (Chesterfield): Will the Prime Minister tell the House what representations were made to him about the decision to allow the Brent Spar oil rig to be ditched in the sea and what representations he and others made to the French about the resumption of nuclear testing, both of which run absolutely counter to the bland and meaningless words used in the communiqué about the environment?

The Prime Minister: I understand that many people seem deeply upset about the decision to dispose of Brent Spar in deep water. I believe that it is the right way to dispose of it. It will be disposed of in the Atlantic, in 6,000 ft of water. It is 150 yd tall and 30 yd wide, and the proposition that it could have been taken inshore to be disposed of is incredible. Shell has my full support to dispose of it in deep water. I made that clear to people in the discussions that I had over the weekend.

Sir Patrick Cormack (Staffordshire, South): When my right hon. Friend and his colleagues made their understandable calls on Saturday for a cessation of hostilities in Bosnia, did they recognise the fact that any sovereign state has the right to defend its own capital city?

The Prime Minister: I think that that point was well understood, but I repeat that I do not believe that the matter is ever going to be solved on the battlefield in any remotely satisfactory way. That is why I believe that we must do all we can, as we have over the past three years, to try to seek a negotiated political settlement. It is bitterly disappointing that, time after time, one group or the other—it has not been one group alone—has stood in the way of a settlement when it looked as if we could get to serious talks.

All the main groups have stood in the way of that at some stage and, I believe, for different reasons. However, the sooner that every group realises that if it seeks to win on the battlefield it will be an international pariah for years, the better; the sooner other groups realise that the United States is not going to enter the war on the ground on one side, the better; and the sooner those two points are recognised by the different groups, the sooner we might get to some political negotiations that would realise a satisfactory settlement.

Mr. James Molyneaux (Lagan Valley): Given the vulnerability of modern society to terrorism and the certainty that terrorism will seek to dominate democracy in the next century, will the Prime Minister continue the good work that he did last week and strongly press his colleagues—the leaders of the other Governments—to arrange and establish workable and effective structures to co-operate against terrorism? Will he warn the other leaders that it would be completely futile if they were to make any concessions to terrorists, which would merely whet their appetite?

The Prime Minister: I share the right hon. Gentleman's views. We agreed to share information on major terrorist incidents and to strengthen co-operation in all aspects of counter-terrorism, including the research and development of methods to prevent and to deal with terrorist attacks. In our discussions, we attached special importance to measures to impede the ability of terrorist organisations to raise funds, without which, of course, they cannot purchase the weapons that they use against innocent citizenry. In order to carry matters forward, we asked a terrorism expert group to report on specific measures to deter, prevent and investigate terrorist acts, and we shall jointly consider that report when it is completed.

Sir Cranley Onslow (Woking): When my right hon. Friend says—and it is welcome news—that there are to be measures to improve international co-operation against terrorism, may I take it that that extends to crime in general and not just to terrorism in particular? If there is to be a better system and one that is more effective and secure than Interpol, will he tell us any more about how it is to be developed and who is to pay for it?

The Prime Minister: I can confirm that to my right hon. Friend. There are some further matters directly related to crime, again to strengthen the exchange of information and co-operation and to provide assistance to other nations in areas where drug-related crime, for example, may find its roots. We are also seeking to co-operate, to stop criminals escaping justice by crossing borders—another matter that is long overdue, where more decisions are yet necessary and where discussions will take place to ensure that they are taken.

We should also like to encourage all Governments to adhere to the recommendations of the financial action task force to prevent money laundering. Clearly, money laundering takes place on a massive scale in different parts of the world. Often it is money laundering not just by individual criminals, but by organised, large-scale criminal groups in different parts of the world. We have established a group of senior experts to consider critically existing arrangements for co-operation and to report back to the next summit.

Mr. Peter Shore (Bethnal Green and Stepney): Returning to nuclear matters, the Prime Minister touched on the business of nuclear safety at Chernobyl and elsewhere, but he made no mention of the French decision to resume nuclear testing in the Pacific. In the context of the advanced stage of the comprehensive test ban treaty negotiations, and taking account of the justifiable anger in New Zealand, Australia and other Pacific countries, what representations did the Prime Minister make to the French President and, if so, with what effect?

The Prime Minister: The question of French nuclear testing was not discussed bilaterally or in the discussions among the G7 or G8 at all. [HON. MEMBERS: "Why not?"] It was not discussed at all at the economic summit. The important international objective now is the early agreement of the comprehensive test ban treaty, and we all confirmed our commitment to that. The decision on the resumption of French nuclear testing is a matter for the French Government and they have taken that decision. The French have said that there would be a short series of tests, following which they proposed to adhere to the comprehensive test ban treaty. That is their position. It has been established and we accept it.

Mr. Roger Knapman (Stroud): When discussing economic affairs, did my right hon. Friend and other leaders discuss the position in socialist Spain, which was recently obliged to increase its interest rates by 0.75 per cent. to meet convergence criteria—and that despite a 24 per cent. unemployment rate? Does not that show my right hon. Friend's wisdom in maintaining our opt-out from a single currency?

The Prime Minister: I agree with my hon. Friend about the wisdom of maintaining the opt-out. [HON. MEMBERS: "What a surprise."] I say to Opposition Members that it is no surprise that I agree with my hon. Friend on that particular opt-out, as I negotiated that particular opt-out and it would be extremely surprising if I did not agree with it. I must say to my hon. Friend, however, that, although it would have been tempting, we did not discuss the particular matter to which he referred in the first half of his question.

Mr. Dennis Skinner (Bolsover): How on earth can the Prime Minister come to the House of Commons and try to give the impression that he can resolve the problems on the world stage when he cannot sort out all the conflicting groups in his own party?

The Prime Minister: I have to say to the hon. Gentleman that his ingenuity knows no bounds, and that its irrelevance to the subject under discussion knows no bounds, either.

Mr. Michael Jopling (Westmorland and Lonsdale): Leaving aside Bosnia, is the Prime Minister aware that there will be broad support for the agreement to try to find fairer ways of financing the overall budget of the United Nations? However, was there broad agreement among all the Heads of Government, including the Americans, that, given all the problems that we have in the world, the recent decisions by the United States Congress to cut United States contributions to the UN are both deplorable and, as the Minister of State, Foreign and Commonwealth Office told the House the other day, probably illegal?

The Prime Minister: Yes, we have discussed that matter. I share the view expressed on the subject by my right hon. and learned Friend the Minister of State just a few days ago. It is necessary, though, for us to reform the system of payments to the United Nations generally. The House will be interested to know that if the system is based on gross national product, it will not make any material difference to the British contribution. It would certainly reduce the American contribution and increase the contributions from Japan and Germany. There would be other changes as well, to reflect changing patterns of GNP over the years. For this country, the change would be marginal.

Mrs. Margaret Ewing (Moray): Will the Prime Minister confirm that the issue of Brent Spar was raised publicly as well as privately at the summit? Will he advise the House which, if any, other leaders agreed with the decision taken by Shell and the United Kingdom Government in favour of such a form of disposal? Will he advise us whether there is a financial interest for the Government, because some of the costs of disposal at sea can be offset against petroleum revenue tax? The costs cannot be offset if there is full disposal on land, which could actually create jobs and has been shown in the Smit report to be much cheaper.

The Prime Minister: The question of Brent Spar was not discussed among the G7 leaders. Chancellor Kohl and I spoke bilaterally about Brent Spar; he expressed one view and I expressed another. There were no public statements about the matter other than in response to questions asked of us by journalists. There were no public discussions.

On the disposal of Brent Spar, I repeat the point that I made a moment or so ago. The right environmental way in which to dispose of Brent Spar is to drop it into 6,000 ft of water in the Atlantic. The hon. Lady seems to think that the platform should be taken ashore. If she thought that it was to be taken ashore in Scotland, she would think differently.

Sir Peter Tapsell (East Lindsey): On the subject of global finance, may I put it to my right hon. Friend that the most immediate problem is not speculation, as stated by the leaders of the Labour and Liberal Democrat parties, but the continuing need of many Japanese institutions to repatriate, for purely commercial reasons, increasing quantities of their vast holdings of overseas assets, much of them held in liquid form? If that repatriation continues at the rate of recent weeks and months, it will have the same impact on the world economy as did the oil hike of 1973-74. It could plunge the whole world, including this country, into another slump. Did the leaders of the G7 give any thought to international co-operation to deal with this problem of a recycling kind?

The Prime Minister: My hon. Friend touches on a problem of real severity as we look to the months that lie immediately ahead. There was some discussion of the problem at the G7 and there was some discussion about the desirability of increased demand within Japan itself. Those points were carefully noted by the Japanese Prime Minister.

Mr. Calum Macdonald (Western Isles): On the matter of Brent Spar, does the Prime Minister acknowledge that, once again, the reputation of the United Kingdom as the dirty man of Europe has been confirmed? Will he confirm that it is technically possible to recycle Brent Spar on land, which would create more jobs, and that the only obstacle is that it would be more expensive for Shell?

The Prime Minister: The hon. Gentleman is quite wrong. I repeat that Brent Spar was not a subject of discussion at the G7 summit. The deep sea disposal of Brent Spar, first, is consistent with our international commitments, secondly, has been endorsed by the overwhelming majority of independent expert opinion received by the Government, thirdly, has received all the necessary approvals and consents and, fourthly, is the best practicable environmental option available to us. The hon. Gentleman would be wise to consider that.

In the context of the Government's general position on the environment, this country is, in many ways, far from fitting the hon. Gentleman's categorisation, which I do not recognise and which I think he should be ashamed of having uttered. He should be ashamed of having uttered it—[HON. MEMBERS: "Why?"] Because it is untrue. Not only is it untrue, but it is another illustration of the way in which Opposition Members always speak as ill as they can of this country and as well as they can of other countries.

The hon. Gentleman should look at the environmental record of other countries before criticising this country for its environmental record. Not many other countries are, like us, on target to exceed the Rio commitments on carbon dioxide emissions; we are. Not many other countries are contributing £90 million to the global environmental facility; we are. Not many other countries have made the contributions that we have to things such as the biodiversity convention. It would be very nice if, just for once, Opposition Members spoke well of this country and not ill.

Mr. Bernard Jenkin (Colchester, North): Will my right hon. Friend confirm that it is in fact a matter of some pride for him to represent the economy in Europe that is leading Europe out of recession? Will he confirm that there was absolutely no interest in national minimum wages and increasing employers' costs, demonstrating that the ideas of the Leader of the Opposition are as irrelevant to the rest of the world as they are to the future of this country?

The Prime Minister: I can confirm that for my hon. Friend. There is no doubt that this country was well ahead in terms of growth as we emerged out of the recession

and that it still leads the rest of Europe in its growth, low inflation rate and fall in unemployment. On measures for further job stimulation, the G7 leaders endorsed the OECD report, which supported in terms the policies that we have been following and condemned in terms those advocated by the Opposition.

Mr. Andrew Faulds (Warley, East): As regards Brent Spar, which was raised by Chancellor Kohl in bilateral discussions, what contribution does Shell UK make to the Conservative party? If the Prime Minister does not like the question, why does he not publish the figures of funding for the Conservative party?

The Prime Minister: I repeat that Brent Spar was not a subject of the conference. [HON. MEMBERS: "How much?"] I have no idea whether Shell contributes. The hon. Gentleman may not know it, but the responsibility for the Conservative party's finances does not lie with the Prime Minister if he is a Conservative. It lies with the party machine itself and not with me. The answer to the hon. Gentleman is that I do not know whether Shell contributes. The reality is that, having sought advice on the best environmental method by which to dispose of Brent Spar, we have taken that advice.

Mr. Winston Churchill (Davyhulme): Will my right hon. Friend convey to the President of the United States the regret of this House that the United States Congress, so free in giving its advice on Bosnia to those of us whose countries have for many years had forces serving in difficulty and danger in the Balkans, has thus far appeared unwilling to pay its contribution to the funding of the rapid reaction force?

The Prime Minister: I can say to my hon. Friend that I have already done so. I believe that the President regrets it as well.

Mr. Denis MacShane (Rotherham): On jobs, did the Prime Minister discuss with Chancellor Kohl the fact that the rate of decline of unemployment in Germany is now four or five times that in England? In other words, for every job that we are creating, the Germans are creating four under a partnership economy committed to the social charter.

The Prime Minister: I must say that the hon. Gentleman never ceases to amaze me with the nonsense that he talks. That is absolute rubbish from top to bottom. The reality is—*[Interruption.]* I am sorry that he does not like the reality. We have to live in the real world. He can live in his fantasy world if he likes. The reality is that this country has reduced unemployment by more than any other country in Europe. If he cares to look at the particular—*[Interruption.]* If he looks not just at Christian Democrat countries but at those socialist countries in Europe, he will see unemployment very much higher in those socialist countries, as it would be in Britain if the sort of policies that they have followed were followed here.

Mr. Iain Duncan Smith (Chingford): Does my right hon. Friend agree that he went to the conference in a remarkably strong position, despite what the Opposition have said? He was the leader of a country with one of the lowest levels of unemployment, the lowest interest rates and lowest inflation. Does he not therefore agree that, despite what the Opposition say, the reality is that speculation takes place on economies that are unsound, which is exactly what would happen were the Opposition to get into power?

The Prime Minister: My hon. Friend is quite right about the soundness of our economic recovery and the security of our economic recovery. That was well recognised by our partners at the summit.

Mr. Tony Banks (Newham, North-West): May I say that I can scarcely remember a day when such an important statement from the Prime Minister was greeted by so many empty Benches behind him? It must worry him as much as it intrigues us. To what extent did the questions that he had to face in Halifax about divisions in his party and the impending leadership challenge—

Madam Speaker: Order. That is totally irrelevant to the Prime Minister's statement. If the hon. Member has a question relating to the statement, of course he should put it. It must relate to the statement.

Mr. Banks: I was merely asking to what extent the questions that the right hon. Gentleman faced in Halifax distracted him from important considerations in Halifax.

The Prime Minister: To no extent whatever.

Mr. Jacques Arnold (Gravesham): Did my right hon. Friend notice the odd way in which the social costs of employment were jumped over by the Leader of the Opposition in his questions? Does my right hon. Friend think that our policies will be adopted by the right hon. Gentleman or that he was merely embarrassed?

The Prime Minister: I am not sure. Far be it from me to divine what was in the mind of the Leader of the Opposition. That is not a matter for me. I did notice that he did not touch on those particular points, but the right hon. Gentleman and I know that we have clear differences on the matter and that they are likely to continue in the future.

Ms Angela Eagle (Wallasey): The Prime Minister's answer on the failure of the summit to do anything about some of the difficulties of exchange rate instability assumed that the global financial markets were rational. Does the Prime Minister agree that global financial markets can be as irrational as the Conservative party when it contemplates leadership elections and stalking horses?.

The Prime Minister: What is irrational in the hon. Lady's question is the belief that exchange rate stability can be imposed when the flows over the New York exchange in a day probably equal the sum total of the foreign exchange reserves of all the seven countries that were at the summit. That is completely irrational, to the point of being economically dotty. The only way in which people will get exchange rate stability is by having underlying economic stability. That was accepted by all the seven Heads of Government who sat round the table at the G7 summit.

If the hon. Lady is indicating to me that it is now Labour party policy to try in some artificial way to sustain exchange rates with open market operations, I look forward at long last to a statement on policy from the shadow Chancellor on that issue, if on none other. He seems to have no policy on most issues. If he is being pressed by his Back Benchers on that issue, I am sure that

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my right hon. and learned Friend the Chancellor will press him on whether that is indeed the principal Opposition party's policy.

Mr. John Wilkinson (Ruislip-Northwood): To what extent does my right hon. Friend feel that the Group of Seven summit clarified the objectives to be given to the allied rapid reaction force? When he says that the force will not be there in order to fight, how will it be able to fulfil its mission of protecting the protection force of the United Nations if it is not permitted to take offensive action if necessary? Is the withdrawal of UNPROFOR from the weapons holding sites a precursor to a more passive role? Did Mr. Chrétien feel that Canada, which has troops in the theatre, ought to be represented on the contact group? Did the Dutch feel that they should be represented?

The Prime Minister: The latter point was not raised by Prime Minister Chrétien either in the G7 or in the bilateral meeting that I had with him. If he holds that view, it is not a matter that he raised with me. Certainly, the proposals do not indicate a more passive role for the United Nations protection forces. I was seeking to tell the House that they will not unilaterally fight aggressively, but of course, under the rules of engagement, they have the authority to fight in defence or in protection of other United Nations protection forces that are there. They will certainly exercise that right if it proves to be necessary.

Mr. Robert N. Wareing (Liverpool, West Derby): Was there any discussion at Halifax about the need to stop the sale of arms to oppressive regimes, particularly to those countries against which there are United Nations sanctions? If there was, was the Prime Minister embarrassed?

The Prime Minister: There was a discussion on collaboration with Iran on nuclear matters. That was the subject of a discussion. If the hon. Gentleman cares to see the chairman's statement, which has been deposited in the Library, he will see that it calls

"on all States to avoid any collaboration with Iran which might contribute to the acquisition of a nuclear weapons capability."

The G7 partners have already adopted restrictive practices on nuclear co-operation with Iran.

Mr. Peter Bottomley (Eltham): My right hon. Friend referred to the discussion on the brutal war in Chechnya and the hostage taking in Russia. Whatever decision the Russians may feel they have to take, will my right hon. Friend make it plain that this country is not likely to change its policy when people make menaces of that kind?

The Prime Minister: That point is clear and it was made clear again.

Mr. Barry Jones (Alyn and Deeside): The right hon. Gentleman began his statement by referring to the important subject of unemployment. Has he the courage to tell the House how many people are unemployed in the United Kingdom?

The Prime Minister: If the hon. Gentleman goes to the Library, he will see the figures that are published monthly, which are calculated on more than one basis. At present, that figure stands at just over 2.3 million, and he will find that that is so according to more than one basis. The figure was 2.9 million some time ago. If the hon. Gentleman looks across the European Union, he will see that, whereas the average unemployment rate is around 11 per cent., it is 8.3 per cent. here. In some large countries, the unemployment rate is getting on for 13 per cent.—for example, the rate stands at just over 20 per cent. in Spain. The only European Union country with a lower unemployment rate than us is, I think, Holland.

Mr. Anthony Coombs (Wyre Forest): When considering the long-term reform of the United Nations institutions, did my right hon. Friend stress the importance of maintaining Britain's seat on the Security Council? Does he agree that, if there were to be a European Community seat, as proposed by the Labour party, Britain's seat would be gravely threatened?

The Prime Minister: In due course, the membership of the permanent five on the Security Council will be reformed, which I am sure is right. I have no doubt that that reform will lead to the enlargement of the five, to include a larger number of nations on the Security Council. I doubt that that will be a speedy process, because, although there is rapidly building consensus in favour of two nations, other nations will also want to be included. It will therefore take some time before a decision is reached. I see no threat whatsoever for the United Kingdom's place on the Security Council either now or in the future. I see no probability whatsoever that the European Union would be collectively represented. It is currently represented by France, Germany and the United Kingdom. It would not be in the tradition of the Security Council for it to have a member that did not represent a nation state.

Mr. David Winnick (Walsall, North): On Bosnia, is there not something particularly despicable about the manner in which the Serbs have deliberately targeted civilians—for example, by murdering those who were trying to get water at the weekend? That probably occurred at the same time as the summit was taking place or just ending. Does not such an act amount to outright terrorism?

The Prime Minister: Many of the actions that we have seen in Bosnia in the past few years have been, as the hon. Gentleman said, despicable. Many have been aimed at innocent civilians or aimed carelessly, in a manner in which innocent civilians have been as likely to be killed or maimed as soldiers fighting in the opposite camp. I therefore share the hon. Gentleman's view, but I would add only that the appalling behaviour of the Serbs has from time to time been matched by the other parties as well.

Points of Order

4.27 pm

Mr. David Rendel (Newbury): On a point of order, Madam Speaker. As someone who came to this place from local government, I am well aware that councillors are forbidden to take part in a debate or vote on a motion in which they have a declarable interest. They are not even allowed to remain in the council chamber during the debate. May I ask whether the rules that we impose on ourselves in the House are any weaker or looser than those that we impose on local councillors, in particular, in relation to the participation of the Chief Secretary to the Treasury in the forthcoming debate on BMARC?

Madam Speaker: I thank the hon. Gentleman for giving me notice of his point of order. The hon. Gentleman and the House must know that we have different rules from local authorities on that and many other matters.

The hon. Gentleman's point is essentially dealt with on page 358 of "Erskine May", from which he will see that there must be a pecuniary interest before any question of the disallowance of a vote can be entertained. There are no rules at all restricting attendance during a debate.

Mr. Peter Hain (Neath): On a point of order, Madam Speaker. Will the House have a chance to vote on the sinking of Brent Spar, which contains 100 tonnes of toxic—

Madam Speaker: Order. I have heard the hon. Gentleman's question. As far as I am concerned, the House votes only when there is a motion on the Order Paper.

Mr. Terry Dicks (Hayes and Harlington): Further to the point of order raised by the hon. Member for Newbury (Mr. Rendel), Madam Speaker. I am afraid that the hon. Gentleman has got it wrong. Councillors in local government must vote on rent increases and—

Madam Speaker: Order. I have made it clear to the House how our rules differ in many respects from those of local government.

Mr. Harry Cohen (Leyton): On a point of order, Madam Speaker. In July, I asked a parliamentary question—

Madam Speaker: July 1994?

Mr. Cohen: Yes.

Madam Speaker: I am glad that the hon. Gentleman has such a good memory.

Mr. Cohen: I asked the Secretary of State for Defence

"on what grounds the documents and diaries of Mr. Gerald James, the former chairman of the British Manufacturing and Research Company, were taken by the Ministry of Defence police; what information of relevance was gleaned from them; when they will all be returned to him; and if he will make a statement."

I shall not read the whole of the reply given by the Minister of State for the Armed Forces—it is in *Hansard*—but it included the statement:

"In 1993 at the conclusion of all aspects of the MOD investigation, the documents were returned to Astra Holdings' officially appointed receiver, Cork Gully."—[*Official Report*, 21 July 1994; Vol. 247, c. *554*.]

A statement made at the weekend has shown that that answer clearly was not correct. May I make a couple of points in relation to that?

Madam Speaker: Order. The hon. Gentleman can raise only points of rules and procedure with me. He has indicated to me that he wishes to speak in the debate, and perhaps he can make his points to the Government when he speaks. If there is a point of order for me, I must of course hear it.

Mr. Cohen: I shall put my other points during the debate. The point relevant to you, Madam Speaker, is that the record is incorrect. Will you make sure that a correction is made to the record?

Madam Speaker: Let me answer that. If the hon. Gentleman believes the record to be incorrect—as he is alleging—he must raise that matter during the debate today.

Mr. Cohen: It has been stated that the information contained in the record is incorrect. Will you take the matter away and have a look at what can be done with that record? Should not the Ministry of Defence's handling of the parliamentary answer be investigated, because clearly its procedures were at fault?

Madam Speaker: The hon. Gentleman is attempting to make a serious point, and I shall have a look at the matter. He is obviously trying to clarify a very important matter. May I suggest that he tables further questions to obtain the information and answers that he seeks? He can obtain the information only by using the Order Paper, and questions are the best method of doing that.

Mr. Cohen: I shall take your advice, Madam Speaker, and table further questions. But what guarantee will I have that I shall receive correct answers?

Madam Speaker: I have no authority over the answers that Ministers give. The hon. Gentleman is a very probing Member of this House, and I am sure that he will see to it that his questions are properly answered.

Opposition Day

[14TH ALLOTTED DAY]

BMARC

Madam Speaker: I have selected the amendment standing in the name of the Prime Minister. Given the number of hon. Members who are seeking to speak, I must limit speeches from Back Benchers to 10 minutes.

4.32 pm

Dr. John Cunningham (Copeland): I beg to move,

That this House calls for an independent inquiry into the BMARC affair.

Once more the nation has been rocked by disclosures of incompetence, negligence and perhaps worse at the heart of this decrepit Government. Again we learn that, after years of denials, stated Government policy on arms sales to Iran was covertly undermined and widely breached. Again we learn that, in a wide variety of answers to parliamentary questions—as my hon. Friend the Member for Leyton (Mr. Cohen) has highlighted—Ministers have held to the fiction that the policy was being rigorously observed when it was being easily and regularly breached.

Finally, and most astonishingly, we learned this weekend that more potentially crucial documents had been lost, overlooked or forgotten, and that evidence germane to investigations, prosecutions and inquiries had been mislaid—by accident, of course—by the Ministry of Defence police, the very people responsible for their care. Like the last chapter of "Huckleberry Finn", no doubt they were locked in an attic somewhere. It is no wonder that in respect of this Government's stewardship—a period that has seen Government officials coin phrases such as "being economical with the truth" and "the truth is a difficult concept"—Mark Twain's words still apply:

"Rumour is half way around the world before truth has got its boots on".

The Government seem to have removed the laces from the boots of truth in these matters.

The issues go to the heart of the credibility, competence and integrity of government in our country. They raise fundamental questions that demand rigorous investigation, especially as we need to be convinced that Ministers were not conniving all along in a covert policy of providing arms to Iran while pretending publicly to prevent weapons sales.

There is an astonishing parallel with the arms to Iraq scandal, which has been under investigation by the Scott inquiry since November 1992. The Government's stated policy on arms sales to Iran and Iraq was set out by Lord Howe in October 1985 when he was Foreign Secretary. He informed the House of

"the following set of guidelines to all deliveries of defence equipment to Iran and Iraq:

(i) We should maintain our consistent refusal to supply lethal equipment to either side;

(iii) We should not, in future, approve orders for any defence equipment which, in our view, would significantly enhance the capability of either side to prolong or exacerbate the conflict;

(iv) In line with this policy, we should continue to scrutinise rigorously all applications for export licences for the supply of defence equipment to Iran and Iraq".—[*Official Report*, 29 October 1985; Vol. 84, c. *450.*]

After years in which three different Foreign Secretaries, six different Trade and Industry Secretaries and four different Defence Secretaries told the nation that those policies were being implemented effectively, we now know that their statements were false. Their statements are worth recording, although time limits me to only a few quotations. In December 1990, the then Minister of Trade, the right hon. Member for Hove (Sir T. Sainsbury), said:

"The guidelines . . . were set out . . . on 29 October 1985, and since then they have been scrupulously and carefully followed".—[*Official Report*, 3 December 1990; Vol. 182, c. 29.]

In August 1991, the right hon. Member for St. Albans (Mr. Lilley) told the Select Committee on Trade and Industry:

"Our examination of the records shows that the policy announced in Parliament in 1985 was adhered to both in the spirit and in the letter".

That statement is hardly justified in the light of the announcement by the President of the Board of Trade last week; nor does it fit with the Prime Minister's guidance to Ministers which said that Ministers had a

"duty to give Parliament and the public as full information as possible about the policies, decisions and actions of the Government".

The right hon. Member for St. Albans told my hon. Friend the Member for Rhondda (Mr. Rogers)—

Sir Timothy Sainsbury (Hove): Will the hon. Gentleman give way?

Dr. Cunningham: I will give way in a moment.

The right hon. Member for St. Albans told my hon. Friend:

"Each application for a licence is considered on its merits in consultation with other Departments taking into account the type of equipment, its end use and end user".—[*Official Report*, 17 December 1990; Vol. 183, c. 66.]

The right hon. Member for Witney (Mr. Hurd) told the House:

"Arms embargoes are in place with regard to Iran and Iraq".—[*Official Report*, 28 November 1990; Vol. 181, c. 884.]

The right hon. Member for Thanet, South (Mr. Aitken) was very active in answering questions on the subject in his role as Minister of State for Defence Procurement. In a written answer, he told my hon. Friend the Member for Kirkcaldy (Dr. Moonie) that the Government's policy was

"to permit exports to Iran only within the policy announced by the then Foreign Secretary on 29 October 1985".—[*Official Report*, 24 November 1992; Vol. 214, c. *645.*]

The right hon. Member for Thanet, South told my hon. Friend the Member for Clackmannan (Mr. O'Neill):

"There has been a substantial sea change in Whitehall under the leadership of my right hon. Friend the Prime Minister, away from the old habits of unnecessary secrecy . . . Now there is greater emphasis on a new era of more responsible openness in all matters."—[*Official Report*, 30 June 1992; Vol. 210, c. 706.]

Sir Timothy Sainsbury: Will the hon. Gentleman give way?

Dr. Cunningham: I shall give way when I have finished my quotations.

On 13 May 1992, the right hon. Member for Thanet, South said in a written reply to my hon. Friend the Member for Clackmannan:

"I would add, however, that since 1984, the United Kingdom has refused to supply any equipment which could prolong or exacerbate the Iran-Iraq conflict"—[*Official Report*, 13 May 1992; Vol. 207, c. *156*.]

We now know that none of those statements were true.

Sir Timothy Sainsbury: The hon. Gentleman started his speech with a number of sweeping allegations. He went on to read a lengthy list of quotations from Ministers. He is now saying that every one of those ministerial statements was not only untrue but, by implication, that the Minister who made it at the time knew it to be untrue. Is not his whole case based on the idea that, when somebody sets out to break the law or avoid regulations, those whose law or regulations they are seeking to break or breach are aware of that person's intentions?

Dr. Cunningham: Is not the right hon. Gentleman making the case for an independent inquiry? We need to know the answer to his question. The House and the country need to know exactly what was going on in government at the time.

Sir Timothy Sainsbury: Will the hon. Gentleman give way?

Dr. Cunningham: No. I am not giving way again.

Similar assurances were given about the return of documents withheld by the Ministry of Defence. On 30 March this year, I wrote to the Prime Minister about the withholding of documents, asking him three specific questions. In his reply of 5 April, he said of the papers:

"These were in the temporary possession of the Ministry of Defence Police after they had been taken from Astra and BMARC during an investigation into corruption. These were sent to the receivers in mid-1993 when the investigations were completed."

As we now know, that statement is completely false, as has again been revealed apparently by accident and not through any desire for openness.

Similarly, on 4 April this year, my hon. Friend the Member for Wallsend (Mr. Byers) was given the same answer by the Leader of the House. We now know that those answers were untrue.

We have established that the right hon. Members for Huntingdon (Mr. Major), for Witney, for Thanet, South for St. Albans and for Braintree (Mr. Newton) have all given answers that now cannot withstand examination because they are untrue. I am sure that, given time, many more untrue answers to questions and interventions will emerge from the records of the past few years.

The matters have come to light only because of the persistence of my hon. Friends the Members for Rhondda, for Newcastle upon Tyne, Central (Mr. Cousins), for Wallsend, for Cunninghame, North (Mr. Wilson) for Clackmannan, for Kirkcaldy and others, and not because the Government have been open.

The President of the Board of Trade was obliged to lift the veil on the real state of affairs in his statement to the House last week because he could not answer the questions from my hon. Friend the Member for Cunninghame, North, although a plethora of his predecessors had willy-nilly answered similar questions—wrongly, as it turns out.

Many questions, however, remain unanswered. In the circumstances, how can anyone accept that we know all there is to know? We have learnt by experience that the Government cannot be trusted on such issues, any more than they can be trusted on their promises on taxation.

Mr. Winston Churchill (Davyhulme): Before the hon. Gentleman waxes holier than thou, is he aware that the Labour Government under the late Lord Wilson supplied counter-insurgence Puma helicopters to South Africa in contravention of mandatory United Nations sanctions, without giving the facts to the House?

Dr. Cunningham: I am aware that the Wilson Government stopped selling arms to South Africa.

Last week, in his wish to help his Cabinet colleagues, the President of the Board of Trade made a statement blaming officials. He blamed the failure to circulate intelligence reports properly. He blamed almost everyone but Ministers. He said that so many things had to be checked that his Department was swamped and, as a consequence, 36 per cent. of BMARC applications were not properly supported by documentation.

Apparently, by a remarkable coincidence, the very things that Ministers were trying to block—guns and ammunition—got through. There were a lot of guns—naval cannon. If all the guns exported to Singapore had been used by the Navy there, the Malacca straits would probably be blocked by capsized warships. No one in the Government noticed; or did they notice but not want to know? The Conservative Government ensured that the combatants did not have lap-top computers in the trenches on the battlefield, but they made sure that they had guns.

In a debate on arms to Iraq in November 1992, the President of the Board of Trade said:

"Scrutiny was to be carried out by the interdepartmental committee on exports to Iran and Iraq, which comprises officials from the Foreign and Commonwealth Office, the Ministry of Defence, the Department of Trade and Industry and other Departments as necessary. Not only would individual licence applications need to be scrutinised, but it was obvious that, in many cases, a judgment would have to be exercised as to whether or not certain potential exports came within the rules. I draw attention only to the words 'significantly enhance' or 'prolong or exacerbate', so that the House may appreciate the detail of the judgment that was bound to be necessary."

The right hon. Gentleman told the House that the detail of all the judgments had to be scrutinised, not just the superficiality. That is what he said was happening, but we know from his statement last week that it could not possibly have been true.

In the same speech, the right hon. Gentleman continued:

"Secondly, it is obvious that any interpretation of those rules require careful consideration of individual export licence applications."—[*Official Report*, 23 November 1992; Vol. 214, c. 640-41.]

If what the right hon. Gentleman told the House in that debate was happening, how did those weapons escape the net? That could have occurred only because what he claimed was happening was not actually happening, so on that occasion the right hon. Gentleman was not being particularly accurate or candid with the House, of which his statement to the House last week was absolute confirmation.

In his statement to the House on 13 June, the President of the Board of Trade painted a picture of the treatment of intelligence in Whitehall that frankly defies belief.

[Dr. Cunningham]

Are we to believe that the 1986 intelligence, which he says was not distributed to DTI, simply sank without trace in the rest of Whitehall? He acknowledges that it went to other Departments. What did they do with it? Did they ignore it? Did not one Sir Humphrey pick up the phone and say, "Bill, I think you should know about this. It affects your Department"? Did not one person in the FCO, the MOD or the Cabinet Office, which presumably received the intelligence, consider that there was something to act upon, perhaps even to check with the Department of Trade and Industry and ensure that it was informed about what was happening? It is just not credible.

Are we to believe that, in the period before 1988, when, we are told, two intelligence reports were distributed to the DTI, no assessment was made of intelligence for distribution around Whitehall and to Ministers who took it into account? I find it difficult to accept that, because an intelligence report was not distributed to the DTI, the Department can be assumed to have been in complete ignorance of its contents for several years. The point just does not bear scrutiny.

In his statement to the House, the President painted this picture in a very odd way, completely unconvincing on subsequent analysis. In any case, even when intelligence reports were distributed to the DTI, as in the two 1988 cases, much good did it do. When there were not very difficult links between Oerlikon and BMARC to be made, the Department simply failed to make them. The President says that arrangements for the distribution and handling of intelligence, both generally and in the DTI, have been "substantially improved" since 1988, but I put it to him that it is not the distribution and handling of intelligence that needs improving: it is the reading and using of the reports by Ministers and their officials where the improvement is long overdue.

Did officials, on the other hand, know from Ministers that they did not want to hear? It is an unusual experience for me to find myself in agreement with Baroness Thatcher, yet I cannot help feeling that she was correct when she told the Scott inquiry, commenting on the handling of intelligence reports, that one would expect Ministers, when dealing with such an issue, to ascertain whether there was any intelligence to be considered, or to ask someone to put an inquiry through to see if there was any.

As with Iraq, so apparently with Iran. No one, including Ministers, seems to have asked—perhaps because they did not want to know the reply.

Last week, in a series of media interviews, the President described all these failures as "a cock-up". Apparently the lost papers this weekend were another cock-up. Government by cock-up is what this country has under the President of the Board of Trade and his right hon. Friends. We have non-executive directors who do not read minutes or agendas. We have Ministers who do not read intelligence reports, or even ask intelligent questions about them. It can all be summed up by saying: negligence, incompetence and a lack of integrity, too.

The guidelines were issued in 1985; project LISI began in 1986, 12 months later. Directors at BMARC say that Whitehall knew the guns were going to Iran via Singapore from the very beginning. Intelligence reports said that a UK company was avoiding export controls by shipping weapons via a subsidiary in Singapore—but no one in the Government apparently made the connection. The right hon. Member for Thanet, South, who was recruited by BMARC exactly because of his knowledge of the middle east, knew nothing about one of the company's largest orders; when at least three former directors of BMARC have stated publicly that, as all directors were regularly briefed on all aspects of project LISI, the right hon. Gentleman must have known who the end user was.

Are we to believe that a man who says he took his non-executive duties seriously did not see fit to press his fellow directors as to the real nature of project LISI—a project under which naval cannon were ordered by Singapore, despite the fact that its navy did not have enough boats capable of mounting a fraction of the weapons provided?

It is a basic principle of company law that a non-executive director has the same obligations and is subject to the same liabilities as any other director. He has a duty to keep himself informed about the business activities of the company. The fact that the Chief Secretary may not have bothered to find out the basic facts of one of his companies' largest orders does not excuse him. The right hon. Gentleman failed in his duties as a non-executive director; and the same is true of Ministers and their Departments. Ministers have a responsibility to keep themselves informed about the workings of their own Departments.

This is not just a question of one person's guilt or otherwise. This is a matter that encompasses many Government Departments and many Ministers—for instance, the Department of the President. Not only did his Department fail to make a connection between BMARC's export licence applications and the intelligence reports distributed, but during the period of project LISI, 1986 to 1989, full supporting documentation concerning end users was not supplied—was apparently never asked for by the Department—yet the licences were granted. How on earth does this statement fit in with Lord Howe's assertion, repeated so often by so many Ministers to the House, that the Government would

"continue to scrutinise rigorously all applications for export licences"?—[*Official Report*, 29 October 1985; Vol. 84, c. *450.*]

Anyone genuinely concerned for the right hon. Member for Thanet, South should support the call for an independent inquiry. After all, even his own publicity adviser's faxes seem to support the need to clear up the matter once and for all. The Chief Secretary said publicly last week that he would welcome a fuller inquiry.

The concern of the President of the Board of Trade for his right hon. Friend shone through his extraordinary performances last week, in the House and in media interviews. As the book of Samuel puts it:

"I am distressed for thee, my brother Jonathan."

The President is, as we all know—and his colleagues know only too well—in the clear. He has nothing to fear from an independent judicial inquiry; he was out of government for most of the time. Indeed, he might positively benefit because, as has been noticed—as much by his right hon. and hon. Friends as by us and the media—he increasingly resembles a man who hopes to keep his head while all around are losing theirs.

The Scott inquiry is dealing with arms to Iraq. We do not want to delay it any longer. The Trade and Industry Select Committee has already held one inquiry into these

issues. We now know that it was denied papers and evidence. Not surprisingly, the report was inconclusive. I know that my hon. Friend the Member for Sheffield, Central (Mr. Caborn) is trying to clarify the position, not just of the President but of the whole Government, on these issues.

The House is facing new revelations in what are, by any test, extraordinary circumstances. That is why we believe that the BMARC affair should be the subject of a fully independent judicial inquiry, quite separate from the Scott inquiry. This new inquiry should have access to all documents and reports relevant to the BMARC affair. It should be headed by a judge; the person appointed should satisfy him or herself that the terms of reference are effectively drawn up. The issues raised in the BMARC affair go to the heart of the integrity and competence of government in our country. They should be independently and rigorously investigated.

Most of all, I am surprised that the President of the Board of Trade is not supporting our motion, which reflects the seriousness of the allegations and issues under debate—negligence, honesty, ministerial competence and integrity. The right hon. Gentleman certainly supported such an approach in the past, for in 1992 he had this to say about very similar accusations:

"That brings me to the allegation that, while rules were in place, they were flouted with ministerial connivance, if not positive encouragement. The seriousness of such allegations cannot be overstated, but nor can they be examined with the care that is appropriate without a full and independent inquiry . . . That is the only way in which the matter will be seriously investigated to the satisfaction of the House and a wider public . . . Conservative Members want an independent inquiry to be carried out by a distinguished judge, with all the evidence, and that is what our amendment seeks."—[*Official Report*, 23 November 1992; Vol.214, c. 644-53.]

The Conservatives' amendment does not seek that today—but then, as so often before, the right hon. Gentleman has shifted his ground. I nevertheless urge the House to support our motion tonight.

4.59 pm

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Michael Heseltine): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

"recognises the independence of the all-party Select Committee for Trade and Industry; welcomes the Government's assurance that if that Committee decides to examine the issues raised by the allegation that Singapore was used as a conduit for arms to Iran then it will co-operate fully; and recognises that as far as intelligence is concerned the Government will establish procedures with the Select Committee in the light of the Intelligence Services Act 1994.".

In the ordinary course of events, Mr. Deputy Speaker, I would begin with your characteristic title, but the whole House will want to recognise that in one material way your title has changed since I was last able to address you. I do not in any way seek to change your title, but the spirit of my congratulations is deep and heartfelt.

It was not until the 27th minute of the speech of the right hon. Member for Copeland (Dr. Cunningham) that it appeared that there was a substantial difference between the thrust of what he was saying and the reasons why I made an oral statement a week ago. I accept at once that my statement arose directly from the fact that my hon. Friend the Under-Secretary of State and I had three written questions to address from the hon. Member for Cunninghame, North (Mr. Wilson). As a result of those questions, we did what the House would expect Ministers to do, which was to ask the basic questions and to seek the basic information so as to give a full answer to the House.

My hon. Friend and I were not satisfied with the answers which were in front of us, and therefore asked for further information. As a result of the further information which was brought to our attention, it became apparent that there was a serious issue which Ministers in my Department first had to address. The right hon. Member for Copeland was correct when he said that there is a range of quotations, letters and parliamentary answers which needs to be revisited in the light of my statement.

Mr. D. N. Campbell-Savours (Workington): May I take the President of the Board of Trade back a few sentences to clarify his position? He said that the first drafts which were placed before him were unsatisfactory. Does that mean that civil servants put drafts before him which they knew to be misleading?

Mr. Heseltine: No. I realise that the Labour party has not been in government for a long time. It is common—

Dr. John Cunningham: Patronising.

Mr. Heseltine: I am not patronising the hon. Member for Workington (Mr. Campbell-Savours): I am commenting on a merciful release for the country, which has been spared the phenomenon of a Labour Government.

It is common for Ministers to change the drafts of parliamentary answers. That is what Ministers are supposed to be in a position to do. The thrust of the questions of the right hon. Member for Copeland is that we should have done that earlier, as opposed to not doing it at all. Perhaps the Labour party will try to understand the normal workings of government. It is—*[Interruption.]*

I never said that they were dishonest. I merely said that my hon. Friend the Under-Secretary of State and I were not satisfied that the responses answered the questions to our full satisfaction. Looking back, without the drafts in front of me—this is if I remember correctly—I thought that we could give fuller answers. I thought that, in giving fuller answers—*[Interruption.]* There is no surprise in any of this. The House will appreciate that it is precisely for those reasons that I came before it with an oral statement.

Mr. Allan Rogers (Rhondda): Will the President of the Board of Trade give way on that point?

Mr. Heseltine: No.

I am sure that the House will appreciate the enormity of the fact that the Labour party wants an independent judicial inquiry, which would take a long time. It is now trying to press an inquiry into a few moments across the Dispatch Boxes. I must be allowed to try to explain as fully as I reasonably can the circumstances and the decisions that the House will have to face this evening.

I have made it clear that my hon. Friend the Under-Secretary and I asked for further details lying behind the original answers which were presented to us. As a result of further details, we became convinced that there was a need to bring to the House, in one form or another—I shall discuss that in a moment—fuller information, which would mean that earlier information would have to be modified, adjusted or even changed in all the circumstances.

[Mr. Heseltine]

Mr. Rogers: Questions were tabled on issues similar to the one that we are discussing for over five years. Even last year, the particular issue had been brought to the attention of the right hon. Gentleman's Department. Why did he realise that the answers were unsatisfactory? Were abilities and perceptions peculiar, or did he know that there was a gap in the information? If so, how did he find out that there was a gap?

Mr. Heseltine: The hon. Gentleman has asked a specific question. I happen to remember one of the reasons that influenced me at the time. With my hon. Friend the Under-Secretary, I had asked for certain information in a form which had not been asked for before. It so happened that that was one of the questions that I had asked.

The precise question tabled by the hon. Member for Cunninghame, North happened—I have no criticism of this—to focus upon the particular inquiry that I had made within a matter of weeks, or days probably. He asked for information which I had just commissioned. The information was in my possession and that of the Department, and I could see no reason for not providing it. That information, however, revealed information which was new to the House and new to Ministers.

That was one of the reasons why I had information available to me which had not been available previously to Ministers. That is one of the reasons why my hon. Friend and I were in a position to give a different answer from that which Ministers had been able to give earlier.

Given that we had decided that there was a need to answer fully, fairly and frankly the questions which had been put to us, how did we deal with the issue? We could have done what would have been perfectly proper in the circumstances—I have been criticised for not following the route—and answered a written question with a written answer. That would have been a defensible response. I would not have been prepared to do it, but technically I could have used a device which all Governments have employed from time to time in different circumstances. I could have sought a bland form of words which would have skated over the issues. I did not try to do that.

If the House wants to discuss these matters seriously, it should be acknowledged that we all know that there are, and have been throughout time, answers to questions which do not reveal the whole story. I could have sought a form of words which would have had that effect. I was not prepared to do that.

The next option was a written answer. I knew perfectly well that a serious matter was before me. I thought that the House would wish to ask questions about it immediately it became aware of the issue. I knew that if the House did not want to, although I knew that it would, there would be an immediate inquiry by the media over 24 hours until, by means of a private notice question, I was back at the Dispatch Box the next day going through precisely what seemed to be the right thing to do, which was to make a statement in the first place.

That was the precise position that we decided to adopt.

Mr. Brian Wilson (Cunninghame, North): Will the right hon. Gentleman give way?

Mr. Heseltine: No.

That led to the next inevitable question—

Mr. Wilson *rose—*

Mr. Heseltine: I give way to the hon. Gentleman.

Mr. Wilson: I am obviously grateful that my questions brought the right hon. Gentleman to the House. We shall discuss the problems in the wider context of what he says later. It is interesting that the right hon. Gentleman has revealed that he had already set parallel inquiries in train. What prompted him to do so?

Mr. Heseltine: There was a range of other questions, and I had been looking at them. The House must realise that it was not an isolated event. There was a series of questions, and I was looking at answers to them. We had been able to answer some of them quickly. We could not answer the right hon. Gentleman's questions quickly, as we did not have the information. It took us some six weeks, if I remember correctly. In the course of answering other questions, I undoubtedly would have pursued lines of inquiry, which, when the precise question came from the right hon. Gentleman, would have been relevant to it.

Dr. John Cunningham: I am grateful to the President for giving way again. He just told the House, Sir Geoffrey, and I take this opportunity to congratulate you—*[Interruption.]* I say that, because Sir Geoffrey was not in the Chair when I began my speech. The President just told the House that he could not answer the questions of my hon. Friend the Member for Cunninghame, North (Mr. Wilson). Why, then, over a number of years, did his Ministerial colleagues go on giving answers to similar questions with such apparent authority and ease?

Mr. Heseltine: The right hon. Gentleman will understand that the evidence available to my ministerial colleagues in the answers that they gave had appeared satisfactory. On the evidence that was available to them at the time, the answers appeared to be accurate. It was because of the precise investigations that we had begun, as I have explained to the House, that we became aware that there was cause for concern. That is why I took time to answer the questions, and, when I had the answers, came to the House with a full explanation, as I believed it to be then, and still do, in a way in which I thought appropriate.

Mr. Rogers *rose—*

Mr. Heseltine: No. I am not giving way. I am trying to take the House through difficult issues. *[Interruption.]*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. The President of the Board of Trade has been asked questions, and he has a right to be able to answer them without interference.

Mr. Heseltine: The next question which, inevitably would have been asked, would have been: "Given that the President of the Board of Trade has answered a question in a way which changes evidence before the House, in the form of answers, should there be an inquiry?"

It was evident that that question would be asked, and I felt therefore that, with my ministerial colleagues, we should address it. Therefore, far from covering up, my statement categorically suggested that, if the Select Committee on Trade and Industry wished to conduct an inquiry, we would give it the fullest possible co-operation.

Mr. Campbell-Savours: Will the President of the Board of Trade give way?

Mr. Heseltine: No.

That seemed to me an absolutely clear indication that the Government recognised that this was a proper subject for an independent inquiry. There was no issue between myself and the right hon. Gentleman on this matter.

Dr. John Cunningham: The difference between us is that we are calling, as the right hon. Gentleman did in the question of arms to Iraq, for an independent judicial inquiry. To revert to the right hon. Gentleman's course of argument, does he not think it a remarkable coincidence that, over five years, in the face of sustained questioning, every one of his Cabinet and ministerial colleagues had come to the same conclusion: there were no questions to answer in this matter? What was so remarkably different about the evidence and information available to him?

Mr. Heseltine: The right hon. Gentleman simply does not seem to have grasped the whole significance of the debate: to answer these questions, we have suggested an independent inquiry. That was what I said a week ago. The only issue that the right hon. Gentleman should have addressed in his speech, and which he hardly mentioned, was not the substance of the debate but the means of pursuing an independent inquiry. That is the only difference between us.

Mr. Campbell-Savours *rose—*

Mr. Rogers *rose—*

Mr. Heseltine: The two hon. Members have had a fair crack of the whip—*[Interruption.]*

Mr. Deputy Speaker: Order. The President of the Board of Trade has made it very clear that he is not giving way.

Mr. Heseltine: The issue is not whether there should be an inquiry but the form of the inquiry.

The right hon. Gentleman has tried to suggest that I blamed officials. I did not blame officials. There is nothing at all in the amendment tabled by my right hon. Friend and myself to restrict the inquiry to civil servants. There was nothing in my statement that said that civil servants got it wrong. I came to the House. I am answerable. I provided the answers to the questions.

It is because the right hon. Gentleman, throughout the entire matter, has been trying to find a way of putting the blame on Ministers before there has been any sort of inquiry that I reject his allegations. I did not blame officials. With the agreement of my colleagues, I said that I thought that there should be an inquiry into these matters.

The right hon. Gentleman suggested that this was all about a cover-up exercise, that, by suggesting a Select Committee rather than a judicial inquiry, we were somehow trying to get around the matter via the back door. The whole House is fully aware that the Labour party, which, to quote words that I jotted down peradventure, is interested in more responsible openness, is currently conducting eight inquiries into the practices of Labour local authorities: Birmingham, Leicester, Manchester, Nottingham, Paisley, South Tyneside, Tower Hamlets, Bradford—

Mr. Deputy Speaker: Order. The President of the Board of Trade is straying a little. The debate is not about local authorities. *[Interruption.]* Order. The Chair will decide.

Mr. Heseltine: The Chair will indeed decide, but the House, in witnessing the decision, will not lose sight of the fact that all those eight inquiries are being conducted in private—*[Interruption.]*

Mr. Deputy Speaker: Order. The House must now settle down. The Opposition spokesman was given a reasonable hearing, and the President of the Board of Trade must have the same.

Mr. Heseltine: I was settling down, but apparently without any cause, Mr. Deputy Speaker, because you were not on your feet.

If one is to have a Select Committee inquiry, it is entirely a matter for the Select Committee to decide whether it should make such a decision.

Mr. Barry Porter (Wirral, South): Does my right hon. Friend agree with the implication in the right hon. Gentleman's speech: that the Trade and Industry Select Committee, which is chaired very ably by the hon. Member for Sheffield, Central (Mr. Caborn), first, is not capable, secondly, would not be independent, and thirdly, would not be objective? If that was the implication, it is quite wrong. Provided that the Committee has all the information, which perhaps we did not have on the Iraq investigation, it seems to be an entirely appropriate way, but I disapprove strongly of the suggestions made by the right hon. Gentleman.

Mr. Heseltine: I will now be able to abbreviate my speech, because of the excellent intervention of my hon. Friend. I was going to come to the very point that he has so eloquently made.

The issue that arises once one has decided that there is a case for an inquiry—there is no difference between the two sides of the House on this matter—is what the inquiry should investigate. Again, it is entirely a matter for the Select Committee to determine, within the discretions that it has and the motions that we are discussing, how it should go about its task.

The right hon. Gentleman has spelt out clearly that he wants a full judicial inquiry into the matter. He made the point that I was in favour of it, and suggested it over Iraq, but he does not seem to have appreciated that any such inquiry that started from scratch with a clean sheet of paper would have to examine the licensing and intelligence dissemination arrangements, and that it would have to look at a range of other issues, but all from a starting point where it was not part of any existing inquiry.

As the whole House is aware, Sir Richard Scott has exhaustively examined the licensing arrangements in my Department as they apply to Iraq. No one is trying to suggest—no one could suggest—that things were done in a way that one would want to defend today; but what on earth is the point of setting up another judicial independent inquiry to go over all that ground all over again? We broadly know the facts.

A similar argument applies to the dissemination of intelligence. Those matters—again, in the context of Iraq—have been examined, and are being examined, by Sir Richard, whose conclusion we do not yet know. I do not think that a case can be made for the need to start from the very beginning, discounting all the work that has been done over nearly three years.

Mr. George Walden (Buckingham): It strikes me as both insulting and absurd of the right hon. Member for

[Mr. George Walden]

Copeland (Dr. Cunningham) to accuse Ministers of covert connivance in the supply of weapons to revolutionary Iran. On the other hand, does my right hon. Friend agree that a question does arise about British defence exports as a whole? I suspect that the issues involved in the Pergau dam affair, the Scott inquiry and the little problems that we are having here today spring not from ministerial malfeasance of any kind, but from the fact that this country has become a little too dependent on arms exports.

When the Select Committee has completed its present job, perhaps it could look into the whole question of our over-reliance on arms exports, the opportunity cost in terms of research, technology and manpower and the long-term effect on the country—

Mr. Deputy Speaker: Order. Long interventions of that nature do not help in short debates.

Mr. Heseltine: My hon. Friend has raised an important point, but I consider his approach ill conceived. The research and national resources that go into the production of defence equipment are not there to sell arms overseas; they are there to equip our armed forces with the equipment that they consider necessary to the performance of their job. That is what the defence budget is designed to achieve.

Once our military planners and equipment manufacturers have achieved it to the best of their ability, we must ask ourselves whether we should take advantage of the information, professionalism and quality of equipment available to us by selling overseas, under the regulations and regimes that we have put in place. I can find no argument that suggests that, if Britain has the equipment and the right relationship with the country concerned, we should stand back and allow the French, rather than our own people, to make the sales and create the jobs.

Sir Timothy Sainsbury: In emphasising the advantages of building on a corpus of knowledge that is already there rather than starting with a blank sheet, does my right hon. Friend bear in mind—I suspect that he does—that the Select Committee has already examined, exhaustively and rather effectively, the very licensing arrangements to which he has referred? It did so in 1992.

Mr. Heseltine: My right hon. Friend is right to draw attention to that.

The option of a new judicial inquiry of the sort that the right hon. Member for Copeland wants has serious disadvantages. First, it would repeat a considerable amount of the work on matters that Sir Richard Scott has already explored exhaustively and is continuing to explore, and would take the same amount of time.

Dr. John Cunningham: The President is making much of this point. The Select Committee on Trade and Industry, however, will not have Sir Richard's conclusions, or the conclusions that he has drawn about the very matter to which the right hon. Gentleman refers. It, too, will have to start with a blank sheet of paper, will it not?

Mr. Heseltine: I shall come to the precise point that the right hon. Gentleman has made. There is, however, an alternative, and I am surprised that he did not raise it: Sir Richard could have been asked to continue his inquiry. *[Laughter.]* I am sure that Sir Richard will gather any impressions that he wishes from the amusement that that has engendered among Labour Members.

Let me say at once that I am not in favour of that solution, because I think that it is in the public interest for Sir Richard to finish his report. By the time it is concluded, it will probably have taken virtually three years to complete, and cost the best part of £2 million. That is a matter of concern, and the House and a wider public would like the matter to be concluded.

I am not convinced, however, that the House now wants another inquiry of that sort, any more than I am persuaded that the House wants Sir Richard, having finished with the Iraq inquiry, to be invited to extend his inquiry to deal with the wider issues involved in the Iran process.

Mr. Donald Anderson (Swansea, East) *rose—*

Mr. Heseltine: It becomes apparent to me—adopting a step-by-step approach—that, by acclaim, the House has reached the very judgment that the Government reached a week ago. It does not want Sir Richard to go on; I do not think that it wants to start another Scott inquiry costing another £2 million, taking another three years and stretching into the next Parliament—which is what the right hon. Member for Copeland has asked it to do.

I am not persuaded that the right hon. Gentleman has made a case of any sort. All he has done is reveal, first, that the Government behaved properly in making an oral statement; secondly, that we were right to recognise the need for an independent inquiry; and thirdly, that we were right to suggest that the independent inquiry should be carried out by the Select Committee on Trade and Industry, if it was so minded.

Immediately after my statement, the Committee's Chairman said that most of his colleagues

"would like to see a sharp inquiry into it quickly and not for it to drag on."

To all that I say amen. That is precisely the point that the right hon. Gentleman has not taken on board.

Mr. Donald Anderson *rose—*

Mr. Heseltine: What I find most questionable and doubtful about the right hon. Gentleman's position is the assumption that an inquiry carried out by a Select Committee of the House is not independent.

Mr. Anderson *rose—*

Mr. Heseltine: No, the hon. Gentleman cannot intervene on that point. He has been trying to intervene for some minutes, and he now wants to try to link his question to the point with which I am now dealing, but he will not have the chance.

I happen to agree with my right hon. Friend the Member for Hove (Sir T. Sainsbury), who has now left the Chamber, that the Select Committee—under the chairmanship of the hon. Member for Sheffield, Central (Mr. Caborn)—does an impressive job. When I have appeared before it, it has never occurred to me that there is any escape from the rigorous questioning to which I am subjected. I have never for a minute believed that Labour or Liberal Members are in some way minded to make it easier for Ministers to escape the questions by giving the wrong answers.

I believe that—in terms both of the desirability of moving the process forward and dealing with the questions as rapidly as possible, and of achieving a degree of independence that I personally believe members of the Committee to be uniquely charged with achieving, and to have proved themselves capable of achieving—the Government amendment is correct.

The Chairman of the Select Committee has now written several letters to me on the subject of the mechanisms and procedures within which his Committee will work. I have tried to answer them; I did not answer the one that arrived at 3.25 pm today, but I shall do so at the earliest opportunity.

My intentions in suggesting this route for the House were to enable it to deal with the matter with dispatch, to co-operate with the Select Committee within the proper rules of the House and to answer questions that the House is entitled to ask and have answered. I commend the amendment to my right hon. and hon. Friends.

5.29 pm

Mr. Richard Caborn (Sheffield, Central): In the light of what has been said, I had better clarify the position. The hon. Member for Buckingham (Mr. Walden) spoke about the United Kingdom's reliance on arms exports. The Select Committee on Defence and the Select Committee on the Treasury and Civil Service are jointly meeting on that very issue and will, one hopes, report before the recess.

It is important for me to update the House on the current situation and on the response of the Select Committee on Trade and Industry to the request by the President of the Board of Trade for an inquiry into BMARC and exports to Singapore and Iran. The Committee discussed those matters on Wednesday and, as is right, we take the President of the Board of Trade's request seriously. What will happen after tonight's vote is a matter for the House and not for the Select Committee.

To the best of my knowledge and that of my officials, this is only the second time that a Secretary of State or, in this case, the President of the Board of Trade, has requested a Select Committee to hold an inquiry. It is usually the other way round. For the record, the only other request related to the closure of 31 pits.

When the members of the Committee discussed the matter last week, we were mindful of the inquiry by the previous Select Committee on Trade and Industry into exports to Iraq, Project Babylon and the long-range gun. Anyone who revisits that inquiry will see that its report was inconclusive because the Committee did not have access to a number of Departments outside the Department of Trade and Industry.

The President will probably recall that my first action on becoming Chairman of the Select Committee on Trade and Industry was to write to his Department asking for clarification of that issue. Perhaps he would like to check the record on that. I said that it was unfortunate that the Select Committee could not reach a conclusion because it was denied access to people and papers.

The other area in question relates to Customs and Excise. On Wednesday, the Select Committee wanted to make sure that it would be able to get access to all the information that has been available to the Department of Trade and Industry—the information that was referred to in the President's statement.

Mr. William Cash (Stafford): The hon. Gentleman speaks about information, which he could obtain from civil servants. Does that include advice tendered to Ministers? What was the attitude of the Department in that respect?

Mr. Deputy Speaker: Order. I remind the House that there is a 10-minute limit on speeches.

Mr. Caborn: When all the information in the letters is revealed—and I do not intend to do that in this debate—the House will see that, as the President said, a number of letters passed between the Department and the Select Committee. The answer to the hon. Gentleman's question is that the matter has been raised and that we are still awaiting answers.

As has been said, we are dealing with a subject that is nearly a decade old and many of the civil servants who were in place then may no longer be there. That was another area of concern when the Select Committee was scrutinising the issue of the Iraqi super-gun.

A number of key areas make the inquiry unique and dispensation may be required from some Ministers. I shall not go into detail but I can tell the House that the Select Committee is corresponding with the Department to resolve that. I hope that the Committee will have resolved those questions by Wednesday and will decide, first, whether to proceed with the inquiry and, secondly, on the terms of reference. The Committee operates under Standing Order No. 130, but that will need to be expanded if we are to carry out a thorough inquiry. As the President said, it may be short. I hope that it will be and that we shall be able to focus on clear terms of reference and to present a report to the House.

Select Committees are responsible to the House, and we must balance the President's request, which we take seriously, and the information, people and papers that the Government will allow for scrutiny against the credibility of the Select Committee system. As Chairman of the Select Committee on Trade and Industry I am the custodian of its credibility. The DTI and the President must allow the Committee access to information which it believes is necessary for a thorough inquiry.

Sir Cranley Onslow (Woking): The Committee has not yet had an opportunity to discuss the exchanges that the hon. Gentleman has had. I hope that he will not presume to anticipate the Committee's collective decision.

Mr. Caborn: The right hon. Gentleman is a member of that Committee and knows that I do not anticipate anything, because things can go badly wrong. I assure him that all the information that has passed between the DTI and me over the past seven days will be presented for objective analysis. I hope that all members of the Committee will ensure its credibility by making sure that we have access to all the information because if we do not do that, our report will be inconclusive. That will depend on the House's decision, but if the Select Committee is asked to conduct an inquiry it will do a thorough job.

5.36 pm

Sir Nicholas Bonsor (Upminster): I agree with my right hon. Friend the President of the Board of Trade. Plainly, we do not wish to have another long inquiry. We must dispose of this matter briskly and ensure a swift conclusion that the House can consider. The best way to

[Sir Nicholas Bonsor]

do that would undoubtedly be for the Select Committee to look into the issue. As Chairman of the Select Committee on Defence, I can endorse all that the President said about the impartiality of Committees. I assure him that Conservative and Opposition Members rigorously scrutinise what Ministers tell them.

I should like to put the debate into its wider context. In one year, 1993, we exported £7 billion-worth of arms. I totally disagree with my hon. Friend the Member for Buckingham (Mr. Walden) who, unfortunately, is not in the Chamber. More than 500,000 people are involved in arms production. Our armed services need to be able to use British equipment where possible. We need the best equipment, and we can afford to produce it only if we succeed in exporting arms because that supports the logistics and the necessary research and development. The idea that we should cut our arms supplies is absurd, and would cause deep and lasting damage to our country.

We should compare the £7 billion-worth of arms exports in 1993 with exports to Iran and Iraq in the 1980s. During that entire period, exports to Iran totalled £35 million, while those to Iraq amounted to some £569 million. That was over 10 years, and when it is contrasted with the exports in 1993 one sees the relative insignificance in terms of money and equipment that the House is debating.

In 1987, there were some 98,000 applications to obtain the necessary licences under the then rules, and only a handful succeeded. It is not surprising that the Department of Trade and Industry was inundated with such work and that its officials occasionally allowed something to slip through.

Project LISI is the title of the BMARC export that we are debating. No one has yet mentioned that when the contract for that was signed the project was being handled by, and BMARC belonged to, Oerlikon, which is a Swiss company. It was not until nearly two years after that contract was entered into that the new management of Astra, headed by Mr. James, bought BMARC and continued with that contract.

As I understand it, in 1988 the intelligence community realised that Oerlikon—not a British company—was exporting arms via Singapore to Iran but it did not specifically mention BMARC. It is again, therefore, not surprising that, in this very complicated net of applications and other matters which were being examined by the intelligence community, the DTI and the MOD, a comparatively small contract might have slipped through.

I should like to move on from that as I appreciate that I have only a minute or two to deal with two specific issues that have been raised this afternoon. The first relates to my right hon. Friend the Chief Secretary to the Treasury. He has come under attack on three bases.

First, *The Independent* newspaper, which normally I think is reliable and accurate, has today published one of the most appalling and inaccurate headlines that I have read in the media, saying that papers showed that "Aitken knew" about the arms deal. Nothing in the text of that article or what anybody has said—there is no evidence from any source whatsoever—suggests that that is an accurate statement. My right hon. Friend has categorically denied it. For a national newspaper to use such a headline is irresponsible, and journalism of the worst kind.

The second attack on my right hon. Friend, which was made by the Opposition Front Bench, can be summed up in the words, "If he did not know, he certainly should have known." I am sorry that the right hon. Member for Copeland (Dr. Cunningham) is not here, but I have no doubt that he will read the report. If he were here, I would ask him to tread very carefully when lecturing the House about the duties of non-executive directors. I happen to know that the right hon. Gentleman is a non-executive director of two chemical companies. I know nothing against the activities of those chemical companies, but I will wager that some of the contracts undertaken by those companies have been made without the express knowledge of any of the non-executive directors.

Mr. David Shaw (Dover): The right hon. Gentleman is an adviser to those companies.

Sir Nicholas Bonsor: I have been corrected. He is an adviser, not a non-executive director. None the less, I am sure that, if the right hon. Gentleman is doing his job in advising those companies, he should know what is going on in them. It is precisely that sort of relationship that Lord Nolan, in my view perfectly properly, attacks.

Nothing said in this debate or in the press justifies the sort of behaviour which has been shown from those quarters towards my right hon. Friend. I hope that the House will accept the word that he has given that he did not know what happened and allow him to get back to the excellent job that he is doing as Chief Secretary to the Treasury.

In the few minutes that I have left—

Mr. Richard Ottaway (Croydon, South): Two minutes.

Sir Nicholas Bonsor: In the two minutes that I am told I have left, I shall move on to the issue of Mr. Gerald James. Unlike most hon. Members, I have met Mr. James. He provided a lot of papers to me about the Iraqi gun affair when I was appointed Chairman of the Select Committee on Defence, and asked me to instigate the inquiry into it. I told the House that I was deeply disturbed by some of the things that I saw. I did not feel that the Defence Committee had the proper resources to look into that matter. After discussion with the other members, I passed all those papers on to Sir Richard Scott.

I believe that Mr. James has been treated very badly. His misfortune was that his very successful company, Astra, made two unfortunate purchases—BMARC and the other company that supplied the Iraqi gun, PRB. Those purchases led him to disasters with which he was not equipped to deal. He was treated badly by certain members of the Administration, with or without the Government's knowledge. That is something Sir Richard Scott is going to look at, not something for the House to comment on today.

I hope that we will follow the advice of my right hon. Friend the President of the Board of Trade to refer the matter to the Select Committee on Trade and Industry, and that the Committee will look into the matter.

5.46 pm

Mr. Nigel Jones (Cheltenham): We are debating a very serious matter. The President of the Board of Trade told us in his statement on Tuesday 13 June:

"it does appear that there may be grounds for believing that the final destination of naval cannon made by BMARC could well have been Iran."—[*Official Report*, 13 June 1995; Vol. 261, c. 596.]

That must be one of the biggest confessions ever made in the Chamber that was not followed by a resignation, the establishment of a full independent inquiry or even the slightest acknowledgment of ministerial responsibility.

The arms embargo during the Iran-Iraq war was there for a purpose. I was working in Baghdad at that time on legitimate civilian business, with the full backing of the DTI. Now we are told that, during that time, the DTI was approving the export of arms to fuel the already devastating war in that region. Examples like that, combined with allegations of British troops facing British weapons in the Gulf war shortly afterwards, contribute to the accusations of disgraceful hypocrisy and illegality in British foreign policy. If the Government believe those allegations to be false, an independent inquiry is surely the best way to prove it.

The question of illegal arms sales from Britain to Iran in the mid to late 1980s has, so far, been too narrow in its focus. Of course, the Chief Secretary to the Treasury has still to convince anyone of his innocence in this affair, but to concentrate purely on his role as a non-executive director is to miss the point. The real investigation goes far beyond that. The roles of the DTI, the Ministry of Defence, the Foreign Office and the intelligence services must all be probed in the fullest possible detail if the truth is to be discovered.

A vast array of evidence suggesting serious wrongdoing has been put together, mainly by the media, whom I congratulate on their digging. The denials of the accused have varied from the unsatisfactory to panic. The result is a general air of suspicion that will not go away simply because one Minister cannot remember and another was not even there at the time. If we are to avoid the sort of trial by media that the Chief Secretary so abhors, the plethora of unanswered questions that surrounds the affair must be answered in the appropriate forum.

What are the unanswered questions? Why has it taken the Government so long to put two and two together, considering that the vital clues that prompted the President of the Board of Trade's suspicions were both available in the 1980s? Why have we had to wait seven, eight or nine years for the issue to be addressed? Should not the DTI, with advice from the Ministry of Defence and the Foreign Office as well as the intelligence services and Customs and Excise, have been able to smell a rat at the time? Did the Government really think that the amount of munitions—140 naval guns exported in project LISI—could all be wanted or needed by the navy of Singapore? I represent GCHQ and it is inconceivable that the high standard of intelligence gathering in this country could have missed something as important as the breaching of an arms embargo to Iran.

To what degree should Ministers accept responsibility for the failings of the export control procedures and the breach of the arms embargo? Given reports that Mr. Stephan Kock, one of the co-directors, gave representatives of MI6—with which he had close contacts—a tour of BMARC's factory showing part of the project LISI exports, what exactly was the role of the intelligence services and why did Ministers apparently ignore the advice that they were given? Were the errors made in granting export licences the result of a conspiracy or a cock-up? If those and countless other questions are to be answered, an inquiry with the necessary resources and the right of access to all relevant information must be established.

If the role of the Chief Secretary is to be ascertained, it is only right that he be given the opportunity to give evidence to such an inquiry. There appears to be some uncertainty and possible contradiction in his account of events in BMARC between 1986 and 1988.

For example, how is it that, according to the minutes of BMARC's board meeting on 2 November 1988, it appears that the Chief Secretary made a contribution to discussions at a point after he claimed to have left the meeting? How is it that he failed to read the company's progress report circulated to the board meeting on 28 February, a meeting that he personally attended? This sits very oddly with the Chief Secretary's claim that he took all steps to become well briefed on the company's activities. The Chief Secretary chose to be a director of the company. He shares the corporate responsibilities of all directors and, as a director, he must be presumed to know of the very important contract in question.

It may be that the Chief Secretary is right and his boardroom colleagues are mistaken, but, until the investigation is taken away from the media and given to an official inquiry, the Chief Secretary cannot hope to use his simple sword of truth or his shield of fair play. In the light of this weekend's developments, the onus is still very much on the Chief Secretary to prove that he was unaware of what BMARC was up to. There have been contradictory statements.

Establishing the appropriate means of investigation is something that the Government have so far done everything possible to avoid. In view of the complexity and importance of the countless questions that must be answered, why did the President of the Board of Trade suggest that the Select Committee on Trade and Industry would be able to reach satisfactory conclusions with its limited resources if his own Department, with all its personnel and access to information, had failed to do so?

The suggestion that the Select Committee should investigate the affairs of BMARC is as unrealistic as the Chief Secretary's request that Lord Justice Scott should look into the allegations levelled against him. The Select Committee and Lord Justice Scott have expressed the view that they are not equipped satisfactorily to investigate the affair. To expect them to take on the job, therefore, will be regarded as a whitewash and a sham.

The questions that I have asked deserve investigation and answers. It is not good enough for Ministers to say, "Sorry, I can't remember anything," or "It wasn't me. I wasn't even there at the time." That is all we have been offered so far, but it does not wash. If that evidence was submitted to a court of law, I cannot help but feel that it would be dismissed on the grounds that the witnesses were unreliable.

The idea that Ministers will not take responsibility for the failings of their own Departments is unacceptable to the British people and to the House. We now need a full, independent, judicial inquiry to look into the matter properly. I trust that the Government will not shy away from their responsibility to establish such an inquiry.

5.52 pm

Mr. Edward Leigh (Gainsborough and Horncastle): I am the Member of Parliament whose constituency

[Mr. Edward Leigh]

includes the former BMARC factory at Faldingworth in Lincolnshire. The site is still operational under the new ownership of Royal Ordnance. It assembles shells and fills them with explosives, as it did under BMARC's ownership.

My purpose in speaking today is to establish the fact that, in my view, none of my constituents or anyone involved in BMARC can be accused of wrongdoing. Certainly, there was no question of anyone knowing at the factory that the end user was Iran—shipping freight was simply marked with a code. However, nor do I believe that anyone higher up in BMARC management knew—certainly, a non-executive director could not have known.

The contract for project LISI—the sale of 20 mm guns to Chartered Industries of Singapore—was very clear. BMARC sold the guns to Oerlikon, and not to Singapore, as it was required to do under their licence. Oerlikon shipped the goods to Singapore. Oerlikon in Switzerland, or possibly someone working in Chartered Industries in Singapore, passed them on to Iran without the knowledge of BMARC's staff or management. BMARC was prohibited from trading not only with Iran but with Singapore under the terms of its licence with Oerlikon.

Mr. Jim Cousins (Newcastle upon Tyne, Central) *rose—*

Mr. Leigh: No, I shall not give way as I have only 10 minutes.

I have documentary proof. I have obtained from within the factory copies of the licence put together for the receiver of the company on 28 February 1992. They are, as far as I know, hitherto unpublished—perhaps they are some of the missing documents, but I do not know. They are marked "Private and Confidential". Exhibit 1B states:

"The following manufacturing and selling rights are granted by Oerlikon to BMARC under the terms and conditions of the Licence Agreement for the below listed material:—

—Exclusive manufacturing rights in the UK.

—Exclusive sales' rights to the Government of, as well as other end-users in, the UK.

—Exclusive sales' rights for worldwide naval applications, except for the countries listed in Exhibit 2".

Exhibit 2 states:

"In the following countries Oerlikon will be the sole distributor for all the Material listed in Exhibit 1B. Therefore BMARC is not entitled to sell any of the Material either directly or indirectly in the below listed countries. :

—Cyprus

—India

—Malaysia

—Singapore

—Sri Lanka

—South Korea

—Taiwan

—Iran

—Saudi Arabia

—all Latin American countries".

The licence is quite clear, but I have today double-checked at some length with Dr. John Pike, the former armaments director in the relevant period and the former managing director of BMARC, as well as with trade union representatives of the work force in my constituency.

As far as anyone in the company was concerned, Singapore was the end user of the goods. That was a perfectly legitimate assumption, given that BMARC did not have any direct contract with Singapore. The Singapore navy already possessed these guns and was expanding.

Chartered Industries of Singapore to which the guns were sent by Oerlikon—not by BMARC—was Government-owned and was a proper and legitimate, and likely, recipient of them. However, because the guns were not being sold directly to the Singapore navy, Major-General Donald Isles, a highly respected, responsible and competent former Ministry of Defence employee, and the other full-time directors checked carefully.

There was no reason for them to indulge in shady deals. Why should they risk acquiring a possible criminal record for a deal? In addition, BMARC was a highly respected and successful British company and did not need to break DTI guidelines. Having checked carefully with the DTI, whose officials apparently had the full information at their fingertips, there was no doubt in the minds of the directors that the end user was Singapore, not Iran.

My point is that, if the DTI, with all its specialised resources, did not manage to second-guess the deal, how could a non-executive director such as my right hon. Friend the Chief Secretary?

What about Gerald James? He may indeed have a legitimate grievance—he brought down Astra and BMARC through his misjudgment in buying PRB, and was no doubt sold a con by the Belgian Government—but, as a result of that grievance, he is undoubtedly pursuing a campaign—some might say, a vendetta—against the British Government. Because my right hon. Friend happens to be a member of the Government, he is the target of that campaign.

When Mr. James was asked by Mr. Peter Snow on the BBC's "Newsnight":

"Did you . . . at any time brief him"—

my right hon. Friend—

"personally about the nature of the Singapore contract?",

he said:

"No I did not brief him personally at all."

I have, from my own sources within the company, obtained more information. After he took over the company, Mr. James apparently took the opportunity when the remaining Swiss employees were out of the company offices for their national holiday to check their papers. He could find no evidence that the guns were going anywhere other than Singapore. I submit that, at the relevant time, no one in BMARC—certainly not the staff or my constituents, or the non-executive directors—had any clue that the goods were going anywhere but Iran—*[Interruption.]*—Singapore. I apologise, that was a slip of the tongue. They were clear that the goods could have gone only to Singapore, not Iran.

In any event, my right hon. Friend joined the company only in 1988 when the contract was already well advanced. It was signed in 1986 and, by 1990, my right hon. Friend had resigned. According to Dr. Pike, to whom I spoke today, it would have been dealt with only in the most cursory fashion, if at all, at any board meetings that my right hon. Friend attended—for example, to check that the goods had been delivered to Oerlikon.

There may or may not have been some incompetence on the part of DTI officials—we shall no doubt find out about this—in not making the connection between the Singapore deal and the known fact that Oerlikon was selling to Iran. However, if full-time experienced DTI and intelligence service officials could not make such a connection, I cannot see how my right hon. Friend could have done so.

In any event, he has given his word to the House. He is a much-admired and competent Minister. We should accept it, but the evidence that I have found and that others have alluded to is overwhelming. It shows that he did not know and could not have known. On the contrary, we should back my right hon. Friend and what was an excellent British company, run by extremely responsible and respectable people such as Major-General Donald Isles.

My right hon. Friend is a victim of a discreditable witch hunt by the Opposition and media. He should and must stand his ground, so that truth and honour will be the touchstone by which we conduct our affairs, and not personal vindictiveness and innuendo.

5.59 pm

Mr. Allan Rogers (Rhondda): I must admit that I have not heard in this House a more flimsy defence of any situation than the one that we have just heard from the hon. Member for Gainsborough and Horncastle (Mr. Leigh). He accuses us of pursuing a vendetta, but may I put just one point to him? The statement to the House of the Secretary of State for Trade and Industry has brought about today's debate; it was not the Opposition chasing the issue. For what reason did the President of the Board of Trade want to bring it back to the House?

I say this not with any particular hindsight, but because I might have been the first person in the House to raise this issue. I did so back in 1989 when I was shadowing, as I had been for a number of years, the defence procurement portfolio when it was held by the right hon. Member for Hove (Sir T. Sainsbury) and, later, Alan Clark. At that time, it was fairly obvious that something was wrong. If I had time, it would be easy to catalogue the responses I had, but I want to pick up one issue in the limited time available: the lost documents that seem to have become available this weekend.

I find today's response by President of the Board of Trade as remarkable as the fact that those documents are suddenly available, that he suddenly finds a reason for bringing this matter forward, and that he suddenly finds the questions of my right hon. Friend the Member for Copeland (Dr. Cunningham) so stimulating that he finds that there is a gap in the intelligence.

Let me just remind the House that an investigation into Astra/BMARC had been going on for three years. The response to a question that I tabled last year revealed that the cost of that investigation was £2,170,000—more than £2 million had been spent on acquiring the information, and suddenly we are told that it was not available until last week.

In response to a question that I tabled on 19 April last year, the hon. Member for Tatton (Mr. Hamilton) said:

"The inspectors commenced work on appointment on 16 August 1990 and their report was signed on 7 April 1993"

So all the information that is presently available was available all the time that these obfuscations were going on. The then Minister went on to say:

"the inspectors considered substantial representations received during the course of fairness procedures."—[*Official Report*, 20 April 1993; Vol. 223, c. *74*.]

Mr. John Anderson has again been heavily featured in the media this weekend. In relation to the lost papers, when he was Minister of State for Defence Procurement, the right hon. Member for Thanet, South told me:

"Mr. Anderson was arrested by the Ministry of Defence police . . . in April 1990. He was detained in connection with a possible case of corruption, interviewed and released without charge. Subsequently, he made a number of complaints concerning the circumstances of his arrest. These have been investigated in accordance with the Police and Criminal Evidence Act 1984 and the report currently rests with the Police Complaints Authority whose decision is awaited."—[*Official Report*, 26 April 1993; Vol. 223, c. *298*.]

Those papers relate to BMARC and Astra, the company run by Mr. John Anderson, who was a director at the same time as the right hon. Member for Thanet, South. I find it incredible, therefore, that the information is seemingly suddenly available, as it was supplied to me more than a year ago, and after nearly £2 million had been spent on that report.

The issue of arms exports to the middle east and elsewhere has come about because of a change of culture in our political life during the 1980s. An hon. Member asked for an investigation into arms exports. He probably was not aware, although it was pointed out to him later, that the Select Committee on Trade and Industry had considered the issue—specifically in relation to Iraq, I warrant that, but also in relation to other issues, such as the uses and applications of licences.

If we put it into context, in 1984 in this country there was a tremendous charge for arms exports. I am not questioning the morality or otherwise of arms exports, but that charge for more and more exports generally existed throughout the Department of Trade and Industry, the Ministry of Defence, the Defence Export Sales Organisation, International Military Supplies, and even with the Prime Minister at the time. She accompanied her son, who took a rather lucrative part in these events, and batted for Britain—I cannot think of a better bat—in both Saudi Arabia and Malaysia to get these huge contracts.

A general culture, going through Whitehall and the relevant Departments, allowed such instances to happen. All it requires is a greedy man or men to latch on to that culture or the lack of morality in relation to where arms were going.

We should not forget that the guidelines controlling the export of arms were laid down by this Government—by Sir Geoffrey Howe—in 1984. One of the cardinal criteria was that arms should not go into regions with bad human rights records, and that they should not lead to warfare between countries. On many occasions, the then Secretary of State for Trade and Industry, the right hon. Member for St. Albans (Mr. Lilley), said that arms should not go into regions where they could be used in a way that cut across the Government's guidelines.

The whole issue revolves around that change in culture. It is about arms going not only via Singapore into Iran but into many other areas. The then Foreign Secretary, Sir Geoffrey Howe, said:

"We should maintain our consistent refusal to supply lethal equipment to either side"

in the Iraq-Iran war that was going on at that time. That was flagrantly broken by members of his own Government. He also said:

[Mr. Allan Rogers]

"We should not, in future, approve orders for any defence equipment which, in our view, would significantly enhance the capability of either side to prolong or exacerbate the conflict".—[*Official Report*, 29 Oct 1985; Vol. 84, c. *450.*]

That guideline was again broken by the Government.

On reflection, probably the only honest man in the whole affair was the then Minister for Defence Procurement, Alan Clark, who has left this House. At least he always made it clear what he was about, and made no apologies for the fact that he knew that arms embargoes were being broken. He said that that was because it was bringing jobs to this country.

I am amazed that the Chairman of the Select Committee should support that view this afternoon. If there are jobs out of people being killed or murdered in other parts of the world, we should not have such jobs in this country. If there is to be an inquiry into arms exports, the first thing we should consider is the morality of it.

People are trying to suggest to us that there are only two options; either it was a cock-up or it was a conspiracy. I believe that it was both. The general climate in the Government Departments I have named, and the inefficiency and incompetence of the Department of Trade and Industry, allowed those who were conspiring to break the arms embargo to carry out that dirty, sordid business, as I pointed out to the then Prime Minister, Baroness Thatcher, in 1989 and to the present Prime Minister in 1992—

Mr. Deputy Speaker: Order. Time's up.

6.9 pm

Sir David Mitchell (Hampshire, North-West): The motion refers to the BMARC affair, which is concerned with arms for Iran. The reality is that the motion is a malicious attempt by the Opposition to destroy the reputation and career of my right hon. Friend the Chief Secretary to the Treasury.

There are certain facts that should be brought to the attention of the country and the House. In 1986, BMARC was a Swiss-owned company, and it was at that time that it signed the offending Singapore contract. In 1988, the company was bought by Astra, a British company. In the same year, my right hon. Friend the Chief Secretary was made a non-executive director, a post in which he remained for only 19 months. In practice, non-executive directors are not much more than advisers to the board; they have no powers to interfere in the management of a business.

I now turn to Mr. Gerald James, the chairman and the source of the suggestions that my right hon. Friend knew about the contract. I draw the House's attention to an article on page 25 of *The Economist* this week, which says:

"Mr. James says that a group of senior figures at BMARC knew all about these fishy contracts yet thwarted his efforts to find out what was going on."

If the chairman did not know what was going on and if the chairman was thwarted in his efforts to find out, how on earth could a temporary, non-executive director be expected to find out and to know?

My right hon. Friend the Chief Secretary has no case to answer. The House should accept the Government's amendment as a cost-effective and speedy way in which to clear the matter up.

6.11 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): The matters before us are serious, but we should not jump to conclusions. What is highly significant is that the Chief Secretary to the Treasury—I do not think that we should dwell on him—shared with the nation on "Question Time" last Thursday the information that he had been briefed that some of the contracts involved were for the Singapore navy. That contradicts the argument put forward by the hon. Member for Gainsborough and Horncastle (Mr. Leigh) that none of the contracts was the responsibility of BMARC itself. If BMARC was simply producing the items and could not sell them, why was it applying for export licences for the relevant items?

The entire matter was exhaustively dealt with in the Department of Trade and Industry report on the Astra group of companies. The report makes it crystal clear that the licence agreement that Oerlikon had with BMARC, which Astra inherited when it took over, did not mean that BMARC—and Astra subsequently—was not the promoter of the sales, albeit that the goods were being produced under a licence agreement with Oerlikon. Those are important matters, which we must seek to get to the bottom of.

The Select Committee on Trade and Industry will face a number of considerable difficulties. First, there is the quantity of information. Some 1 million documents are said to have been removed from the Astra group of companies, either by DTI inspectors, from 1990 onwards, or by Ministry of Defence police. That is a formidable and overwhelming task of investigation. It took the DTI almost three years to produce its report on the Astra group of companies—never mind the efforts of a Select Committee, which will face other lines of inquiry.

The Select Committee will immediately confront the difficulty of intelligence information. It has had an offer from the Chairman of the new Intelligence and Security Committee, but the difficulty is that he was the Secretary of State for Defence at precisely the time when the Ministry of Defence police were going into the Astra group of companies to lift the information. That is a difficulty—a contradiction.

The Select Committee will face the puzzle of understanding why, if the Government did not know about arms sales to Iran, a wholly owned Government company, International Military Services Ltd., had an office in Iran that was open throughout the entire period of the first Gulf war between Iran and Iraq. Those are difficult matters to inquire into.

Another problem, sadly, is the unfortunate coincidence that the company that dealt with the receivership of Astra—Coopers and Lybrand—had a historic connection with Sir Kenneth Cork, who, unfortunately, is no longer with us; I am conscious of what I am saying in this regard. Sir Kenneth had a business connection with the Chief Secretary through his company Aitken Hume International.

Another difficulty is that all the investigations into Astra have been carried out, to some degree, by the Department of Trade and Industry through its inspectors, who took three years to report. Only a year after it had had that report did the Department of Trade and Industry decide to prosecute all but one of the directors of Astra. That legal case is still before the courts. I have a question for the Government. Can they give an assurance that, if a

further case, which will cut across many inquiries, comes to court, they will not use the public interest immunity certificate suppression system, although they used it in the Matrix Churchill trial?

These are weighty and serious matters. Although we cannot leap to conclusions, we have here a mystery within several other mysteries. We have to seek the answer to the question why a full explanation of matters has never been given to Parliament.

Only tonight, in a parliamentary answer that I have just received and hardly had time to take on board, is it revealed that, of the 224 private export licence applications submitted by BMARC between 1986 and 1989, 149 had no supporting information about end users. That figure is 66 per cent., and not the 36 per cent. that was used by the President of the Board of Trade in his statement to the House. There is confusion and obfuscation about such a simple matter; the matters under investigation are far more serious.

The issue of Iran and Iraq is not some marginal matter, but one that took up the time of Governments and Departments, as we know from the Scott inquiry, through much of the 1980s. It is one of the great secrets of the 1980s, and it will, sadly, take far more, as I know to my cost as a former member of the Select Committee on Trade and Industry that investigated arms to Iraq, than a Select Committee inquiry to get to the bottom of these very murky affairs.

6.18 pm

Sir Jim Spicer (Dorset, West): It is right and proper for the Opposition to make as much of this matter as they can. I remind everyone in the House, however, that that bloody and bitter war lasted for eight years, and that during that war, many countries supplied both Iran and Iraq with massive amounts of weaponry. At the top of the list of suppliers to Iraq were the Soviet Union and France.

Most hon. Members will know that the French Government—or the French—are still owed some £12 billion for arms supplied during that war. My hon. Friend the Member for Upminster (Sir N. Bonsor), the Chairman of the Defence Select Committee, made it quite clear that, compared with such a scale of supply of arms to both protagonists in that war, what we were doing was on the margin: £75 million to Iran and, over a ten-year period excluding the war—a large part of that period—about £500 million to Iraq.

During that period, Iran and Iraq scoured the world for weapons, and there have been many revelations of just what happened in other countries. At the top of the list of arms suppliers during that time were Austria, under a socialist Government, Belgium, under what to all intents and purposes was a socialist Government, and Sweden under a socialist Government. They have all had scandals involving such sales. Therefore, it is no surprise that parent companies such as Oerlikon should make use of subsidiaries in this country to pursue their lucrative trade with either Iraq or Iran.

My hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) has made BMARC's situation and the relationship with Oerlikon absolutely clear. May I remind the House that the war between Iraq and Iran ended in August 1988? It was not until September 1988 that my right hon. Friend the Member for Thanet, South (Mr. Aitken), the Chief Secretary to the Treasury, became a non-executive director.

I am sorry that the right hon. Member for Copeland (Dr. Cunningham) is not present. His remarks were not only unfair but showed a total lack of knowledge about the role of a non-executive director of any company whatever.

Mr. Rogers: Will the hon. Gentleman give way?

Sir Jim Spicer: I am sorry, but I do not have time.

If I had been appointed a non-executive director in September 1988, I would not have known about the affair, because the contract was complete, with one shipment still to go. That one shipment went out through Oerlikon. That is a fact which can become public knowledge, and I hope that it will come before the inquiry when it is held.

The Opposition are asking for an outside independent inquiry. All the evidence of the Scott inquiry shows that such an inquiry would be precisely the wrong way in which to conduct our affairs and to achieve natural justice for those who appear before it, to which they are entitled. There can be no valid reason for any inquiry in which one person becomes the prosecutor, the judge and the jury. The result is muddle and delay. As my right hon. Friend the President of the Board of Trade made quite clear in his speech, there would be delay on a massive scale, which is exactly what the Opposition have said today that they do not want.

Let us have faith in ourselves, conduct our own investigation through the Select Committee on Trade and Industry, and, in the light of its report, decide what we should do.

6.22 pm

Mr. Brian Wilson (Cunninghame, North): We have heard Conservative Members put some pretty wafer-thin arguments this afternoon, but the previous speech excelled. It is astonishing at times such as this how limited, in the view of Tory Members of Parliament, is the role of non-executive directors. As for the Scott inquiry being the wrong way to conduct "our affairs", it might be the wrong way for Conservative Members to conduct their affairs—one can understand their reservations about the Scott inquiry—but Labour Members think that it is a very good way in which to conduct our affairs, the nation's affairs, to get at the truth about complex issues.

We also heard the hon. Member for Gainsborough and Horncastle (Mr. Leigh) put a remarkable defence that the affair was all beyond the reach, knowledge or control of Parliament because a Swiss company was involved initially. Of course it does not matter who owns the company; it is where the arms are manufactured that is critical for export licences. We have heard a very thin—

Mr. Rupert Allason (Torbay): Will the hon. Gentleman give way?

Mr. Wilson: I must remind the hon. Gentleman that, for the second time recently, the Government have breached the Jopling rules by arranging to make a statement on an Opposition Supply day. I certainly do not intend to give very much of my time to interventions.

Mr. Allason: One point.

Mr. Wilson: I do not think that the hon. Gentleman even attempted to catch Mr. Deputy Speaker's eye. He is certainly not going to waste my time.

[Mr. Wilson]

I want to ask the hon. Member for Dorset, West (Sir J. Spicer) a question. He said that, if he had become a non-executive director of BMARC in 1988, he would have known nothing of contracts entered into in 1986. He appears to consider that a proud boast. But would he, for instance, have known anything of BMARC contracts entered into in 1989, such as the contract to supply fuses to Iraq worth £3 million, via Jordan as a conduit? Would he have regarded that as being any of his business as a non-executive director? If the answer to that is also no, it tells us more about the hon. Gentleman than it does about the duties of non-executive directors.

Sir Jim Spicer: If I were a non-executive director, I would not be running the company on a day-to-day basis. I would have a brief report on the work of the company. The board meeting that I would attend would be—perhaps—two hours long and cover a whole range of subjects. The executive directors would have the responsibilities.

Mr. Wilson: We understand that, but the hon. Gentleman chose to raise the role and duties of non-executive directors. I asked him a specific question about whether he would have seen it as his duty to know anything about where orders for £3 million worth of fuses were going, when they were going to one of the world's most lethal trouble spots in breach of his Government's rules and laws on the export of arms.

Mr. Harry Cohen (Leyton): My hon. Friend is really touching on the defence of the Chief Secretary to the Treasury, which is basically that he was on the board but did not know about such contracts, especially the LISI project. Is not the real problem that a number of BMARC contracts have ended up in Iran or Iraq and that the response of the Chief Secretary to the Treasury is that he was on the board, but did not know about them? Does not that weaken the right hon. Gentleman's position enormously?

Mr. Wilson: My hon. Friend makes his own point. I want to be absolutely clear that, to Labour Members, this debate is not about the Chief Secretary to the Treasury. It is about the firm BMARC and the inquiry into it. Any emerging information that either worsens or secures the position of the Chief Secretary to the Treasury is a by-product of that inquiry.

The issue on which we shall shortly be asked to vote is quite specific. Conservative Members are not being asked to participate in some primary contest for the Tory party leadership or even to demonstrate their support for the Chief Secretary. Incidentally, we can all sympathise with the right hon. Gentleman in his discovery that fax machines, like swords of truth, are two-edged weapons. We are concerned about whether there should be an independent inquiry into what has become known as the BMARC affair.

Mr. Allason: Will the hon. Gentleman give way?

Mr. Wilson: No, I will not give way.

The case for an independent inquiry similar to the Scott inquiry is, as we have demonstrated in the debate, unanswerable. We have not heard any worthy answers from Conservative Members. The outrageous conduct of Ministers—Ministers who still hold office—towards the directors of Matrix Churchill forced the Government to establish the Scott inquiry, with a remit to investigate only matters related to arms for Iraq. All the prima facie evidence, including that referred to in the statement on Tuesday by the President of the Board of Trade, suggests that BMARC gives rise to questions as serious and as wide-ranging as Matrix Churchill and that arms for Iran is just as much a part of this filthy saga as arms for Iraq. The difference is that Ministers have managed to keep the lid on BMARC and arms for Iran for two years longer than was possible with Matrix Churchill and arms for Iraq.

That success, if it is worthy of the name, should certainly not be rewarded with a process of scrutiny that is any less rigorous than that established under Lord Justice Scott. The President of the Board of Trade did himself no credit today, in a blatant piece of casuistry, when he said that an independent judicial inquiry would have to start with a blank piece of paper. Equally, the Select Committee will have to start with a blank piece of paper unless it is in receipt of the conclusions of the Scott report.

The President of the Board of Trade mentioned a figure of £2 million, as if it were some exorbitant amount, for conducting the Scott inquiry. It is less than the single illegal order to which I referred a few minutes ago. What is the price of the sword of truth? How much is the country expected to pay to find out about the deceits and deceptions that were the stock in trade of the Government for such a long time? Two million pounds does not seem an excessive price for that process.

The Ministers involved in the affair, including the President of the Board of Trade today, have been anxious to suggest that they are dealing with matters that belong to some distant period and that have left a legacy which regrettably now has to be dealt with; far-off events of which they knew nothing. The spate of cock-ups, leading to the suppression of evidence and the misleading of Parliament, in which we are invited to believe give the convenient impression that the matter is something that has nothing to do with Ministers today; that it is all in the past. That is a false impression.

I do not intend to talk about what happened in the 1980s, because that is the proper material for an independent inquiry to deal with. I shall concentrate only on what has happened since the offices of Astra, the parent company of BMARC, were raided in April 1990.

Last Tuesday, from this Dispatch Box, I asked the President of the Board of Trade a straightforward question, which he conspicuously failed to answer. I repeat it now. I said:

"Does he accept that, as far back as 1990, the Ministry of Defence seized files from Astra, the owner of BMARC, as part of a fraud investigation? Those files referred to Astra and BMARC trade with Iraq and Iran. Were the files handed to the DTI then? If not, why not? If they were, why have we had to wait five years for this statement?"—[*Official Report*, 13 June 1995; Vol. 261, c. 605.]

Tonight I add the words, "and this debate and this inquiry".

Let me bring the summation of events right into the period when the right hon. Member for Henley (Mr. Heseltine) held his present office. On 27 January 1993, Detective Inspector Berry of the Ministry of Defence police wrote to the receivers for BMARC, ostensibly offering the return of

"all the property seized from Astra holdings and subsidiaries during our inquiries into allegations of corruption."

Let us leave aside for a moment the clearly inaccurate use of the word "all". I should be interested to know who gave the political authority to Detective Inspector Berry to make that offer. I should like to know what consultation there was between the Ministry of Defence and the Department of Trade and Industry between the date in 1990 when the raid on the Astra offices took place and 27 January 1993, when the offer, ostensibly to return everything that had been taken, was made.

It is beyond peradventure that the material taken from the offices—all the material, the totality of the material—could have painted a full and startling picture of BMARC's activities during the years in question. It would have brought BMARC within the ambit of the arms to Iraq as well as the arms to Iran inquiries. It would have provided vital information about the role of the intelligence services in facilitating Britain's role as gun runner to the world.

So is it conceivable that the material was merely offered for return to the receivers without its full import being assessed at the highest levels of government and then acted upon? The question is rhetorical. The answer is no, it is not conceivable. The Prime Minister announced the setting up of the Scott inquiry in November 1992. By that time, the researches of the Ministry of Defence police were well advanced. The material obtained from BMARC was in the possession of the Government. Will the President of the Board of Trade confirm that, from that day to this, the Ministry of Defence has returned none of the material that it took from the offices of Astra or BMARC to the Scott inquiry?

Will the right hon. Gentleman confirm that the indictment is even more serious? Will he confirm that the Scott inquiry was set up with a remit restricted to arms to Iraq, to which Lord Justice Scott has subsequently adhered, to the exclusion of the BMARC affair, at a time when Ministers knew that what was in the BMARC papers—the President of the Board of Trade's statement last week was the merest tip of the iceberg—should have led to the Scott remit being widened to include both BMARC and arms to Iran? That is what the Government frustrated, not in the late 1980s but right up to the mid-1990s.

Mr. Rogers: My hon. Friend is rightly cataloguing what has been going on. I am not sure whether he heard my speech, in which I quoted an answer given to me by the hon. Member for Tatton (Mr. Hamilton), who was a Minister in the DTI at the time, to the effect that the cost of the DTI's own investigation into Astra over a three-year period had come to £2,170,000. Perhaps the President of the Board of Trade ought to look into where that money went if it did not provide him with sufficient information to answer my hon. Friend's question last week.

Mr. Wilson: My hon. Friend makes his own point well. The thrust of what I am saying is that the information was there. It was in the possession of the Government if they had wished to use it. *[Interruption.]* The hon. Member for Torbay (Mr. Allason) says that that is irrelevant. It is highly relevant.

Mr. Allason: I said no such thing. I said that there was not a shred of evidence and you know it. Furthermore, the debate this afternoon is a disgrace. You have not been able to bring home the bacon.

Mr. Deputy Speaker (Mr. Michael Morris): Order. Members on both sides should address each other as hon. Members, not "you".

Mr. Allason: Would the hon. Gentleman care to answer this question? Does he agree that the sole issue here is whether end user certificates were misused? If that is the case, does he have the slightest evidence that any one director of BMARC knew that those end user certificates would be misused? The answer clearly is no, and the hon. Gentleman knows it.

Mr. Wilson: The hon. Gentleman does not come to the Chamber very often and cannot be expected to know the rules. If he has been busting a gut to get in with that intervention for the past 10 minutes, he really has problems. If he thinks that that is the sole issue, he is very much mistaken and he will find out a great deal to his cost.

Will the President of the Board of Trade confirm that it is essential that all the documentation—this is the reply to the hon. Member for Torbay—removed from the offices of Astra and its subsidiaries should be at the disposal of the independent inquiry that we seek tonight? That includes the documents that so mysteriously turned up at the weekend, but not only those documents. It includes the documents—there are plenty of them—which are still in the possession of the Ministry of Defence or the DTI and also those documents that have already been returned to the receiver.

The point made by my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) about the role of the receivers was well taken. Those documents, too, should be put into the hands of an independent curator in order that there can be no question about their total, unqualified availability to those who are charged with inquiry into the affair.

Now we come to the nub. When the Minister sums up, we shall want an answer to the question whether all the papers taken from the offices of Astra and its subsidiaries will be at the disposal of the inquiries that are proposed. That is the absolutely crucial question. Any hedging on the answer will confirm our worst suspicions.

Fortunately, on that point, if on no other, we have assistance from the Chief Secretary to the Treasury. I quote an extract from the transcript of the BBC's "Question Time" last Thursday. It runs:

"Mr. George Robertson: 'Will they get all the papers, all the documents, MI6, and the rest?'

Mr. Aitken: 'Yes, MI6, all the documents, they have been promised all the documents.'

Mr. Dimbleby: 'This has happened today, has it?'

Mr. Aitken: 'Yes, today.'

Mr. Robertson: 'And all the confiscated papers?'

Mr. Aitken: 'Which are the confiscated papers? I didn't know there were any. I am sure they can get any papers they want.'"

We have it on the authority of the Chief Secretary to the Treasury that the inquiry, under whichever auspices it is held, will receive all the papers, the intelligence reports and everything that it needs, including every bit of paper that was removed from the offices of Astra in 1990. We shall want to hear only one answer when the Minister replies to the debate. Does he stand by the promise of the Chief Secretary to the Treasury in that respect or does he not? Will every bit of paper be available to the inquiry or will it not? Those are the only answers on which the Minister will be judged.

[Mr. Wilson]

Let me deal briefly with the position of the Chief Secretary to the Treasury. First, I should sympathise with him over his weekend difficulties with a fax machine. A rather dire message from someone who was apparently trying to help him was faxed to an art dealer in north London. That public-spirited gentleman then supplied it to the public prints. How ironic that the Chief Secretary, who has spent years in cahoots with arms dealers, should have fallen foul in that way to an art dealer.

When, as has now been confirmed, the Ministry of Defence failed to return all the BMARC papers to the receiver, the right hon. Gentleman was Minister of State for Defence Procurement. He is now a Treasury Minister and Customs and Excise is inquiring into the affairs of his former company. He is a Cabinet Minister, whose Cabinet colleague, the President of the Board of Trade, has authorised two inquiries into the company of which he was a director. Is there no level of conflicting interest at which the right hon. Gentleman will step aside—at least until the inquiries are completed—or will he continue to brass-neck it out for as long as he can get away with it? Will he wait, to quote the famous fax, for

"the straw that breaks the camel's back"?

I have a great deal of respect for the Select Committee on Trade and Industry and in particular for its Chairman, but the inquiry is patently not a job for it. It is too big, too complex and too forensic for the procedures of a Select Committee. The case for an independent inquiry, in parallel with the inquiry of Lord Justice Scott, is unanswerable. I warn Ministers that, if they successfully resist that request, it will be a pyrrhic victory. The questions will still be asked and the evidence will still emerge. Those who have sought to present themselves today as honest brokers will be recognised instead as those who have prevented, even at this late stage, a proper inquiry. They will be clearly identified as part of the problem rather than of the solution.

The President of the Board of Trade should remember that the biggest cover-up in modern political history came to be known as "All the president's men". Meanwhile, let me assure the House that the questions will continue to be asked and the sword of truth will gradually turn in the proper direction.

6.41 pm

The Parliamentary Under-Secretary of State for Trade and Technology (Mr. Ian Taylor): This debate has been intriguing. From the Order Paper, it appeared to be a request for a public inquiry, but the way in which Opposition Front-Bench spokesmen have conducted the debate suggests that they do not want an inquiry. They want, instead, to prejudge everything. They have used the debate purely to make accusations based on flimsy evidence and make allegations against Ministers, past and present. They have used words such as "conniving" and other emotive words that are not fitting given that, last week, my right hon. Friend the President of the Board of Trade made it clear that certain information needed to be revealed to the House. He said that that information needed to be followed up in detail. He suggested that the Select Committee on Trade and Industry should look into the matter if it saw fit to do so.

The best speech today came from the Chairman of that Select Committee, who clearly understands the implications of what is at stake and has confidence in the authority of the House to take action when such matters are brought to its attention.

Simply because things have happened differently from what people had thought, the automatic response should not be to reach for the nearest judge. The call for an inquiry is not some attempt to keep judges in work. It should not be used as an attempt to prolong inquiries year after year.

The inquiry of the Select Committee on Trade and Industry will attempt, however, to get to the bottom of something that has been brought to the attention of the House. Its Chairman understood that and I am delighted that he addressed some of the substantive issues involved. I am also aware that, on behalf of his Committee, he is in correspondence with the President of the Board of Trade about some of the detailed matters that need to be settled. I hope that they will be settled before the inquiry begins. I understand that the Committee will consider its decision on Wednesday. We look forward to co-operating with the Chairman in pursuit of the attempt to get the documentation agreed.

It may be only the second time that a Minister has offered a Select Committee, certainly the Select Committee on Trade and Industry, such information, but that is what we have done. We have offered the Committee an opportunity to look into the matter. We have agreed to co-operate with it as fully as possible. The details of the documentation will be available. Hon. Members should take those facts into account carefully when considering how to vote.

Anyone in the House who believes that the authority of the House is sacrosanct should accept what two Chairmen of Select Committees have said today: Select Committees are ultimately responsible to the House. I was delighted that the Chairman of the Select Committee on Defence, my hon. Friend the Member for Upminster (Sir N. Bonsor), also said that Select Committees need to consider the matter and are quite capable of doing so.

My hon. Friend the Member for Upminster also made the important point that the issue before the House is not whether arms should be exported. This country exports arms perfectly legitimately and our defence industry employs many people. As I understand it, Opposition Front-Bench spokesmen have never said that they would stop defence exports. I do not believe that that is their policy, but if it were it would certainly be of great interest to many constituencies.

Dr. John Cunningham: It is not our policy.

Mr. Taylor: I note that the right hon. Gentleman has kindly helped me by making it clear that it is not Opposition policy to stop defence exports.

It is important to establish a licensing procedure and to ensure that it is followed as rigorously as possible. That procedure should enable officials to discover the ultimate destination of the products. All licence application forms have a box that clearly requests a statement about the end user and the ultimate consignee. The hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) referred to such information, which on the face of it suggested that in 1988 Department of Trade and Industry officials were given an assurance by BMARC that the exports were destined for Singapore.

The thrust of last week's statement from my right hon. Friend the President of the Board of Trade was that officials, having been given that information, then failed, for reasons which, with hindsight, we consider were not justified, to connect it with the intelligence that was available to the DTI in 1988. That raises genuine questions about such licenses as well as questions of procedure. As my right hon. Friend the Secretary of State said this afternoon, and in relation to the Scott inquiry, the licensing rules have been tightened and adjustments made in the light of criticisms and the problems discovered.

The right hon. Member for Copeland (Dr. Cunningham) made certain accusations about activities in the latter part of the 1980s. In one year, 1987, there were 98,000 applications for export requests and the simple connections were not made. That did not happen because Ministers did not want them to be made or because of some malicious attempt to evade export rules, but because of a cock-up. The fact is that life is simply not that exciting.

Dame Elaine Kellett-Bowman (Lancaster): Not again.

Mr. Taylor: My hon. Friend may disapprove of that phrase. I did not invent it, but it has been used in the circumstances. It is a good deal more accurate than some of the accusations of Opposition Members. Life is simply not as exciting as they would wish us to believe. It is fortunate that they have not been in government recently; otherwise, they might have discovered that.

Mr. Rogers: The Minister has quite rightly drawn our attention to the importance of an effective licensing system to govern our arms export policy. Surely he accepts that part of the Opposition's argument is that at the time Ministers encouraged arms exporters to break the rules. The then Minister for Trade, Alan Clark, documented evidence, which has been submitted to the Scott inquiry, about how he invited people to his office and told them to fill in forms in such a way as to confuse officials. A politician did that, not Ministry officials.

Mr. Taylor: Once again, the hon. Gentleman is indulging in allegations. The purpose of this debate is very clear, and it was stated by the right hon. Member for Copeland: it is whether there should be an inquiry, and what form the inquiry should take. If the hon. Gentleman wants to make allegations, he can do so in that context. The Department's willingness to produce documentation is evidence of our openness.

Mr. Wilson: Time is getting on, and the Minister has not got round to dealing with my specific questions. Does he endorse the specific assurance given by the Chief Secretary on "Question Time" last Thursday about the total availability of documentation, including everything that was taken from Astra and the intelligence reports?

Mr. Taylor: The President of the Board of Trade is having discussions with the hon. Member for Sheffield, Central (Mr. Caborn)—the Chairman of the Trade and Industry Select Committee—about the documentation that is required. The hon. Gentleman, as a responsible Opposition Front-Bench spokesman, will know that certain documents must be handled with caution. *[Interruption.]* I will not listen to accusations and have fingers pointed at me when Opposition Members know very well that Governments wishing to get intelligence from sources do not reveal those sources immediately. The reality is simple—revealing intelligence sources risks lives, and Governments depend on their intelligence services.

How that intelligence is then handled within Government is a proper matter for discussion. That is what the President of the Board of Trade referred to in his statement, and that is why my right hon. Friend is having discussions with the Chairman of the Select Committee about the documentation that is required, and how that can be handled to allow the Select Committee to start its inquiries. That is the right way to proceed. It is wrong for Opposition Members to point their fingers and jump up and down. They are attempting to cause difficulties which are likely to end—

Mr. Wilson *rose—*

Mr. Taylor: How am I to reply to the hon. Gentleman if he keeps rising to make points that he clearly forget to make during his own speech?

Mr. Wilson: This is precisely a point that I remembered to make in my speech. Is the Minister repudiating the statement made by the Chief Secretary to the Treasury on the BBC's "Question Time" last Thursday night—yes or no?

Mr. Taylor: I am answering this debate on the basis not of television programmes that I did not watch but of information that the House has before it as a result of the statement made in the House by the President of the Board of Trade last week. As I have said, detailed correspondence is going on between the President of the Board of Trade and the Chairman of the Trade and Industry Select Committee. If the hon. Gentleman wishes to make specific allegations, I urge him to do so through the proper channels—the Trade and Industry Select Committee.

This debate—even in the terms framed by the Opposition—is not about detailed allegations, but about whether there should be a public inquiry and about what form the inquiry should take. The most suitable way of progressing is to have an internal inquiry by the Trade and Industry Select Committee, which is then accountable to this House.

Mr. David Shaw: Does my hon. Friend accept that the Opposition have no basis for saying that they know all about inquiries, because they resisted an inquiry into Monklands district council? In the last hour, it has been confirmed that serious allegations of corruption are to be referred to the police.

Mr. Taylor: My hon. Friend has played a notable role in pushing for such inquiries into that matter. That is not the matter before the House this evening and I realise that you, Mr. Deputy Speaker, would stop my continuing on that subject. However, perhaps it does go to show that the desire for information to be made public is not always carried through in detail by Opposition Members in terms of their own affairs.

We have an important responsibility to try to find out more about what might have gone wrong. The Opposition are going from pillar to post in their reactions, and they seem less like seekers of truth and more like seekers of sensation. The hon. Member for Cunninghame, North (Mr. Wilson) said that he wanted the House to have a

"far more wide-ranging inquiry than anything that has been suggested today."—[*Official Report*, 13 June 1995; Vol. 261, c. 606.]

[Mr. Taylor]

The Chairman of the Trade and Industry Select Committee has rightly said that most of his colleagues would like to see a sharp inquiry—one that should not be allowed to drag on, as a wide-ranging inquiry would. The right hon. Member for Copeland called for a seven-course banquet of an inquiry. He said that BMARC should be the subject of a fully independent inquiry, quite separate from the Scott inquiry. That new inquiry should have access to all the documents and reports relevant to BMARC, and should be headed by a judge.

One effect of the right hon. Member for Copeland's suggestion would be that we would not know the results of the inquiry for years. The inquiry would incur vast costs, and would not even have the advantages that Lord Justice Scott had from looking into export licensing operations. That is not an argument in favour of a genuine inquiry into the facts. I never give up hope with the right hon. Gentleman, who is a smiling and charming person who listens to arguments. I wish him to listen to this argument.

The right hon. Gentleman cannot really be saying that he wants to push the matter into the public domain with a judge and with all the panoply that we have seen with the Scott inquiry in order to seek the facts rapidly, because the result would be an expensive rigmarole. Why does not the right hon. Gentleman share the confidence of his hon. Friend the Member for Sheffield, Central in the Select Committee system, particularly a Select Committee under the chairmanship of one of his colleagues?

One or two colleagues referred to my right hon. Friend the Chief Secretary to the Treasury. My right hon. Friend has made a clear statement to the House that he was not aware that goods were being exported through Singapore to any other country, including Iran. The House has a proper respect for statements made by Members of Parliament to the House, and the tradition of the House to respect such personal statements should be continued in the circumstances. I believe that my right hon. Friend made a clear statement and—as far as I am concerned—that is that.

The hon. Member for Newcastle upon Tyne, Central picked apart a question to which I replied this afternoon, but it is a fact that the President of the Board of Trade made a perfectly accurate statement to the House last week. It is in keeping with the willingness of the DTI to provide full information that the information that the hon. Gentleman has received this afternoon is accurate in all respects. When the hon. Gentleman looks at the answer that is published tomorrow in *Hansard*, he will acknowledge that the average overall figure is 36 per cent.

The hon. Member for Cunninghame, North challenged us about various documents found by the Ministry of Defence, but that is a proper matter for the inquiry and I do not intend to go into it this afternoon. The Ministry of Defence police have made a statement over the weekend, and those questions will continue. I am sure that the Trade and Industry Select Committee will look at that matter.

I am afraid that we have not thrown much light on the key subject of whether there should be an inquiry. If Opposition Members were genuinely interested in getting the facts, they would have agreed with Conservative Members that the Select Committee system has been set up for this purpose. The DTI is clearly willing to provide evidence. In the circumstances, the sooner we can proceed to a short, sharp but accurate inquiry, the better it will be.

When the President of the Board of Trade and I first heard our officials' findings in relation to BMARC's exports to Singapore, we admit that we were in no doubt about their significance and we kept inquiring for further details. Initially, the President and I asked questions that had been mentioned in the media regarding accusations that were made at the end of March. There has been no sudden desire to ferret out information. We believed that a clear series of events should be examined in the public interest and that resulted in last week's statement to the House.

I believe that it is the House's proper duty to take the matter forward and to ask the Select Committee to do its job. If it can do its job quickly, we will get to the facts and that will benefit all hon. Members.

Question put, That the original words stand part of the Question:

The House divided: Ayes 267, Noes 291

Division No. 165] **[7.00 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas

Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ilisley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J *(Springburn)*
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jon Owen Jones and
Mr. Stephen Byers.

NOES

Ainsworth, Peter *(East Surrey)*
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael

Hicks, Robert
Higgins, Rt Hon Sir Terence
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G. *(Harrow West)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Timothy Wood.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House recognises the independence of the all-party Select Committee for Trade and Industry; welcomes the Government's assurance that if that Committee decides to examine the issues raised by the allegation that Singapore was used as a conduit for arms to Iran then it will co-operate fully; and recognises that as far as intelligence is concerned the Government will establish procedures with the Select Committee in the light of the Intelligence Services Act 1994.

Overseas Aid

Mr. Deputy Speaker (Mr. Michael Morris): I have to announce that Madam Speaker has selected the amendment in the name of the Prime Minister.

7.14 pm

Miss Joan Lestor (Eccles): I beg to move,

That this House, concerned by reports that one billion people throughout the world live in abject poverty, condemns Her Majesty's Government's failure to place genuine poverty alleviation at the heart of overseas development policy, an aim which has been repeatedly sacrificed to the pursuit of political dogma, confusion over Britain's relationship with its partners in the European Union and unlawful linkages between aid and trade; condemns the Government for a decline in real terms in development spending; urges the Government to improve the quality of British aid by reallocation of resources so that more is spent on meeting basic needs such as primary education and health care and less on tied aid; calls on the Government to explain how it will achieve the UN aid target of 0.7 per cent. of GNP; and calls on the Government to take a lead in multilateral programmes which address the needs of the poorest in the world, particularly women and children.

Nineteen ninety-five is a year of anniversaries. It is 50 years since the foundation of the United Nations and 50 years since the creation of the Bretton Woods institutions—the World bank and the International Monetary Fund. For millions of people who had just lived through the horrors of the second world war, those institutions held out a vision of a fairer and more secure world. Absolutely central to that vision was the goal of a world free from poverty.

Unlike most Tory political leaders today, the world's statesmen in 1945 had an acute understanding of the relationship between poverty and conflict. As the United States Secretary of State Cordell Hull put it in 1945:

"The battle for peace has to be fought on two fronts. The first is the security front, where victory spells freedom from fear. The second is the economic and social front, where victory spells freedom from want."

Fifty years on, the greatest threat to the world is still poverty, which not only brings with it death and disease, but fuels conflicts and condemns entire nations to dependency.

The gap between the have and have-not nations continues to grow. In 1960, the richest fifth living in the industrialised world enjoyed incomes 30 times higher than those of the poorest fifth living in the developing world. Today, it receives 60 times more.

According to Oxfam, the poorest 50 countries in the world account for less than 2 per cent. of global income, yet are home to one fifth of the world's population. That is a clear recipe for instability, conflict and human suffering on a tremendous scale, as we have seen.

There have been extraordinary advances in technology in the past 50 years. People are living longer, infant mortality is falling and more people have access to education, yet one fifth of the world lives in absolute poverty, unable to meet basic needs.

In Africa, one in six children die before the age of five, 130 million children get no primary education and 35,000 children die every day from preventable diseases. That is despite the success of immunisation programmes, oral rehydration therapy and other advances. There is now another threat to which I will refer later—that of Aids. Some 1.3 billion people have no clean water or sanitation.

Throughout the world, millions of people live in indescribable deprivation and misery. The Opposition believe that such poverty is a moral outrage. Self-evidently, the Government do not regard the eradication of poverty as a priority, and I shall demonstrate why.

I turn first to the Conservative record on aid. If we look at the level of aid as a proportion of GNP, for example, the Government have massively cut Britain's aid budget from 0.52 per cent. in 1979 and rising, under the Labour party, to 0.3 per cent. and falling today. Britain's aid budget as a proportion of GNP is now one of the lowest in the European Union and is set to fall even further if forecasts are accurate. On the Government's current plans, between 1994-95 and 1997-98 the British aid budget will be cut by £116 million, or 5.2 per cent. in real terms. Moreover, between 1994-95 and 1996-97, bilateral aid to Africa will fall by 17 per cent, while aid to Africa and the Pacific will fall by 12.5 per cent.

The Government have also proposed huge cuts in the British contribution to the European development fund. How does the Minister justify the 29 per cent. cut in the British contribution? Does he not realise the anger that greeted that decision among both our European Community partners and the ACP countries? Does he recognise the important role played by the Lomé convention in the economic development of the 70 African, Caribbean and Pacific countries, 40 of which are defined as least developed and a majority of which are in sub-Saharan Africa?

What is more, British aid has become significantly less poverty-focused, with a large and growing proportion of the budget spent on technical assistance, external consultants, the aid and trade provision and capital-intensive projects. The 1994 Development Assistance Committee review of British aid revealed that, in 1991, only 6 per cent. of British aid to sub-Saharan Africa, accounting for 50 per cent. of bilateral aid that year, was spent on education and other social services such as family planning and health. How does the Minister square those figures, drawn from the "Reality of Aid" report of 1995—I am sure all hon. Members have received copies of it—with Baroness Chalker's claim that the overriding goal of the British aid programme is poverty reduction?

Mr. Gyles Brandreth (City of Chester): Will the hon. Lady give way?

Miss Lestor: I wanted to get on, because this is a short debate that is held only once a year—but such is the hon. Gentleman's charm that I will.

Mr. Brandreth: I am grateful to the hon. Lady—this is indeed a short and important debate. I am sorry, however, that she is adopting such a negative approach. Once again, she is talking entirely about inputs, not outputs. Clearly it is important to have aid that is well focused and well delivered. The amount, too, is important. Will she confirm her party's commitment to the 0.7 per cent. target within five years, and explain how such a commitment will be more effective this time round than last time, when her party ended up reducing the amount spent on overseas aid by £50 million?

Miss Lestor: I am rather glad that I gave way to the hon. Gentleman, in the event. When we left office, the amount

[Miss Lestor]

spent on overseas aid was 0.52 per cent. of GNP, and rising. This Government have been in power for 16 years, throughout which time it has been shamelessly falling.

I do not intend to give any commitments—for the following reason. If the overseas aid budget carries on falling at the present rate for the next year or two, we do not know what level it will be at by then. But if we had been in power for 16 years and had not reached the UN target, if I were dead I would come back and haunt the lot of them.

Miss Emma Nicholson (Torridge and Devon, West) *rose—*

Miss Lestor: I have already said that we get this debate just once a year, and it would not be fair to others if I gave way again.

Lady Olga Maitland (Sutton and Cheam) *rose—*

Miss Lestor: I shall not give way to the hon. Lady.

We also know that the Government are spending an increased proportion of the aid budget on aid and trade provision projects. In effect, that means that large amounts of aid are concentrated on countries that are already several runs up the development ladder, such as Malaysia. These are countries that provide a market for the technical know-how and more sophisticated technological goods that we export.

Lady Olga Maitland *rose—*

Miss Lestor: I will not give way to the hon. Lady, who is not as appealing as the hon. Member for City of Chester (Mr. Brandreth)—[HON. MEMBERS: "Sexist."] The hon. Lady can make her own speech later, when I am sure she will be called. She must not interrupt mine.

What I have outlined is made clear in the 1993 review of the aid and trade provision, as a result of which the Government introduced a sensible reduction in the per capita income eligibility threshold, to $700—considerably below the OECD figure of $2,500.

When the ATP was introduced by the Labour Government in 1978, it was designed to allow a small proportion of the bilateral programme—about 5 per cent.—to be available to give a higher priority to the commercial importance of a limited number of developmentally sound projects. Since then, a far greater emphasis has been placed by successive Conservative Governments on commercial interests, and the ATP reached its peak in 1991-92, at 10 per cent. of the total bilateral budget. That caused some disquiet, not least to the Foreign Affairs Select Committee, whose 1987 report stated:

"We have no doubt that the influence of commercial interests on the aid programme can and has led to a conflict of priorities."

Then came the scandalous, unlawful decision to fund the Pergau dam project in 1991, which the Government now try to shrug off as a brief period of unfortunate entanglement between aid and arms sales. Following the High Court judgment last winter, the Foreign Secretary was forced to carry out an ODA review to determine whether any other projects had fallen outside the legitimate provisions of the Overseas Development and Co-operation Act 1980. He came up with three more: a project to built a metro system in Ankara, costing £22 million, which, like Pergau, had Lady Thatcher's personal recommendation behind it; secondly, a £9.3 million project to build a television studio in Indonesia; and, finally, £2.9 million to put in a flight information system in Botswana.

Many of us anticipated a justified replenishment of the aid budget as a result of the repayment of the misappropriated funds, but a seemingly unrepentant and unabashed Foreign Secretary claimed that the books for the previous years in question were effectively closed. Parliament voted the ATP money on the assumption that it would be used for genuine development projects, and we believed that the money spent on Pergau and the other three projects should be returned to the aid budget; otherwise it would be seen as a blatant disregard of parliamentary authority. Only by restoring the money can the Government restore credibility to their aid programme.

Mr. Matthew Taylor (Truro): I share the hon. Lady's criticisms of the aid and trade provision, which was introduced by the Labour party. Does she want to abolish it or reform it?

Miss Lestor: We are looking at how the ATP has been used in practice in recent years. I make no commitment, but we are looking closely at reforming the ATP to fit it in with what was originally intended.

Under the new criteria introduced in the 1993 review, we learn that the ATP is to be focused in future on China and Indonesia. Yet the Foreign Affairs Select Committee, in its July 1994 report on Pergau and the ATP, said that it hoped that the benefit of the ATP would not be confined to China and Indonesia, which it described as countries with "poor human rights records"—an understatement, to say the least.

As for debt, the Conservative Government are keen to appear leading players on the world stage. In that case, one would reasonably assume that they would be willing to play a strong role in the international organisations that are such a central part of the lives of developing countries. The debt owed by poor countries to rich ones brings with it the power of the rich to dictate economic, political and social conditions in the developing world.

The terms of the International Monetary Fund and World bank structural adjustment programmes have often resulted in deep cuts in social spending, which mean collapsing health services and closed schools. It is the non-governmental organisations and other aid agencies that are expected to pick up the pieces, but the scale of the problem is so vast that they can skim only the surface of the need. The stock of debt owed by developing countries to the IMF and World bank has grown faster than any other type of debt, tripling from $98 billion in 1982 to $304 billion in 1992.

This year, the 50th anniversary of Bretton Woods, provides a focus for reassessment of the large institutions' role. Typically involved is economic regulation. They have gone in for privatisation of state assets, reductions in public expenditure, liberalised trade, easier access and enhanced terms for foreign investors. We have never denied the need for adjustment, but we are critical of the form that adjustment programmes take. Too often they have resulted in reduced access to health, education and other essential public services. These are basic needs that should be central to any development programme. Coupled with rising unemployment, falling levels of real

income and damage to the environment, it is often difficult to identify the benefits of such programmes to ordinary people. Inevitably the poorest, especially women and children, suffer disproportionately.

That is acutely obvious in Africa, where more than a decade of structural adjustment programmes has contributed to a fall in real incomes of 20 per cent. There has been a fourfold increase in unemployment, a reduction in investment to the level of 1970 and a further contraction of the region's share of the world market to 2 per cent. Africa is not the only region of the world in which human welfare standards are worsening and where overall levels of poverty are increasing.

In recent years, the World bank has admitted some past mistakes. I welcome the fact that it is now normal practice to include in the pre-planning stage ways to minimise damage to the poor. I welcome also the statement in the bank's 1990 development report that no task should command a higher priority for the world's policy makers than that of reducing global poverty. We live in hope. For the Labour party, that is the yardstick by which the performance of the World bank will be judged in future.

The World bank needs to concentrate much more on improving the direct poverty impact of its projects. It must reverse the alarming decline in lending to agriculture, especially small-scale farming. It must not insist on the imposition of user charges on primary health and education. Indeed, it should seek to safeguard and prioritise public expenditure in those areas. As I have travelled, I have been saddened to see in countries in Africa, especially Tanzania and Zambia, that people must pay for primary education. Apart from anything else, that means that girls in particular are denied access to education. Sadly, a less high priority is placed on their future and their education than that which is attached to boys. That is a direct result of structural adjustment programmes which demand that parents must pay for their children's schooling.

We ask for greater accountability, both of the World bank and of the IMF, to loan recipient countries and of the United Kingdom executive director to the British Parliament. What measures is the Minister considering to improve the accountability and transparency of the World bank and the IMF? Will he consider reports to Parliament? Should there not be regular reports to Parliament and debates on them?

I have been watching with interest developments at the Paris Club since the new debt reduction terms—the so-called Naples terms—were agreed in December 1994. In the Chamber, the Prime Minister said:

"At Naples, we agreed on two specific measures to help those countries facing special difficulties: first, more help with debt payments, taking the level of relief above 50 per cent.—to two-thirds and perhaps beyond; and, secondly, reductions in the stock of debt."—[*Official Report*, 11 July 1994; Vol. 246, c. 668.]

On 16 December, the chairman of the Paris Club is reported to have said:

"A small number of countries may be awarded once-and-for-all deals in the next few months",

although he omitted to name them. Sources close to the club suggested, however, that Uganda, Bolivia and Nicaragua might be among the first countries to receive such awards.

Against that background, I have been extremely disappointed in the outcome of some negotiations, especially those that involve some of the world's most indebted and poorest countries. Nicaragua's Paris Club debt is $1.6 billion, but that is only 14.3 per cent. of its total debt. Many of us had hopes for 80 per cent. relief on Nicaragua's Paris Club debt. After all, it is the most indebted country in the world. In the event, Nicaragua was offered debt relief of only 36 per cent. That was not a breakthrough, and it was certainly not an exit from debt programmes.

Even more disappointing is the case of Uganda. It was offered a 67 per cent. stock of debt reduction, only part of its debt of $350 million. That is only 20 per cent. of its total Paris Club debt. That cannot be described as a two-thirds reduction of Uganda's stock of debt. Nor is it an exit strategy from a debt programme, as recognised as needed by the World bank. As a result, the continuing burden of debt is preventing the Government of Uganda from spending the country's resources on their own people. In 1995, Uganda will spend five times more on servicing its debt than on its own health services.

What happens now that Uganda, in Paris Club terms, has exited from debt reduction negotiations? Who is left to pick up the pieces? Where does Uganda go now with an enormous overhang of debt that is, in effect, unpayable without destroying the future for millions of people?

We have heard that Zambia is due soon to come to the Paris Club. Zambia's debt is chronic. It places a severe burden on Zambia's economy and its people. Servicing Zambia's $6.79 billion debt swallows up 33 per cent. of the country's export earnings. The volume of total debt stock is 2.3 times higher than Zambia's gross national product. Per capita income within Zambia has been in decline but the debt overhang has been rising steadily.

Zambia is a major recipient of British bilateral aid. That aid is not used, however, for furthering development to enhance the quality of people's lives. On the contrary, in 1993-94 about two thirds of total programme aid was used indirectly to support IMF and World bank structural adjustment programmes.

We must put a stop to the merry-go-round of money. Bilateral aid is often used to pay off multilateral as well as bilateral debts. That is no progress. Will the Minister reassure us that the Government role at the forthcoming Paris Club meeting on Zambia will be positive? The debts that are owed by the poorest countries to the Paris Club are causing great concern. Of even greater concern is the growing debt of poor countries to the World bank and the IMF. We all know that, within the World bank, there is growing awareness of the unsustainable level of debt among the poorest countries. There were discussions about such debt at the spring meeting at Washington.

There are two specific points to which I hope the Minister will respond. First, as I understand it, debt outstanding to the World bank from the poorest countries—severely indebted low-income countries—amounts to about $3.9 billion. Although this debt is crippling for the countries concerned, it is not a large sum for the bank. I understand that it has about $3.3 billion set aside for loan-loss provisions. It has $14.5 billion in reserves.

Have the Government given consideration to supporting proposals for the cancellation of debt of severely indebted low-income countries to the bank, and for the moneys to be written off under loan provisions? It would be interesting to know the views of the Minister

[Miss Lestor]

and of the Government on these matters. Has the Minister discussed them with his colleagues in the Treasury and in the Departments with responsibilities for trade?

Secondly, we know that there have been discussions about the conversion of International Development Association loans into grants for the poorest countries. The proposal has been supported by the Government. Has there been further discussion? Will the matter be discussed at a meeting of IDA deputies in South Africa at the end of the month? Is the proposal supported by other countries? My right hon. and hon. Friends have shown a great interest in the possible conversion and may wish to enlarge upon it. We would all welcome replies to my questions. Continuing flows of aid will have little impact on poor countries if the aid is swallowed up by debt repayment.

Something that was not foreseen 50 years ago and which has brought misery and destitution to many parts of the third world, particularly Africa, is, of course, acquired immune deficiency syndrome and human immune deficiency virus. I do not believe that it is given anything like sufficient attention worldwide, and it is having an impact on the developing world. We cannot have aid and development policies that do not take it into account. I attended a seminar in Barcelona in May, in which we evaluated the progress to date. AIDS has to be taken seriously in any programme for aid and development.

In one antenatal clinic that I visited in Africa recently, some 25 per cent. or more of the women attending were HIV-positive. As I am sure the House is aware, AIDS is now spreading among women far more rapidly than any other section of the population. One in three of the babies of those women will be born with the virus. All of them will develop AIDS and most will die before they reach the age of five. So far, 1 million children worldwide have been infected and half a million have died, most of them in Africa. Two thirds of all new cases of HIV are occurring in Africa, where, it is estimated, 9 million children will be orphaned in the next five years, and where recent gains in child survival are being reversed.

In Zimbabwe, which I visited recently, AIDS has become the single biggest killer of the country's under-fives. In Thailand, one adult in 50 is infected, and it is feared that the country's under-five mortality rate will rise rapidly within the next five years.

Of the $2 billion spent annually on AIDS prevention, only about 10 per cent. is spent in the developing world, where 85 per cent. of infections are taking place. That is a sobering thought for all of us to take on board. The targets set by the 1990 World Summit for Children agreed on a series of goals for improving the lives of children, and lowering infant mortality. Some of those goals are well on the way to being achieved: malnutrition has been reduced; measles deaths are down, due to immunisation programmes; and polio is well down—some areas are free from it altogether. Iodine deficiency illnesses and vitamin A deficiency are being overcome and the use of oral rehydration therapy is rising, preventing more than 1 million children's deaths a year. There has been other progress.

Is AIDS now to replace those diseases? Is it to become the biggest killer of the under-fives? We have to give it attention. As I said, 50 years ago that illness could not have been foreseen and the HIV virus was unknown. We cannot go on with aid and development policies without taking that on board.

Fifty years ago, the founders of the United Nations and the Bretton Woods institutions committed themselves to the eradication of global poverty and to the construction of a fairer and more secure world. While much has been achieved in the past half century, the goal of eliminating world poverty is still far from being realised. Although the Government claim to be committed to tackling poverty, their record, as I have shown, tells a very different story. Over the past 16 years, they have cut aid as a proportion of GNP, reduced the poverty focus of UK aid and failed to lobby for the world's poor within international forums.

The Government's policy for international development has been a failure. Labour—and only Labour, with its record in this field—can be trusted to make a priority of the struggle against global poverty and injustice. I commend the motion to the House.

7.43 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Alastair Goodlad): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

"concerned by reports that one billion people throughout the world live in abject poverty, commends Her Majesty's Government's support for sustainable development and poverty alleviation through its support for economic reform, good government, and investment in people and productive capacity, as well as through direct action to provide the poor with opportunities to improve their lives; and urges the Government to pursue these policies with their development partners and multilateral agencies.".

I very much welcome this opportunity for the House to look again at the subject of overseas aid. It is, as always, a timely issue.

The hon. Member for Eccles (Miss Lestor) threatened to return, under certain circumstances, to haunt us. I hope that that will not be necessary, or, indeed, possible, as I hope that she will remain on this earth with us. But if I am ever to be haunted, I would like to be haunted by the hon. Lady.

The Halifax summit devoted particular attention to the subject of development and to the scope for improving the international system for promoting it. At the Organisation for Economic Co-operation and Development, Ministers have recently endorsed a statement of the role of development co-operation at the mid-point of this decade. Here at home, the Overseas Development Administration, like the diplomatic wing of the Foreign and Commonwealth Office, is undertaking a fundamental expenditure review, and all those matters are of great concern to the House.

The world is going through a rapid process of change. My responsibilities take me frequently to Asia. Much has been said and written about the "Asian miracle"—the way in which so many countries have succeeded in growing year after year at rates that are among the highest ever recorded in history; their growing role in the world economy; their ability to continue growth, even during an OECD recession; and, of direct relevance to the Opposition motion, the sharp decline in the number of those in poverty.

The reasons for that astonishing progress have to do with consistently sound macro-economic policies and a long-term commitment to private sector development,

pro-export policies and high attainment in education. The "miracle" has now spread westward—although, perhaps, not as far as the constituency of the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes)—encompassing most of south-east Asia. Parts of Latin America are experiencing unprecedented growth.

Aid has played an important role in the Asian transition, and continues to do so for the poorer countries. The hallmark of that aid, however, has been helping people and Governments to help themselves. There is no dependency culture in eastern Asia. Countries wish to access western know-how and concessional finance to accelerate their social and infrastructure investments. As they become better off, their need for aid declines. Some have graduated out of aid entirely. Private finance in all of them is playing an increasing role. Singapore and Korea, for example, are already significant investors and donors in other countries. Other new donors are about to emerge.

There is, on the other hand, no doubt that poverty remains a deep-rooted and vital problem. The figure of roughly 1 billion people in abject poverty has remained stubbornly high even while their proportion in the rising population of developing countries has fallen. The largest part of the problem is in south Asia and sub-Saharan Africa. The Government and other donors are working to help the countries concerned to address the problem.

The ingredients of success in east and south-east Asia—rapid growth based on sound policies, export orientation, high savings and investment, avoidance of a dependency culture—are as relevant to south Asia and to Africa. They also fit well with the evolving nature of international aid programmes. Last month, the OECD drew up and agreed a statement of common purpose about the role of aid in the mid-1990s. It recognised the successes achieved over past decades, noted that aid was only one of the sources of those successes, urged that aid should help the poorest to expand their opportunities and improve their lives and committed donors to managing bilateral and multilateral aid with maximum efficiency. Britain fully supports the themes in that statement.

The statement was issued against the background of concern about the future levels of aid. In 1993, the absolute amount of western aid fell significantly for the first time in recent years. We expect the official figures for 1994 to be released by the OECD in the next few days. They are likely to show that western aid will, as in 1993, represent around 0.3 per cent. of OECD gross national product, or a little lower. There is talk of a global aid funding crisis.

The Government believe that such talk is overdone. There are still high net transfers from donor countries to low-income countries. A number of donors, including Japan, which is now the largest of all, are continuing to expand their programmes. There is still, in the Government's judgment, scope for several donors to focus their aid more intensively on the poorer countries, as we do. Nevertheless, there is no doubt that Government budgets are tight everywhere. Canada, Germany and Italy are three of the largest examples of important donors whose aid programmes have declined, or seem likely to over the next couple of years. However, the most significant question, yet to be determined, is how the American authorities—the Administration and Congress—will judge the future size and scope of foreign assistance.

The United States is already the back-marker among OECD countries in terms of the proportion of its economy devoted to overseas aid. We are very anxious that the United States should remain fully engaged as a bilateral donor in Africa, and should play its traditional strong role in the planned replenishment of the soft loan arm of the World bank. My right hon. and noble Friend the Minister for Overseas Development will visit Washington next week, and I know that those matters will be high on her agenda.

We have had the usual representations from the Opposition about the size of the British aid effort. The fact is that, as the 1994 figures will confirm, we are at fifth place in the overall league of donors, up from sixth place—the position that we occupied when Labour was last in power. Furthermore, our assistance in 1994 was above the average for all OECD countries. The last public expenditure round led to an enhancement of £115 million for the aid budget for the final year of the public expenditure survey. That demonstrates the Government's commitment to maintaining a substantial aid programme, despite the cuts being made by many other donors and despite the absolute need to keep public expenditure under control.

Concern has been expressed that our aid is being diverted from the poor by the needs of eastern Europe and the former Soviet Union, the rise in emergency aid and the pressures from increased European Community aid spending. Let me deal with each point in turn.

The Government make no apology for our assistance to eastern Europe and the former Soviet Union. It is an overwhelming British, and global, interest that their transition to market economies and pluralist democracies should be accomplished swiftly and effectively. Hundreds of British private sector organisations—including many non-governmental organisations—have responded to the new challenge. The Government, for their part, expanded the aid programme to launch the know-how fund. It will account for some £80 million this financial year, and has an outstandingly successful reputation. Several countries are now well on with the transition, and as it progresses we expect the need for assistance to decline.

As for emergency aid, it has indeed increased substantially, from under £100 million in 1989-90 to over £260 million in 1993-94. The Government have thought it right to contribute generously to emergency needs, whether in Bosnia or Rwanda. British agencies have an outstanding record in effective delivery of such assistance. We are putting increased effort into conflict prevention and crisis management. Despite understandably gloomy predictions, I see no reason why emergency aid should need to expand further. Each situation will be judged on its merits, and Britain will continue to play a prominent role.

The rise in European Community spending on aid has been widely remarked, not least in successive reports from the Foreign Affairs Committee. The Government attach great importance to the effective management of European Community assistance within the ceilings set at the Edinburgh summit. We are hopeful that an early decision will be made on the priority areas for aid from the Community budget. In addition, as the House will know, important negotiations are now taking place on the United Kingdom's contribution to, and the overall size of, the next European development fund.

Mr. Mike Watson (Glasgow, Central): The Minister mentioned the Edinburgh summit. As is well known, his

[Mr. Mike Watson]

Government—admittedly, along with the German Government—have been primarily responsible for the stalling of negotiations on the eighth EDF. Will he explain how the Government align that with the Foreign Secretary's comment, in a speech at the Overseas Development Institute in March, that the EDF was perhaps the best and most effective element of European Union aid? Is it not true that those two facts cannot be reconciled, and that the Government must take their responsibilities much more seriously?

Mr. Goodlad: We take our responsibilities extremely seriously. As the exact amount of the European offer is subject to on-going negotiations with our European partners, I think that it would be wrong for me to comment further at this stage.

Mr. Watson: Will the Minister give way again?

Mr. Goodlad: No, I do not think I will.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I have a slightly different problem. The Foreign Secretary also said in that speech that the amount that we were committing to European funds would cut the amount available for bilateral aid. We have a long and honourable tradition of efficient bilateral aid. Can the Minister sort out my problem? Is it true that the Foreign Secretary thinks that we spend too much through the European funds and would like more to be spent bilaterally, or does he feel that we should now be committing more to the European institutions?

Mr. Goodlad: The hon. Lady will agree with me on two points. First, she will agree that there should be an appropriate balance: I take it that she has no innate prejudice against European aid, as opposed to any other aid. Secondly, she will agree that the aid should be properly applied. Perhaps the hon. Lady will disagree with this, but I do not think that a recipient of aid is likely to say, "I do not want any of this multilateral filth from Europe; give me the decent bilateral stuff that I am used to." I see that the hon. Lady agrees with that analysis.

Although the rise in the European Community budget will inevitably mean some further decline in Britain's bilateral aid programme, the Government are determined to maintain bilateral aid at an adequate level and to focus it on poor countries. Very nearly seven tenths of it is at present directed at the poorest categories of country—countries with incomes lower than $675 per head. That is a higher proportion devoted to the poorest countries than by any of the other top five donors.

The Government are also determined to build on their well-deserved reputation for quality. We have a highly professional aid programme that recognises the importance of appropriate policies in recipient countries, the need for aid to support local initiatives rather than substituting for them and the need for local communities, as well as Governments, to participate fully in the process of development.

The Opposition motion urges the Government to spend more on basic needs such as primary education and health care. We are indeed doing just that. At the beginning of 1994, we announced a change in our policy on support to education to emphasise primary and basic education. We started to implement that policy immediately. Expenditure on primary education has risen by nearly two thirds since 1992. We have consolidated work on projects at the primary level in India and south, east and west Africa; we have also undertaken major new initiatives over the past 18 months in central Africa. In non-formal education, a project to support nomadic education in Nigeria is being appraised, and we are supporting a number of projects in Bangladesh that provide education for those denied access to the formal sector.

In addition, we have funded research into levels of reading skills in Zambia and Malawi. That research is crucial in assisting us to address some of the problems of quality at primary level. Without good reading ability, the rest of the curriculum can be lost to children. In India, where we have worked with the local authorities to upgrade primary education in Andhra Pradesh—a state with a population roughly the same size as Britain's—we are now well advanced in developing a similar project in the even more populous state of West Bengal.

In Zambia, we are working with the Ministry of Education to strengthen the primary inspectorate and establish training systems for all primary teachers. In Malawi, we are helping the Government to meet the demand for primary schooling by providing funds for the construction of community schools. In South Africa, Gambia and Ghana we are supporting primary teacher education projects, and in Kenya we are helping to strengthen research and planning capacity for the primary sector.

We are also increasing the resources that we devote to assistance in the areas of health and population. We are major contributors to essential health care and better reproductive health in sub-Saharan Africa. We have ground-breaking new projects involving NGOs as well as Government in Kenya, Uganda, Tanzania, Zimbabwe and Malawi. At last year's population conference in Cairo, my right hon. and noble Friend the Minister for Overseas Development committed Britain to investing more than £100 million in new health and population projects by 1996. I am confident that we shall exceed the commitment target and, through the high quality of our aid, bring benefits to millions of disadvantaged people.

There is more. The House will be aware that Britain has unrivalled expertise in the area of international health. Our aid to Cambodia, Russia, and South Africa shows how we can support effective partnerships between British experts and their colleagues overseas. We back the know-how, where possible, with capital and commodity aid, sometimes from the European Community. As a result, we are playing a significant role in improving people's access to primary health care, their survival and well-being in the face of hazards such as malaria and AIDS, and their access to essential services in emergencies. Those are real achievements of which Britain and all those involved should be very proud.

Mr. Brandreth: Did my right hon. Friend have an opportunity last week to see a television programme on the fate of children in an orphanage in China, or has he seen reports of it? As the motion refers to children, does he have any reflections on that programme?

Mr. Goodlad: I have reflected on it. Anybody who saw the film will have been profoundly shocked by the inhumanity that it exposed. We take every opportunity to bring our concerns about human rights violations to the attention of the Chinese authorities. We shall continue to

do that. The film alleged that the UNFPA—the United Nations population fund—supports population control in China. That is incorrect. The UNFPA and the International Planned Parenthood Federation are at the forefront of global action to promote the right of all women and men to choose without coercion the number of children that they wish to have.

While the Government do not contribute directly to population control in China, we contribute to the core funds of the UNFPA and the IPPF, both of which have small programmes in China aimed at promoting more humane policies. They strongly oppose coercive population control of any kind. If we withdrew our support from the UNFPA and the IPPF, we would remove one of the few channels through which we can seek to influence China's population policies. My hon. Friend the Member for City of Chester (Mr. Brandreth) raises an extremely important point, which we shall continue to raise with the Chinese Government.

The Opposition motion also speaks of unlawful linkages between aid and trade, and calls on the Government to spend less on tied aid. As the House will know, my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs instituted a rigorous review of all aid programme commitments following the judgement on Pergau last November. We found three other projects financed from the aid and trade programme, where it seemed that political or commercial factors had overridden developmental counter-arguments. Those projects are now being financed outside the aid programme.

To give the House a flavour of how rigorous we were, I should point out that one of those projects, for an air navigation aids system in Botswana, was deemed by the Foreign Secretary to be questionable on the ground that the papers showed that, from an economic point of view, Botswana should have continued to use the services of the then apartheid South Africa. Hon. Members may feel that the decision, in the circumstances of the day, to provide Botswana with a system of its own was not unreasonable.

The hon. Member for Eccles spoke about the aid and trade provision. We announced in 1995 in the departmental report that the ATP would be £53 million in 1997-98. That will be less than the 5 per cent. of bilateral aid that was set as a target when the ATP was introduced by the previous Labour Government.

I repeat that we are aware of no remaining projects that are questionable in terms of the Overseas Development and Co-operation Act 1980. I categorically reject the absurd allegations that the World Development Movement still seeks to make about alleged linkages between aid and arms sales to a small number of foreign countries. Aid has not been used to promote arms sales, and it will not be so used.

Those who complain about tied aid should look carefully at the facts. Half our aid programme goes through multilateral channels and is thus automatically untied. *[Interruption.]* More will go through multilateral channels, so it is right to say that more will be untied. A large proportion of the rest is tied only in a sense that it brings foreign students to Britain or provides the services of British experts, consultants and institutions to foreign countries—including those who work on basic education and health projects.

The Government have untied 75 per cent. of our contribution to the special programme of assistance for Africa, to which our latest contribution was £300 million. We routinely finance local costs for projects, such as many of those in the social sectors, which depend on such funding. Where Britain is not a competitive supplier, we are perfectly willing to purchase from third countries. But the Government believe that it is right and proper that, until such time as the donor community as a whole unties bilateral aid, Britain should similarly give first crack to its own firms and suppliers.

The Government wish to see the international aid agencies to which we contribute address the problem of poverty following the same principles that I have outlined, and to do so with increased efficiency. In that context, the reform agenda set out by the Halifax summit is of major significance. As my right hon. Friend the Prime Minister said in his statement to the House, we have now drawn up a series of specific proposals to strengthen the Bretton Woods institutions and the United Nations. Revitalised international institutions will play a vital role in tackling poverty and creating the conditions for sustained development.

We agreed in particular to encourage better use of all existing World bank and International Monetary Fund resources, to tackle the substantial burden of multilateral debt faced by some of the world's poorest countries. The United Kingdom has taken a lead in that area in pressing for action, and reducing the debt burden will make a major contribution to alleviating poverty.

The number of people in abject poverty is a challenge to us all. Simplistic solutions do not work, and merely throwing money at problems is always ineffective. Time and again we have seen that sustained reductions in poverty come from broad-based growth grounded on the steady application of sound economic policies, better government and investment in people. Success does not come instantly. Aid donors can speed the process by facilitating reforms and strengthening programmes to alleviate poverty. Britain has demonstrated time and again its capacity to provide finance and know-how in ways that contribute to that goal.

For me, the speech of the hon. Member for Eccles was rather like flicking through an old album of yellowing sepia-tinted photographs of a bygone era of Stalinist neo-colonialism: looking at well-meaning figures facing the camera, staring life straight—if unseeingly—in the face. The poorer countries do not want hand-wringing from the Labour party. They want concrete measures to help them to become more self-reliant.

The Government have led the way and transformed the global aid debate. First, we have led the drive for free trade and trade access. We must never forget that trade brings three times as much revenue to the developing world as aid. Secondly, the Prime Minister has consistently led the way on debt relief with the original Trinidad terms and their subsequent extension through the Paris Club. Thirdly, we have introduced the idea of good government, using aid to promote sensible economic policies, democratic institutions, the rule of law and respect for human rights. We have pioneered the use of dedicated technical aid through our know-how funds.

The Labour party is a very long way behind the game. If it has begun to shift away from the old left-wing orthodoxy of never criticising third-world Governments, I welcome that. It still puts all the emphasis on the symbolism of large transfer payments instead of looking

[Mr. Goodlad]

at how aid resources are used. The objective must be not to make ourselves feel good, but to help the populations of the world's poorest countries.

Today's debate is an opportunity for Opposition Members to posture, as their spokesmen do every day in the media with every conceivable pressure group, irrespective of whether their sums, if they have done them at all, add up. Labour's commitment to reach the United Nations target of 0.7 per cent. of GNP does not add up to a row of beans unless Labour is prepared to put a precise time scale on it and say how it will finance it. Will it be by higher taxes or by cuts in education, health or social security funding? If so, I am sure that Labour Members will have cleared their statements with the shadow Chancellor, and we shall note them very carefully.

Such pledges are an irrelevance unless they form part of a strategy for economic growth that will generate new economic resources. Thanks to Conservative policies, Britain's economic performance is second to none in Europe and is set to remain that way. That is the key to a serious long-term aid commitment.

I invite the House to reject Labour's irresponsible motion and to support our amendment.

8.13 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): A group of women from all over the Commonwealth came together in the House last week. They were members of the Commonwealth Countries League. Their patron is our most honoured Speaker and their function is to raise money for the education of women throughout the Commonwealth. They do so not in a showy way but in a consistent attempt throughout the year to raise cash. A small group of them do all the administration and take control of the money, which is sent to some Asian countries and, largely, to Africa.

I was able to tell that group of women that, a short time previously, I had been honoured to go to Ghana with a delegation under the leadership of the right hon. Member for Conwy (Sir W. Roberts). He distinguished himself with that wonderful Welsh hwyl that made him dearly loved throughout the country and his ability to recognise instantly and identify with the problems that we met.

When I hear some of the undoubtedly very uncomfortable clichés that Ministers trot out from the Dispatch Box, I am reminded of the reality of life for many women and children in Africa: the lack of decent clean water and the shortage of education and health provision. Indeed, in some Commonwealth countries there has been a reversal of existing health programmes so that people's access to clinics and to the support that they had had through trained village nurses has been reduced rather than increased.

When the Government know that the money committed by the United Kingdom is becoming less every year, I wonder that Ministers can still seriously talk about our reputation, experience and commitment to overseas aid. In reality, we are always seeking ways of expanding our commercial opportunities. While there is nothing wrong in that, it is not what aid is for. It does not improve the income or opportunities of many of the people who are most in need. Moreover, it is clear that the Government's commitment to aid and trade is positively damaging some of the things that the House regards as most important.

I wish to deal briefly with the Government's commitments to Ghana in respect of supporting the electoral commission as it illustrates the problems that we have. We were told in Ghana that the electoral commission, which is independent of the Government, is seeking to set out in considerable detail the new registers for the coming election. It is working on an extremely tight timetable. If it fails to do the job efficiently, Ghana's belief in democracy will be severely damaged. It is therefore very important that the electoral commission should be given every known support.

The Government were therefore prepared to look at the available machinery and the modern equipment that would enable the electoral commission to produce an accurate electoral register containing the names of all the people who needed to vote. That is tremendously important because, as we were told, large numbers of people did not vote in the last general election because they believed that there were problems with the existing machinery.

The fact that people boycotted those elections produced a Parliament which, although it impressed us with its vigour and its intent efficiently to bring democracy once again to the parliamentary system, clearly left some large sections of the community in Ghana feeling that they were not properly represented. It is therefore vital that we help the electoral commission to get the whole business of preparing its register right. If that fails, the whole system will be blown out of the water, not least because people will not believe that there is a genuine, accurate register. Hon. Members know how important it is that such elementary machinery should be available.

I have no intention of naming names, but a British company did a great deal of development work with the electoral commission and said that it thought that it was capable of producing equipment which would not only make it possible to scan at tremendous speed the relevant information but to produce detailed and positive benefits. Certainly, that would involve a great deal of expense but it would produce a reliable and efficient register. It worked with the director of the electoral commission over a long period on the sort of information and the general level of expertise that was needed, using a system which was reasonably well known in Government circles in Ghana because it had been used by some people in education.

Then, apparently, London determined that everything should be put out to open tender, and the contract went not to the people who had done the development work but to someone else, using a different system which is probably not compatible and certainly has not been used in that context and that manner. I am not prepared to argue the rights and wrongs of whether one unknown system will be any better than another which is equally unknown, but I am alarmed at the political implications of taking the wrong decision.

If the register is not correct, Ghana—the one west African country capable of producing stable parliamentary democracy—will find that democracy is put at risk because the voters will think that the results are not genuine. There can be nothing more damaging than the voters believing, for one reason or another, that the register is not correct.

When one realises that there is no register of deaths in Ghana, the sort of problems that the electoral commission will face become apparent. The commission was not allowed to accept the carefully noted information kept by

traditional chiefs, because the law would not allow it. The inflexible attitude in London is causing major problems. I do not expect Ministers to comment tonight, but I ask them to think seriously about the matter and to be prepared, even at this late stage, to consider the alternatives.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tony Baldry): It is not clear whether the hon. Lady is saying that such projects should not be put out to competitive tender. She has been in Ghana recently—I understand that she and others are coming to see me about that tomorrow—so she must appreciate that there is no question of the ODA ever seeking to impose a particular solution on another country with regard to any aid project. Any aid that we give is given co-operatively and with the full support of the country receiving it. The project to which the hon. Lady refers will only and could only go ahead with the full support of the electoral commission in Ghana. Without that support, there would be no point in proceeding.

Mrs. Dunwoody: That would be very reassuring if the Minister did not know that the only way that the equipment is ever going to be paid for is through tied British aid. While I am happy to have his assurance that nothing will be foisted on the electoral commission, I have to ask him to think again, even if not tonight, because if we get it wrong the results could be dangerous.

One of the problems is that the Government are not clear about their own attitude to overseas aid. It is certainly not clear to us whether they have the commitment to the African continent that they should have. I do not know whether this is a correct but only this weekend I read that the Foreign Secretary said:

"The commitments we face to multilateral agencies—notably the programmes of the European Community—are reducing what we have available for aid that is recognisably British."

Was he saying that our European commitments are leading to difficulties? If so, and if he is saying that there is pressure on the ODA to reduce its trained staff, the programmes that it is undertaking or the various support systems that it uses at times of emergency, the House has reason to be seriously worried.

I was approached by a member of the medical profession when there were considerable difficulties in Rwanda. It was pointed out to me that this country had large amounts of sterilisation equipment and straightforward medical aids for barrier nursing which could have been transported by the planeload to those at risk from hepatitis and other diseases, but that we were not transporting it in the amounts or with the speed and urgency necessary to turn the situation around.

Barrier nursing is one way in which we can stop the spread of dangerous diseases among many Africans. That is doubly true of HIV. We know that many AIDS patients are removed from hospital by their families, who have no clear idea of how disease is transmitted and certainly no clear idea of how to protect themselves. That in itself can lead to more infection.

Mr. Baldry: The Government and the British people have given more than £90 million of relief to Rwanda to help with its recent disaster. How much more does the hon. Lady think should have been given? Is there 1p of that £90 million that she thinks has been spent on a project that was not worth while?

Mrs. Dunwoody: The Minister was clearly not listening. I am not responsible for the overseas aid budget. The Conservative Government are responsible for the budget, and they are spending less than they were. They have access to medical equipment that could be sent by the planeload. If the Minister wants to know whether I think that, in an emergency, we should send immediate medical support and aid, the answer is that I do. If he wants to know whether I think that we should commit more money than we have in the past, I do. If he wants to know whether that is a generally held view among members of his party as well as mine, I can tell him that it is. If he thinks that he has scored some clever political point, I have to disabuse him of that notion.

Many people outside the House, of every religion and type, understand what we could do if we had the necessary commitment and political will. They also understand that only in the House is overseas aid regarded as one of the least important topics. It is debated only in Opposition time because it is not convenient for the Government to discuss in any detail what we are doing with our existing aid and trade budget.

I do not have the great and unalloyed admiration for the European aid projects expressed by some of my colleagues. I served on the African, Caribbean and Pacific countries committee for four and a half years. I believe that the inability to introduce flexible banana quotas between one country and another is contributing to the poverty of the West Indies right now. The inability of the British Government to push through some protective measures is revealed every time one goes into a supermarket and sees nothing but German and South American bananas on display rather than those from Commonwealth supporters.

I believe that institutions are becoming so rigid that they are not producing the necessary results in terms of their own development programmes. The Government's apparent ambivalence is probably a reflection of the fact that they are now waking up to the reality of what is happening in the Community. However, if we are not going to use those mechanisms, we must expand what we are doing bilaterally and put a great deal more effort into Africa and accept that that is where the major problems lie. We must also be genuinely prepared to tackle at source the matters with which we can deal, and deal with them with the expertise that we have but which we sometimes seem loth to demonstrate.

8.28 pm

Mr. Jim Lester (Broxtowe): I always enjoy speaking in such debates. I have great respect for the hon. Member for Eccles (Miss Lestor), because I remember that, in a previous incarnation, she resigned her position over the reduction if the previous Labour Government's aid budget in 1976.

Miss Lestor: I must correct the hon. Gentleman—I hate to do so, because I am being flattered. In fact, I resigned because of the cuts in nursery school education. There would have been no need to resign over the overseas budget, because it increased throughout the life of the previous Labour Government.

Mr. Lester: It was reduced by, I think, 50 per cent. in 1976 according to my figures, but that is in the past.

One gets the impression that the motion is a scattershot motion that nitpicks about everything. The only line with which I agree is that which states:

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"one billion people throughout the world live in abject poverty".

During the years that I have been in the House, I think that I have visited most of the poorest countries in both south-east Asia and Africa. I have seen changes for the better as a result of our aid programme. I am second to none in my belief that the transfer of resources, of which aid is one important element, is essential as a moral imperative and is in Britain's self-interest—for those who consider matters only in terms of self-interest—in terms of the development of our economy as a major trading nation and of the movement of people.

It is often forgotten that television works in two ways. We see situations in the rest of the world that cause our constituents and ourselves great concern, but, equally, people see our world. Having just been to the Caribbean with the Select Committee on Foreign Affairs, one was conscious of the fact that, in every island one went to, people complained about the endless diet of American television, which was the only thing they could get. It shows them a level of affluence and creates pressures that, inevitably, people will want to remove if their position in their country is not likely to improve.

We have always had the argument about the level of aid. My right hon. Friend the Minister mentioned one or two countries that have reduced their aid budget. In the present world situation, according to the latest figures from 1992-93, the British Government have held, and in fact increased, their budget. That is a matter for congratulation, not condemnation.

I say this with no pleasure. Looking through, one finds that aid has been reduced by Austria, Belgium, Canada, Finland, France, Germany, Italy, Japan, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland and, most serious of all, the United States of America. Britain is one of the four countries in the group that increased its budget. That should be a matter for congratulation, not condemnation.

We need to ensure that some colleagues and others do not latch on to the idea that reducing the aid budget is a good idea. Having just come back from Washington, which I visited before we went to the Caribbean, I am deeply concerned about the discussions on Capitol hill about what overseas aid should be. There is real concern among American officials that, if the present discussions come through, they will not be able to claim that they have an aid budget of any description.

The hon. Member for Eccles mentioned aid and trade provision, and the Select Committee report in 1987. I happened to be on the Committee at the time and a party to that report. We have always agonised about aid and trade, the way it should be organised and whose budget it should come from. We are about right in terms of the 5 per cent. figure that we have reached.

It is difficult to know, but I suspect that, if they were honest, Opposition Members would admit that, if a constituency company told them that it had won a contract, wherever in the world, but that lack of British Government support, as opposed to support by the French, German or Italian Governments, had lost it the order and therefore it could not succeed, those Members would go to the Minister with that company and argue that we should at least have a same level of support as other companies in other parts of world. It is a bit of a double-take to argue against aid and trade provision but then not to accept the consequences in terms of international competition.

I have always thought that aid and trade provision should be argued for by the Department of Trade and Industry, but we cannot honour the general agreement on tariffs and trade rules if we do it that way. The Select Committee on Foreign Affairs felt that it was important to maintain this minimal aid and trade provision. A small proportion of our total overseas aid budget, which again was not mentioned by Opposition Members, is basically given on grant terms. I think that, in Britain, a higher proportion of the aid budget is given as a straight grant, which affects neither loan nor any other support, than in any other country.

Brief mention has been made of the Pergau dam. Again, as someone who has studied it carefully on the Select Committee, I believe that it is a grave mistake not to recognise that electricity is an important element in poverty relief. Places such as north Malaysia that have no electricity, and villages that cannot operate after dark or that do not have any basic machinery, should all be taken into account. I do not want to go further down that road, because others want to speak, and I want to talk about other issues.

The hon. Member for Eccles mentioned debt, as did my right hon. Friend the Minister. I genuinely cannot understand why the Opposition cannot produce some enthusiasm for the British Government on the issue of debt. Of all countries in the world, we have given the foremost lead.

When he was Chancellor of the Exchequer, the Prime Minister started with the Trinidad terms. He pushed it again at Naples. Again, his statement on the Halifax summit shows that he is one of the front runners, along with the Chancellor of the Exchequer, who used the Commonwealth Finance Ministers meeting to put forward the terms of selling International Monetary Fund gold, investing it and writing off the debt of sub-Saharan Africa. He spoke out clearly, and, for once, Oxfam was thoroughly delighted because that was its policy; it is not often that it feels that a Chancellor of the Exchequer argues for its policy, but he believes it strongly, and he argued for it.

I understand from a brief conversation about Halifax that we were the front runners in pushing other countries—we must act in partnership—to move forward. It is not the British Government who are resisting the sale of gold and the investment of that money; at least three other partners continue to do so. The British Government and the British Prime Minister are trying the hardest to bring that policy about by one means and another.

We all accept that the debt level of some sub-Saharan African countries is unacceptable. The all-party group on overseas development produced a report on that issue, to which Opposition Members were party on an even basis. We are clear on what needs to be done and how it needs to be done, but one must move along with other countries; we cannot do it single-handed.

We have also led the way in debt reduction and on grant terms. I occasionally wonder whether some faint words of praise from the Opposition for the way in which the Government have given the lead on this issue might be helpful and encouraging in terms of both the Prime

Minister and Chancellor of the Exchequer continuing their excellent work, which is widely recognised by third-world countries, about which we all share a concern.

Recently, the hon. Member for Eccles and I were signatories of a letter to the World bank over its attitude on poverty relief. In Washington, I saw the figures of the signatories from different Parliaments when that letter was presented. It would not surprise Opposition Members—it might, judging from the number of people listening to the debate—that the United Kingdom Parliament had by far the most people signing that letter.

Miss Lestor: It was all the work we did in getting the signatures.

Mr. Lester: From memory, I believe that we got more than 337 signatures, and that will have an effect.

Mr. William Cash (Stafford): On the question of the World bank, does my hon. Friend, who is a great expert in these matters and is recognised in the House as such, realise that it may be a good idea to change the charter of the World bank to ensure that the arrangements for debt reduction can be reflected not merely in what we want to do but in the provisions of the charter? I understand that Mr. Cadmessus is somewhat sympathetic to that point of view. Would my hon. Friend want to give him every encouragement, and would he want the Government to give every encouragement to a change in the charter, so that we can achieve something rather than merely say that we want it?

Mr. Lester: As I said earlier in relation to debt reduction, one must recognise that one must work with many partners in these issues. At Halifax, we have reinforced the fact, as the Prime Minister said today, that we need to look hard at the Bretton Woods institutions. People have all sorts of ideas about how they can be improved, but the real point is that the only way in which we can improve them is to carry our other major donors with us.

The hon. Member for Southampton, Itchen (Mr. Denham) and I attended a hearing on Capitol hill on behalf of the all-party group on overseas development, in which we had before us the deputy both of the IMF and the World bank. That was an international effort to show those eminent and important people the depth of concern that many of us have about the level of poverty and the way in which World bank loans can be used.

Over recent years, we have seen a total change in the World bank's attitude. One change is for the bank to recruit some of its most persistent critics from the World Development Movement, from Oxfam and from some of the non-governmental organisations in this country to advise how it can reach and involve the people who share the greatest concern.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) mentioned the Commonwealth and the Commonwealth ladies. Britain gives a unique input. We cannot do any other, because we are unique in having the Commonwealth, with 51 nations at all levels of development. At any Commonwealth gathering, we learn directly from people we know and trust precisely what the individual problems are.

I have just been to Jamaica, Barbados and St. Lucia, three islands in the West Indies which are at quite different stages of development—[Hon. Members: "Bananas."] I learned quite a lot about bananas, and I now know that there are big differences in the views on bananas held in the Windward Islands, in St. Lucia and in Jamaica. There is not necessarily an overall solution for helping each country. Having the Commonwealth makes us unique in the world, and therefore able to make a much greater contribution in aid and development.

We are also unique in having the Commonwealth Development Corporation. The agencies that are available to other countries must envy us the CDC. It has £1.5 billion of investment, 40 per cent. of which is in sub-Saharan Africa. I suspect that most hon. Members here have seen Commonwealth Development Corporation schemes in countries that would otherwise get no inward investment.

The corporation's schemes prove that one can have a successful, profitable investment in countries that would not attract private investment. The corporation can give the lead in how to invest, and because it has extended terms and does not demand immediate commercial returns, it can encourage the people in those countries and those who work on the projects to see that they can make a real success of a whole range of issues.

There is an endless debate about how best to focus one's aid programme. The Labour party has focused on personal services, which are important. However, time after time, one has seen schemes in different countries, such as health schemes in Tanzania and in Ethiopia, which are not sustainable by the country's economy once the aid programme has finished. One has seen operating theatres and drug schemes that cannot be sustained unless one continuously gives aid.

We must strike a balance between direct personal services which can be sustained by the country concerned—that does not necessarily mean building a western-type hospital—and infrastructure which, in my judgment, is even more important in enabling a country to produce for itself.

In Kenya, a road that many who work with the aid budget would argue was not poverty relief has linked a series of villages and farms to the airport in Nairobi. That has resulted in us being able to get Kenyan beans at any time from any supermarket in Britain. The Kenyans have been able to utilise their climate for a wider development of agriculture, to their overall benefit.

Anyone who knows Mozambique, for which we cannot claim any responsibility as we were not the colonial power, knows that infrastructure is essential. One can waste so many resources in trying to get from A to B. One cannot go from the north to the south in Mozambique without taking to the sea, taking to the air or driving through three other countries. It is an important element of poverty relief to look at how one can design a basic economy that enables people to succeed.

Sub-Saharan African countries are often impoverished because of their inability to trade with one another. Apart from Nigeria and Ethiopia, most of the 55 countries in Africa have small populations and cover huge areas. Most have a distinct inability to trade with the others. The overall level of trade between one sub-Saharan African country and the others is about 5 per cent., whereas in this country and the rest of Europe, the equivalent figure is nearer 70 per cent.

We need to look critically not just at the micro-level of personal services, but at the macro-level, and at how one develops an infrastructure which allows sub-Saharan

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Africa, about which we all care because it is the worst part of the world and the one that is slipping back, to develop. We need to balance personal services and the sustainability and development of the economy in which we are interested, so that the people can re-direct their own resources, having got the debt relief.

From our know-how fund to eastern Europe, we can see that, once one has the infrastructure, the transfer of know-how can be enormously beneficial and easy, thus giving a great deal of added value for a relatively small amount. Harare in Zimbabwe is twinned with my town, and as a result, we are able to give direct technical assistance in all sorts of ways which produces a higher standard for Harare, with relative ease. All those issues need to be looked at carefully.

The hon. Member for Eccles also did not mention our reputation for disaster relief. This country gives a higher proportion of its aid in disaster relief than other countries do, mainly because we are good at it. We can act quickly and effectively in all sorts of situations.

Last month, we gave assistance for fire victims in Burma, food distribution to survivors of a volcanic eruption in Cape Verde, flood relief in India, and even 15,000 goats for the agricultural rehabilitation programme in Eritrea, a country that has caused us concern for a long time. We should give credit to the Overseas Development Administration for its disaster relief programme, and we should recognise, yet again, that we give a lead. We should be proud of that, and should not niggle about it.

Hon. Members have referred to the proportion of aid that goes to the poorest countries. Over the years, it is remarkable how aid has helped the development of countries that have the potential to become countries that can give. I am sure that the aid we are currently giving to Vietnam and Cambodia will fall into that category.

The combined resources of the 15 countries of the European Union, through the European development fund, can do a great deal more in terms of infrastructure than can be done by 15 bilateral programmes. Again, Britain gives a lead, because of its experience and because of its links with the Commonwealth, in directing the aid programme and in giving an input of knowledge that will, one hopes, make the programme better.

The Select Committee on Foreign Affairs produced a report on the balance of European aid, multilateral aid and bilateral aid. Of course we support the quality of our bilateral aid programme, but we should realise that it is essential that our Ministers should ensure that the money that goes to the European Union has a similar, but greater, effect, because there is an accumulation of funds from 15 countries. Exactly the same point applies in the United Nations, where we are among the strongest supporters of the multilateral programmes for which the UN is responsible.

Britain gives a lead in all these issues, and we shall continue to give a lead. Many of us recognise that the transfer of resources and aid is an essential element of Britain's leadership and international position. We shall be vigilant in ensuring that the British Government, whichever party is in power, maintain an effective and good aid programme. To many of us, that programme has great significance, and we have devoted a great deal of our parliamentary careers to supporting it.

8.48 pm

Mr. Matthew Taylor (Truro): This is an important and welcome debate, which has been treated seriously, as befits a subject addressing the needs of a very large number of people across the world. In every speech so far, we have heard that more than 1 billion people in the third world live in absolute poverty, but we should not forget that 1.5 billion people lack access to health care, and 1.75 billion people are without clean water.

Those figures illustrate the depth of poverty we need to address in our policies on overseas aid. We must remember, however, that behind those unimaginably vast figures lie individual people—families, children, men and women with the same human feelings as our constituents and our own family members. We have to hold on to that thought in addressing these issues, because, in a way, the very large figures that we put about almost mask the reality of what happens to those individuals in their own communities.

It has been said that, although we do what we can to alleviate such abject poverty, at the end of the day it is not our problem. I suspect that all hon. Members have heard constituents—albeit a minority of them—make that case. It is simply not true, and I shall give three examples why.

First, to put it in brutal economic terms, poor people cannot provide new markets for our goods. Secondly, third-world problems also feed first-world problems. For example, I do not believe that we can expect a country such as Colombia to be able to stop effectively the narcotics trade when its farmers cannot afford to grow other crops and the state cannot afford to tackle a multi-million—indeed, multi-billion—pound international trade.

Thirdly, poverty breeds war. Increasingly in the modern world, war can touch all of us economically, but—potentially even more important—it can also touch us through the use of nuclear, chemical or biological weaponry. Yet it remains the case that the struggle of developing countries to overcome such problems is too often overwhelmed by the struggle to repay debt to the developed world, and to maintain essential trade.

So overseas aid is crucial. Indeed, it would be better if we talked about it as overseas investment in the future—an investment to turn countries round, to our mutual advantage—and not as aid which, in some sense, is charitable and which we could withdraw if we so chose. Overseas aid is fundamental to the interests of this country as well as crucial to the fight against poverty.

Appropriately and sensitively targeted and delivered aid, often through non-governmental organisations, and always—I hope—delivered in co-operation with the people in need, can be of substantial benefit. As such, the British public have again and again showed their support for helping the world's poor.

The public's generous response to famine and poverty has been contrasted too often, although not always—I do not deny that the Government have measures of which they can be proud and it would be foolish and unhelpful to deny that—with the self-interested attitudes of the UK Government, which have undermined the overseas aid effort. Britain's record of overseas aid has not been the endless story of good news that Ministers have suggested.

The truth is that neither Conservative nor Labour Governments have kept their commitment to move towards the United Nations target of 0.7 per cent. of gross

national product for official development assistance. Instead, we have consistently managed a figure lower than the European Union average and, in 1993, British aid amounted to just 0.28 per cent. of GNP.

I say to Ministers—and, indeed, to the Labour Front-Bench team—that, if they have no intention of delivering the commitment, they should have the honesty to say so, and the courage to explain it. I do not think that it does anybody any good if it is a mythical target that is so far from being achieved, and which is utterly impractical, given present Government policy and decisions in the spending round. It certainly does not help to feed those people who need feeding.

While the figures are important, I agree with the Minister that the quality as much as the quantity of aid is crucial. I want to concentrate on the effectiveness of British aid.

Too often, Governments, especially this Government, have elevated commercial objectives above humanitarian and development objectives: first, by tying two thirds of aid to purchases from Britain; secondly, by failing to target aid sufficiently on the poorest nations; thirdly, by linking aid to arms purchases and failing to encourage good Government; fourthly, by failing to promote sustainable development. I shall illustrate why I believe that that is the case. There is plenty of evidence to support those claims.

Much British aid is tied to purchases from Britain. The OECD analysis in 1991 showed that 72 per cent. of British aid was tied, compared to an international average of 33 per cent. Similarly, in 1992, 67 per cent. of British bilateral aid was tied, compared to an international average of 40 per cent. In being tied to purchases that the developing country often does not need—indeed, sometimes has no use for—such assistance fails to reduce poverty or promote sustainable development.

Mr. Baldry *rose—*

Mr. Taylor: I shall develop that point and give way to the Minister in a moment. I wanted to refer to the 1993 OECD report, which said:

"tied aid procurement can mean that recipients pay on average 15 per cent. above prevailing prices for goods that may not correspond to development priorities."

Mr. Baldry: I was wondering whether the hon. Gentleman could cite any overseas development project announced in the past year which he thinks should not have been allowed. Will he tell the House, and make it clear which projects the ODA has taken forward in the past year and he feels should not have been taken forward?

Mr. Taylor: The first part of my answer to the Minister is that I am looking at the history of this Government. If he is conceding that mistakes have been made in the past and that errors are now being corrected, I would agree with him. As the Minister knows, the essential issue is the competing options, and to give the Minister the answer that he is asking for would be to say that one project in itself had no value.

That may not be the case, but there are opportunities to make still better use of resources, in particular for aid to be targeted at local communities—for example, to support non-governmental organisations' pioneering work in helping women within those communities. They bear many of the problems to which I have referred in developing countries.

Lady Olga Maitland (Sutton and Cheam): The hon. Gentleman has cast a gross slur on British companies, which have done such useful and excellent value-for-money work in third-world countries. It is incumbent upon him to state the exact name of a company that he believes is ripping off a third-world country. I do not accept that he could name one.

Mr. Taylor: If the hon. Lady is suggesting that aid and trade have never been abused, I cite the examples of helicopters sold to India and the Pergau dam. The simple fact is that there are plenty of such examples, but I will not bore the House with them. The hon. Lady has missed the point if she thinks that I am attacking British companies, which understandably take advantage of whatever opportunities they can. I am attacking Government policy. The hon. Lady should understand that.

The aid and trade provision, which is part of our aid programme, was established under the previous Labour Government. It gives a small number of British companies subsidies to compete for contracts in developing countries. That provision has been particularly destructive. ATP accounted for 9 per cent. of Britain's bilateral aid in 1993 and lay behind the Pergau dam scandal. That scandal exposed the fundamental problem with ATP, because it is dominated by the needs of British business, but funded from the ODA budget. That reveals an internal conflict. The needs of British business should be removed from the ODA budget.

Tying aid to trade does not necessarily benefit either the donor or even the recipient economy. The "ATP synthesis evaluation study", conducted by the ODA and the Department of Trade and Industry, found that

"none of the projects evaluated in 1990 benefitted the poorest social groups directly to any great extent."

That is my point. Those projects may have provided some benefits, but they were not directed at those most in need, who were not placed high enough up the priority scale.

Mr. Andrew Rowe (Mid-Kent): Will the hon. Gentleman give way?

Mr. Taylor: I will not give way. I have already done so several times, and the point is clear.

Another ODA-DTI study of ATP-supported projects found that

"very few real economic benefits for the UK economy as a whole appear to have been realised in practice."

There is everything to be said for helping our industries and our businesses to obtain contracts, but that is the job of the DTI and should not be funded from the ODA budget. The Government must tackle unemployment and the needs of industry through better economic policies at home and not by raiding the aid provision, which is intended for the poorest people in the world.

The Government have admitted that just 10.7 per cent. of bilateral aid went on basic needs in 1992-93. In 1994, the Development Assistance Committee review of British aid showed that just 6 per cent. of bilateral aid to low-income countries in sub-Saharan Africa went towards education and social services in 1991. I believe that the principle of aid must be to make it work for the individ-

[Mr. Taylor]

uals in developing countries who most need it. That means developing education, health, telecommunications and the infrastructure.

More development assistance should be devoted to improving investment opportunities in developing countries, particularly for local enterprises.

Mr. Cash: Will the hon. Gentleman give way?

Mr. Taylor: No, I will not, as I have already done so several times.

Those local opportunities are often not realised, simply because of a lack of knowledge and technical expertise. Technical assistance should therefore be supported and expanded through the work of organisations such as the United Nations Conference on Trade and Development.

Miss Emma Nicholson (Torridge and Devon, West): Will the hon. Gentleman give way?

Mr. Taylor: I have given way several times. I would be criticised more for speaking for too long than for not giving way. I hope that the hon. Lady may have a chance to catch your eye, Mr. Deputy Speaker.

The problems with the Government's provision of overseas aid reach beyond its quantity and the conditions imposed. If we look at the countries that benefit from our aid provision, the evidence is equally disturbing. Despite the Government's commitment to concentrate aid on the poorest countries, in 1988, just 69 per cent. of Britain's bilateral aid was allocated to the 50 poorest nations. There seems to be a tenuous link between a country's income per head and the amount of aid it receives. The neediest countries are not receiving the most aid. In 1992-93, only three of the top eight recipients of aid were UN-defined least-developed nations.

Whatever the Government say about the link with arms, the simple fact is that, instead of a correlation between aid and those countries in the greatest need, there appears to be a growing correlation between the failure to direct more aid to the poorest nations and arms contracts.

Oman, whose GNP per capita is more than $6,000—higher than that of aid-giving Portugal—has seen its aid double during the lifetime of the Government. In 1994, however, it ranked third largest in the list of purchasers of arms from Britain.

Although Ecuador, Colombia and El Salvador share the same level of poverty, in 1994 Ecuador received five times as much aid as Colombia, and eight times as much as El Salvador. The difference is that Ecuador was also the fifth largest purchaser of British arms.

Even more striking is the case of Indonesia. Our aid programme to it has quadrupled under the Government, while it has become the fourth largest purchaser of British arms—despite Ministers' commitment to promote good government through aid. Since 1975, when Indonesia invaded its neighbour East Timor, a third of the latter's population—20,000 people—have been killed. Surely we should be suspending aid and putting pressure on the Indonesian Government, instead of backing a regime with precious aid in what appears to be a response to massive arms sales.

The development projects promoted by British bilateral aid should have one other key feature built into them. They should be tied to environmentally sustainable, as well as economically and socially beneficial, projects. At present, the majority of aid is targeted on large-scale capital-intensive projects which perpetuate existing social inequality and accelerate the deterioration of the environment.

The Government promote environmentally damaging projects such as the Pergau dam, and the environmental awareness that is developing at home—I acknowledge the progress that the Government have made in that respect—is not matched by an environmental awareness in our overseas development projects, or in our approach to development internationally.

If we are to have a genuinely sustainable world economy, there is no question but that the bulk of the environmental problems must be tackled in the developed nations. The developing nations have a right to expect the kind of social benefits which come from economic development, but such development in itself will have an impact on the environment unless two things happen.

First, developments must be directed specifically towards environmentally sustainable projects, and that must be a part of our aid package. This country must recognise that we not only have to bear the costs of sustainability at home, but that we must also help developing countries bear the costs. We have been the beneficiaries of the pollution until now, and we therefore owe those countries that much.

Secondly, we must recognise that to allow development abroad, we have to go even further at home in tackling pollution than would be the case if pollution was shared equally and globally. Those countries have not caused the pollution or benefitted from the development. They cannot be expected to bear the costs in the same way as we must.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. There are four hon. Members who wish to speak in the time remaining before the winding-up speeches. I would appreciate it if speeches were kept short, so that all four might be called.

9.6 pm

Miss Emma Nicholson (Torridge and Devon, West): I am most grateful for the opportunity to put a few points.

I support the Government amendment and strongly oppose the rag-bag of items that make up the Opposition motion. The Opposition forget that, during the past decade and a half, the socialist policies that their motion reflects have been discarded by nearly every Government in the world. The primacy of the market for freedom and wealth creation has a long tradition in the Conservative party, and I believe that we have also made one notable convert in the present leader of the Labour party.

Tonight the hon. Member for Eccles (Miss Lestor) led for the Opposition with passion and with a commitment to overseas aid. I pay tribute to the hon. Member for Truro (Mr. Taylor), the spokesman for the Liberal Democrats, who is still with us although he is not listening. Despite the passionate commitment of those hon. Members, they were just rotating old and outdated statements that bore little relationship to the reality of today's overseas aid programme, the results of which I have seen on the ground in many nations of the world.

The hon. Member for Truro talked about the need to help the poorest of the poor, but he wholly overlooked the fact that some of the poorest of the poor live in some of the better-off nations, and they are helped by our aid programme. Things are not always what they seem. We can give money to the poorest of the poor nations—in terms of how poverty is identified internationally—yet still not create the job opportunities on which economic development and the future of families rests.

I was saddened that both Opposition spokesmen made statements such as, "We must give more aid for primary education, health and so on." Surely we should try to use British aid to create jobs that will enable people to cope with their own lives. The Government have achieved that objective quite superbly in the past 15 years.

I pay special tribute to a very successful part of the Foreign Office, and formerly part of the British overseas aid programme, the Commonwealth Development Corporation. I did not hear Opposition spokesmen pay tribute to the corporation's job-creation activities. It distributes a rotating loan package of almost £1.5 billion to more than 47 different nations around the world. Why did the Opposition spokesmen ignore that wonderful job-creation programme, which has been in place since 1947?

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): The hon. Lady may have missed the fact that we spoke in favour of the Commonwealth Development Corporation legislation when it was considered by the House, and there may be further legislation of that sort in the future. I think that it is a case of horses for courses.

Miss Nicholson: I was delighted to take part in that debate and to pay tribute to the Commonwealth Development Corporation. However, I was very surprised that Opposition Members, with their constant bleating about old-style socialist policies—moan, moan, moan—failed to acknowledge that great British success story. I hope that the Government are projecting that bilateral partnership between Britain and individual developing nations as something that other nations should copy.

The Government's amendment concentrates on the essentials. One of the most important points is that aid must not be a crutch; it must be a means of creating better societies and enabling people to look after themselves. Aid must be used to assist societies to improve their long-term means of production and economic benefits. Quality aid is essential, and I am fortunate to have seen many of the Overseas Development Administration's quality programmes in operation.

I return to the supposed statement by the Foreign Secretary to which the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) referred. She attempted to denigrate his statement that, as more than half of Britain's aid now goes to the European Union and other multilateral organisations internationally, British aid becomes less and less identifiable as such. The Foreign Secretary is correct, if he did indeed make that statement. Every single barrel or boatload of ECO aid—the emergency aid of the European Union—must be labelled with the European Union's logo. The Foreign Secretary is correct to say that more of our aid is being spent through multilateral organisations, including the European Union.

I have had some experience of European Union aid provision, and I hold it in very high regard. I hope that Britain will play a larger part in the multilateral organisations through which some of our aid is being spent. I draw the Minister's attention yet again, in the name of education and culture, to the need to rejoin UNESCO. This year is the 50th anniversary of the United Nations and the anniversary of Britain's founding of UNESCO.

The quality of British aid is exemplified by the Conservative amendment and by the work of the ODA. I am glad that, through the Government, we have brought our influence to bear in the cause of good governance internationally. Opposition Members should not be so critical of the International Monetary Fund and the World bank; I am pleased that our Government have been at the forefront of securing alterations in the way in which World bank money and International Monetary Fund influence is being used to create better governance in the countries that we attempt to assist.

There is certainly much more to be done, but this evening I urge hon. Members to discard the rag-bag of items proposed by Opposition spokesmen and to give the Government's amendment their whole-hearted support.

9.14 pm

Mr. Mike Watson (Glasgow, Central): Judging from Conservative Members' responses, it appears that my hon. Friend the Member for Eccles (Miss Lestor) touched a few raw nerves—some of them protest too much.

The Minister said that there are rumours of a global aid funding crisis, but the Government do not recognise it as such. How can he say that when, in 1993, for the first time in 20 years, aid from the richest nations to the poorest suffered a significant drop of some 6 per cent. or $5 billion? That represents a global aid funding crisis, as it shows that aid available is on a downward spiral.

The OECD investment assistance committee recognised that downward spiral and noted:

"The painful irony of the current situation"—

the reduction in aid—

"is that many developing countries could now use more aid, and use it well because they have been doing more than ever to help themselves."

It is unfortunate that the current figures mean that less aid will be available to developing countries.

Mr. Cash: Will the hon. Gentleman give way?

Mr. Watson: I shall not give way, as others are waiting to speak.

The debate is about United Kingdom aid, and it is important to focus on that. I agree with the Minister that aid as a proportion of the United Kingdom's gross national product has remained stable at 0.31 per cent., but that is hardly a reason for self-congratulation, bearing in mind that the United Nations target is 0.7 per cent. Although we do not exactly expect the Government to reach that target in one Parliament, they have a duty to outline how they plan to move towards it.

Conservative Members asked about Labour's position. It is fair to say that we recognise the United Nations target, but as the total aid budget is £2.5 billion, or less than half that target, it is not feasible to add 55 or 60 per cent. on to that in five years of government. Although non-governmental organisations may not like hearing that from a Labour Member of Parliament, we have to be realistic and set out a plan so that we can move towards achieving the target. The Labour party will certainly carry

[Mr. Watson]

that commitment into the next election. It will be welcome, as it will reverse the trend and for that reason it will be put in positive terms.

I accept the Minister's figures on total United Kingdom aid, but he failed to tell us that, between 1992-93 and 1993-94, the volume of United Kingdom aid to developing countries fell by some £50 million. The plans outlined in the Foreign and Commonwealth Office departmental report showed that British aid to developing countries, far from moving towards the target to which I referred, is likely to decline as a percentage of national income over the next few years—all right hon. and hon. Members would deprecate that.

It is important to place United Kingdom aid in the international context, just days after the G7 summit that considered such matters. I have seen the communiqué from Halifax, which contains some encouraging aspects. Obviously the renewed commitment of G7 countries to sustainable development and the realisation that extreme poverty and marginalisation of the poorest countries is not compatible with the general prosperity and security of the world as a whole is welcome. It also pleasingly acknowledged the particular problems faced by sub-Saharan Africa—a subject on which I have spoken at some length in the past. There are also calls for donors to meet their commitments to International Development Association 10 and that is needed, as is a significant replenishment of IDA 11.

The communiqué contained good ideas and intentions, but failed to say how the countries involved would achieve them. It set out no strategy to meet the policy that has been adopted. It did not mention achieving or approaching the UN target of 0.7 per cent. of GNP, so we have to question its effectiveness.

President Chirac of France, who should be an ally of the Government, at least in ideological terms, criticised in quite florid language the "immoral" shrinking of the United Kingdom aid budget when the United Kingdom is calling for more humanitarian assistance throughout the world. I hope that the Government will eventually respond to that criticism: coming, as it does, from a like-minded person, it carries considerable weight. I hope that the Minister will refer to it later.

The Lomé mid-term review financial negotiations are currently stalled—a matter of concern to anyone with an interest in overseas aid. There is to be a summit at Cannes towards the end of June, as the French presidency comes to its conclusion. Do the Minister and his colleagues intend to try to break the deadlock, so as to agree the financial resources for the eighth European development fund, which supports the Lomé convention?

Surely Foreign Ministers at that summit must agree the compromise proposed by the French presidency, which would still fall short of what the ACP countries want. They want 15 becu; the French proposal is for about 14.3 becu. The United Kingdom and German Governments are arguing for a cut in their contributions, which would mean that the eighth EDF would amount to only 12 becu, which is only a small increase on the seventh. That would be scandalous, but it describes the point at which the talks have stalled.

What does the Minister think the United Kingdom can do at the summit to break the deadlock; what initiatives does he plan to take? Contributions to the EDF are voluntary, whereas the Edinburgh summit committed EU member states to significant increases in their payments to other parts of the world—especially eastern Europe. I do not want to take away any money from eastern Europe or the former Soviet Union—I want democracy to be entrenched there. The key to the issue is how to ensure that help for those countries is not given at the expense of the poorest countries.

Like some of my hon. Friends, I should like less money to be spent on multilateral aid and more to be retained for the bilateral aid budget. Certainly, there is a fine line to be drawn. We must face up to our responsibilities towards the ACP countries, however, and we must try to break the logjam.

The Foreign Affairs Select Committee noted in its report on European Union aid last year that EC aid spending is better focused on poverty than are UK bilateral aid projects.

One other point has not been given much consideration this evening, but it is important to our overall aid strategy. I refer to the impact of aid on the lives of women in the developing world. I read in the part of the Government expenditure plans relating to the ODA that one of the latter's aims is to promote the status of women, but I looked through 40 or so pages of the report on the ODA and found only a short reference to what it is doing for women—about £80 million-worth of aid goes in their direction. There is but scant detail of what the money has been used for. Despite the lofty aim of promoting the status of women, there is little evidence that it is being achieved.

I find it strange that there is so little detailed information on how the strategy is to be taken forward. About a year ago, I received a publication—one of a series of development priorities guidelines—entitled "Women's Issues in Developing Countries". It includes six detailed points on how a gender strategy might be implemented. Owing to the lack of time, I shall not go into them. The document is published by the British Council, which administers quite a lot of aid project work on behalf of the ODA. The document sets out a clear strategy, and in 1992 the British Council appointed a women-in-development officer. The guidance, too, is clear, as are its annual reports on the impact of the projects on the lives of women, yet the ODA appears unable to come up with such detail.

Mr. Baldry: The annual report submitted to the Overseas Development Administration contains a chapter dedicated entirely to the subject of empowering women.

Mr. Watson: I have not seen the report to which the Minister refers. I have, however, asked for clarification, which so far has not been forthcoming.

Mr. Baldry: It is the annual report.

Mr. Watson: I am talking about expenditure plans for the forthcoming year, about which there is little detail. That is unfortunate. I shall certainly refer to the document to which the Minister has drawn my attention. I thank him for so doing.

We must recognise that women comprise about 70 per cent. of the world's poorest people and that they do most of the work. In many ways, they seriously lack economic, social and political opportunities to enable them to improve their lives. I should like the aid programme to place more emphasis on their unfortunate position.

It is difficult in such a short time to cover some of the other issues that have been raised in the debate. I wish, of course, to allow other hon. Members to contribute to it.

The overblown reaction of the hon. Member for Torridge and Devon, West (Miss Nicholson) to the opening speech of my hon. Friend the Member for Eccles, who spoke from the Opposition Front Bench, demonstrated that the Government are a little touchy on overseas aid. They need not be so. The motion is constructive. It shows that the Labour party has a positive agenda on the way in which we develop aid.

It is clear, however, that we and the Government have different priorities. One of our priorities will be to establish a separate department of international development. We shall return to 1976-79, when there was a separate department for overseas development. That will underscore the importance that an incoming Labour Government will give to overseas aid. A separate department could be introduced at remarkably little additional cost to the Exchequer. I do not want the Government to throw up the argument that a separate department could not be introduced for reasons of cost.

Status must be given to the overseas aid programme. It should not be regarded as a branch line of the Foreign and Commonwealth Office. The current overseas aid programme is, unfortunately, lacking in status. We should focus on it by entrusting it to a Cabinet Minister, who should have his or her own department. There should be a Select Committee with responsibilities for overseas aid and a specific question time so that relevant issues could be considered in greater detail. I am sure that that approach would prove universally popular. It reflects a policy that the Labour party will introduce when in government. I commend it to the House.

9.27 pm

Lady Olga Maitland (Sutton and Cheam): The Government have nothing to apologise for given their enormous commitment to overseas aid. Year on year, they have increased resources devoted to our aid programme, and have done so during a period in which we have had to keep our eye on public spending. We have had a tight economic schedule in recent years. It is remarkable that, in the past year, the Government have increased their spending on aid by £115 million. A total budget of £2.2 billion cannot be insignificant.

I am sorry that the Opposition find it extremely difficult to acknowledge the enormous amount of work that the Government have done on overseas aid. It seems that they are ignoring the praise that the Government have received from other areas. The OECD noted:

"The UK bilateral programme is highly concessional and well organised . . . based on substantial national expertise and largely orientated towards the poorest countries."

Surely it would be hard to find a better statement than that from the Government's point of view.

The Opposition say that we are failing in the commitment to which we all aspire to raise aid spending to the target of 0.7 per cent. of gross national product. They suggest that we are alone in not reaching that target. It has already been said that many other countries have fallen way below the level of aid spending that we have achieved. The House should be referred to the comments of my noble Friend the Minister of State, Baroness Chalker, who said:

"No one would thank us for putting ourselves in hock to the IMF by such spending as is boasted about by some Members of the Labour Opposition."—[*Official Report, House of Lords*, 23 June 1992; Vol. 538, c. 431.]

I do not wish to spend any more time commenting on the Opposition, because there is so much to be positive about when drawing attention to the Government's achievements.

It is admirable that we have set aside considerable resources for aid and that we are ensuring that they are directed to the areas where they will have most effect. It is important not only to ensure that it is effective but that it is well delivered, that it goes through the non-governmental organisations, which are best placed to facilitate us in that regard, and that we use agencies in this country, which are best placed to help us.

If my hon. Friend the Minister will forgive me, I shall draw the attention of the House for a moment to the Crown Agents, whose expertise stretches back more than 100 years. A Bill is now going through Parliament to give the Crown Agents greater independence to carry out its work in future. The truth is that the Crown Agents is a flagship for British aid overseas, serving 150 countries. Within its procurement programme, the Overseas Development Administration forms its largest customer.

The Crown Agents has undoubtedly set a great seal on its achievements by the superb work that it has done in facilitating aid in Bosnia. It has not only delivered value but has provided dedication, commitment and extremely brave ODA workers, six of whom have gained an award for their valour in extremely difficult times. That is an example of British aid overseas. We should be proud of what we are delivering. We should be proud of the fact that, throughout the world, countries come here to seek expertise, dedication and a knowledge that is second to none about how to put it into action.

9.30 pm

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): At the start of the debate, we had the unusual privilege of welcoming the right hon. Member for Eddisbury (Mr. Goodlad) to the debate. He is not with us at the moment, but it is unusual for him to lead off one of the debates on aid. It is rather unfortunate that the principal aid Minister is not in the House of Commons, and even more unfortunate that she is not in the Cabinet.

Mr. Watson: I wonder whether my hon. Friend saw a report in *The Sunday Times*, which said that the hon. Member for East Lindsey (Sir P. Tapsell), who commenced the Fresh Start group and held an important meeting last week, has apparently offered himself to the Prime Minister as a future overseas aid Minister? Would that not be one way of getting around this problem? Having said that, if he did travel overseas, would it not be best that he stayed there?

Mr. Foulkes: I am not an avid reader of *The Sunday Times*, but I know that there would be some awful prospects if some hon. Members became overseas aid Ministers. I am sure that the right hon. Member for Eddisbury would welcome elevation to the Cabinet and promotion to the post of overseas aid Minister.

[Mr. Foulkes]

We also had the rather unedifying experience, for the Opposition, of being preached at by the hon. Members for Sutton and Cheam (Lady Olga Maitland) and for Torridge and Devon, West (Miss Nicholson). I shall try not to be distracted by their lectures to myself and my colleagues.

Considering the somewhat calamitous events that have been afflicting the Government, particularly the proceedings earlier this evening, the Government might have been lulled into a mistaken belief that this debate would be a respite for them. The truth is that overseas development is yet another area in which they have abjectly failed.

In the past, debates on development have usually been seen as a chance for the Government and the Opposition—indeed, we have seen some of it again tonight—to throw conflicting figures at each other; our own sometimes at the request of the NGO community who, justifiably, want to help a developing world that is crippled by poverty, and Conservative figures tending to come from a frustrated Treasury that is rather keen to boost the bank balance and to bribe voters in the forthcoming general election, which cannot be too far away.

The right hon. Member for Eddisbury again stood at the Dispatch Box and tried to convince us how wonderful British aid is and of the poverty that is being reduced, but my hon. Friend the Member for Eccles (Miss Lestor) successfully and with great sincerity managed to inform the House and the Minister of the facts, the real problems that confront more than 1 billion people every day of their lives. The Government do not seem to realise—I do not include all Conservative Members purposely—the gravity of the situation that faces more than one fifth of the population of the planet. We Labour Members, as democratic socialists, say that there can be no retreat from our responsibilities as citizens of the world. We know that the Conservatives have somewhat different priorities, but I do not feel at all embarrassed about repeating ours.

The Government's aid programme over the past 16 years has been widely attacked. Recent reports from many aid organisations refute the statements and figures given by Lady Chalker and repeated again and again by her stooges tonight. The reality is not, as Lady Chalker stated in *The House Magazine*, that Britain has one of the largest and most efficient aid programmes; the reality is that aid has been cut chronically, diverted dogmatically from those who really need it and politically perverted to further privatisation, arms sales and rewarding the Government's supporters through the aid and trade provision programme that they have suborned and manipulated.

Mr. Cash: Will the hon. Gentleman give way?

Mr. Foulkes: The hon. Gentleman has been trying to intervene for a long time. I will give way, although I may regret it.

Mr. Cash: I am grateful. Does the hon. Gentleman agree that in Uganda, where President Museveni has shone like a beacon in connection with the whole question of development in the third world, his privatisation projects are proving increasingly successful? Furthermore, he has just announced proposals to ensure that the people of his country operate on a basis of lower inflation. Do not those proposals—which are dramatic by any standards—demonstrate that policies carried out by a highly respected and extremely efficient Government can produce very good results?

Mr. Foulkes: I believe that such countries will increasingly come to realise that, although privatisation can be helpful when there is real competition, the privatisation of utilities that are natural monopolies can create tremendous problems, and has done in this country. I fear that the problems in the developing countries will be even greater than our problems of rising prices and people at the top ripping off the utilities. I do not wish to be diverted, however; I want to concentrate on poverty, which must be the central focus of our aid programme.

It is admirable that Ministers—including the Under-Secretary of State who will reply to the debate, and the Minister for Overseas Development herself—visit Ghana, Malawi, Mozambique, South Africa and Swaziland, but why the delay? Why do those countries receive so little of our bilateral aid? The 1994 Development Assistance Committee of the OECD has pointed out to the Government that our aid programme is not poverty-focused—but perhaps Ministers are spending too much time visiting countries to read the criticisms contained in OECD reports.

The 1994 ODA statistics show us the Government's idea of poverty focus. The Minister referred my hon. Friend the Member for Glasgow, Central (Mr. Watson) to that report; if he looks at it again, he will see which countries are receiving assistance from the United Kingdom—Bermuda, the Bahamas, Indonesia, Malaysia, China and Nigeria. Those are not countries in abject poverty; that is not a poverty focus for our aid programme.

Moreover, the four last-named countries have appalling human rights records. I have just received a letter from the daughter of Chief Abiola. The hon. Member for Torridge and Devon, West (Miss Nicholson) spoke of a record of good government; I wonder if we really have such a good record of ensuring that the countries to which we give aid provide examples of good government.

The hon. Member for Truro (Mr. Taylor) mentioned Indonesia. Is that a country with good government? No. I think that we have some way to go before we can be happy that our aid programme really supports good government.

Miss Emma Nicholson: Will the hon. Gentleman give way?

Mr. Foulkes: No.

British aid is not targeted on those who need it most. The projected cuts in future budgets will further squeeze sub-Saharan Africa, with the aid budget set to fall by £116 million over the next two years. The mere fact that the ODA's seven development objectives were headed by economic reform, with poverty reduction only at No. 4, shows the lack of emphasis given to poverty in the Government's programme.

I now turn to the question of bilateral versus multilateral aid, which was mentioned by my hon. Friend the Member for Glasgow, Central and others. The continuing drastic decline in the bilateral aid budget is consistently blamed on our increasing multilateral commitment. We heard that again in the debate.

Regrettably and appallingly, in recent months the aid budget has been used as a bargaining chip with European Union Ministers in the Lomé negotiations. Ministers embarrassed our African, Caribbean and Pacific colleagues and our European partners by proposing a cut of 29 per cent. in our Lomé contribution. As my hon. Friend the Member for Glasgow, Central said in an intervention, how does that correspond to the Edinburgh summit commitments? It completely contradicts them.

The Government say that they want to say no to Europe occasionally, but they should not do that in this area. Through the ACP countries, we give vital assistance to some of our former colonies, the countries about which the Minister spoke so highly in a debate on the Commonwealth. If the Government are to put their money where their mouth is, they should give more to that fund.

The Government's position has been a major obstacle to the replenishment of the European development fund. As my hon. Friend the Member for Eccles told the House, in March the Foreign Secretary told the Overseas Development Institute that the EDF was one of the better parts of European aid. I underline and repeat the question by my hon. Friend the Member for Glasgow, Central in asking for a commitment from the Minister that at the Cannes council the Government will change their attitude on this matter.

The hon. Member for Broxtowe (Mr. Lester) spoke about tied aid and the aid and trade provision. The use of tied aid by this country is not alien to the Labour party. We developed the principle when the aid budget was increasing and our predecessors thought that a small amount should be given to the ATP programme. But when the Tories took office, their priorities were industrial and commercial instead of developmental. That is how the ATP scheme was abused and corrupted by the Government. Their new rules have not even been adhered to. The restriction to countries with a $700 or less per capita income has already been broken. The plan to restrict the value of any project to £46 million has been diluted by the Government. They cannot even keep to the rules that they have set.

My hon. Friend the Member for Eccles spoke about debt. In answer to the hon. Member for Broxtowe, I can say that we accept what the Prime Minister did at Halifax in relation to gold stocks. That was a welcome step. It is nice to say something nice about the Prime Minister, although I may be one of the few people saying something nice about him these days. But as well as accepting our congratulations, he should accept our criticisms.

The debt of the developing world represents a staggering flow of aid, especially for the poorest countries of Africa. In a recent parliamentary answer to me, the Chancellor acknowledged that an 80 per cent. write-off of official bilateral debt owed to the Export Credits Guarantee Department and the Overseas Development Administration by the poorest countries would cost approximately £750 million. But such a gesture would help crippled economies and would result in the economic growth that the Minister constantly cites as necessary for development. I hope that he will give some further commitment to writing off the debt of those countries.

In the context of emergency funding, recent events in Rwanda and Bosnia have shown the need for humanitarian aid. That is because of the lives that it saves. The escalation of the conflict in Bosnia has tended to obscure the reality that both British and United Nations involvement in the area was agreed to ensure the safe delivery of humanitarian aid. Increasing pressure by the Republicans in the US Congress has demonstrated an all-too-familiar mix of ignorance and hypocrisy.

I do not know whether other hon. Members saw Congressman Bob Livingston, chairman of the House Appropriations Committee, advocate withdrawal of all troops and the lifting of the embargo on arms sales to the Bosnian Muslims. Nothing could be more designed to put UNPROFOR personnel, once again, in immediate danger and usher in a major escalation of the war, which would result in death, destruction, hardship and suffering. That is the opposite of what is needed in Bosnia today. However, the need for humanitarian aid is without question, in Bosnia and elsewhere. We must resist the temptation to allow our contributions in that regard to take away from continuing development aid to help the poorest countries of world.

Finally, I shall deal with the crux of the matter—the 0.7 per cent. target. The British record over the past 16 years is despicable. I mentioned previously that figures would be thrown across the Chamber. Let me correct the figures that have been thrown by Conservative Members.

I say to the Liberal Democrat spokesman that the 0.7 per cent. target set by the United Nations is realistic. Further, that target was close to fruition under the last Labour Government. In the five years that we had to implement the UN figure, we made significant progress towards it.

We inherited an aid programme that had been reduced to 0.36 cent. In only five years, the Labour Government brought the programme to a peak of 0.51 per cent. and rising. That record speaks for itself, but since then, successive Conservative Governments have cut the figure to 0.31 per cent. Those cuts are set to go further, with the budget expected to fall to its all-time low of 0.27 per cent. in the near future.

Government excuses no longer add up. We cannot have an economy that is, as we are told, doing well, yet, when we are legitimately asked to help the poorest countries in the world, be told that they must get less and less.

Figures based on GNP hide the loss in real terms. This figure has not been brought to the House before, but it is startling. Cash prices give no indication of the full extent to which the developing world has been damaged by the reductions. If we take all the reductions cumulatively from 1979 to 1993—the latest available figures—the cumulative total that has been lost to the third world is over £10 billion. What is the Minister going to do tonight to replace that money, which is owed to the poorest people in the developing world?

My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) said, rightly, that outside the House, there are Churches, voluntary organisations and individuals whose compassion for the developing world continues. For them, there is no compassion fatigue. The fatigue is on the Government Benches. Tonight, we have seen no sign that there will be a regeneration while the Government remain in office. The only way that the developing world could expect a fair deal from Britain would be if the Labour party replaced the Tories on the Government Benches. That cannot come too soon for Britain or for the people of the third world.

9.47 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tony Baldry): It is always rather difficult to reconcile the

[Mr. Tony Baldry]

indignation and enthusiasm of the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) with the emptiness of the Benches behind him. This is an Opposition supply day. When the hon. Member rose to reply for the Opposition, there were precisely four Labour Back Benchers, three Labour Front Benchers and two Liberal Democrats present. During his speech he has managed so to enthuse the House that we now have six Labour Back Benchers, five Labour Front Benchers and three Liberal Democrats.

The debate has established that a large number of Opposition Members have not acquainted themselves with the facts. The hon. Member for Glasgow, Central (Mr. Watson), a member of the Foreign Affairs Select Committee, admitted that he had not seen the annual report on overseas aid.

The hon. Member for Carrick, Cumnock and Doon Valley said that we were giving money not to Commonwealth countries or poor countries but to affluent countries. If he reads the ODA annual report, he will see that we could not have set out the information more clearly. We put it in the form of bar charts, which could not be simpler. They show that, of the countries receiving aid, India receives £103 million; Bangladesh, Pakistan, Zambia, Zimbabwe, Uganda—

Mr. Foulkes: China.

Mr. Baldry: I do not know why the hon. Gentleman should object to China, a large and very poor country, receiving development aid. It is right that it should do so. The charts clearly show that Commonwealth countries and poor countries are receiving large sums of United Kingdom aid.

Britain is maintaining a substantial aid programme. At £2.2 billion, it is now the fifth largest aid programme in the world. *Hansard* will show tomorrow that there was no willingness on the part of the Labour party to commit itself to spending any more. We heard many weasel words about what happened or might have happened under the previous Labour Government, but there was no suggestion that the Labour party would spend more than £2.2 billion, perhaps because even the Labour party recognises that it is a substantial sum. Indeed, the previous Budget announced further increases. For 1997-98, the aid programme provision is £115 million higher than the 1995-96 figures. That is proof of the Government's commitment to maintaining a substantial and effective aid programme.

The June 1994 figures from the Organisation for Economic Co-operation and Development show that the United Kingdom was one of only seven countries to increase official aid in the preceding year. Our aid as a percentage of GNP is equal to the average for all donors. Of course, more than two thirds of our bilateral aid goes to the poorest developing countries, which is well above the average for all donors. Nine out of 10 of the biggest aid recipients are poor countries in Africa and Asia. The only exception is the former Yugoslavia, where Bosnia is the main recipient.

The quality of our aid is high. The OECD has recognised its effectiveness and its poverty focus, even if Opposition Members cannot. We have also led the way in promoting debt relief. We welcome the latest Paris Club agreement, which fully implements the Trinidad terms, including the 67 per cent. stock of debt reductions as proposed by my right hon. Friend the Prime Minister in 1990. My right hon. and learned Friend the Chancellor has recently launched initiatives on multilateral debt and, as was recognised by today's statement on the G7 report, the United Kingdom took the lead in Halifax on debt relief. We are also ensuring that not only Government money but private money is being invested in developing countries. Indeed, we are taking a lead in that area, too.

We have what is generally recognised across the world as a quality aid programme to help poor countries. We are the fifth largest aid donor but, to my mind, the size of our aid programme is by no means the only point to bear in mind. Our overseas development agencies are dedicated, practical and effective and the quality of their work is recognised world wide.

We have the fifth largest aid programme of £2.2 billion covering aid to developing countries, and that programme is increasing. That must be contrasted with what is happening elsewhere. Many other countries have frozen their aid programmes. My hon. Friend the Member for Broxtowe (Mr. Lester) read out a long list of countries that have reduced their aid budget, including Canada, Italy and Finland. The aid programmes of countries such as Germany and the United States have declined.

We, meanwhile, are managing to maintain our aid programme and we are showing the world that we can make a significant contribution. Our aid:gross national product ratio is almost exactly the same as the average of other countries. The Development Assistance Committee's 1994 figures will be published shortly. They will show that the UK is among the donors showing a real increase in aid in the two years before 1994.

Britain is not alone in facing the need to be responsible about public spending; other countries are in a similar position. We are managing to maintain a credible and sizeable aid programme. Volume, however, is not the only issue; one must also consider the quality of that programme. The quality of British aid is high. As my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) mentioned, the OECD has recognised and publicised our overseas development programme's effectiveness, poverty focus and growing emphasis on encouraging the private sector.

Forty per cent. of our bilateral aid goes to countries in sub-Saharan Africa. Of course, the poorest countries of that region will continue to require substantial amounts of aid. Those countries have been and will continue to be a high priority for British aid, which is focused on the poorest countries. We must also ensure, however, that our aid programme is properly and satisfactorily balanced between multilateral and bilateral aid.

Until recently, about 40 per cent. of total resources were spent multilaterally and 60 per cent. bilaterally. The exact figure has varied from year to year, but things are set to change. For the first time, a majority of our aid will be spent multilaterally. Clearly, that is a matter of concern. That is why, when we negotiate on the next replenishment of the European development fund, we must be conscious that every further pound that we spend multilaterally is one pound less that we spend bilaterally.

Mr. Foulkes: Will the Minister give way?

Mr. Baldry: No. The hon. Gentleman asked me a specific question on the EDF which I am trying to answer.

Of course we shall continue to make a substantial contribution to the EDF programme. He prays in aid France. Of course it is in favour of the present EDF arrangements, because much of the EDF was geared to a situation that benefits former French colonies. Under the EDF, more money goes to Mauritius than to Bangladesh. We are seeking not only to ensure a substantial £1 billion-plus contribution to the EDF programme, but that we have a sizeable and responsive British bilateral programme.

It was Britain that initiated the Toronto terms, under which 20 countries enjoyed debt relief, it was Britain that proposed the Trinidad terms, and it is Britain that continues to take those forward.

We have had an aid programme of which we can all be proud. It is a sizeable aid programme. It is focused on poorer countries but, throughout the world, it is also doing fantastic work in disaster relief. One will find Overseas Development Administration personnel in Yugoslavia and Rwanda. My right hon. and noble Friend Baroness Chalker is in Angola, where, again, British aid workers, just as in Rwanda, have been at the forefront of ensuring that relief, humanitarian supplies, water, food, medical aid and equipment reach people who require them. That, and not the World Development Movement brief, which has been constantly repeated this evening by the few Opposition Members who have spoken, is the reality of our aid programme.

Every hon. Member and everyone in this country can be proud of our sizeable programme. It is focused on the poorest; it is of high quality and high value, ensuring that Britain can give of its best throughout the world. I invite the House to support the amendment in the name of my right hon. Friend the Prime Minister.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 260, Noes 287

Division No. 166] **[10.00 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Roseanna
Dafis, Cynog
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jamieson, David
Janner, Greville
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kennedy, Charles *(Ross)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCrea, The Reverend William
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David

Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jon Owen Jones and
Mrs. Barbara Roche.

NOES

Ainsworth, Peter *(East Surrey)*
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Ald-Brownhill)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan

Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Timothy Wood.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments) and agreed to.*

MADAM SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House concerned by reports that one billion people throughout the world live in abject poverty, commends Her Majesty's Government's support for sustainable development and poverty alleviation through its support for economic reform, good government, and investment in people and productive capacity, as well as through direct action to provide the poor with opportunities to improve their lives; and urges the Government to pursue these policies with their development partners and multilateral agencies.

Gipsies (Essex)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

10.13 pm

Mrs. Teresa Gorman (Billericay): I am grateful for the opportunity to debate the subject of gipsies in Essex. I commend the Government for introducing legislation in 1994 which gave local authorities and the police a great deal more power in dealing with a matter which has been a great problem for many years, particularly in the part of Essex that I represent.

The public clearly wanted something done about the menace of these itinerants, or gipsies, or didicois, or tinkers, or new age travellers, or mobile totters, which is what they are. There was a huge sigh of relief in November last year when the Criminal Justice and Public Order Act was finally passed, because it seemed as though something was to be done at last. We were grateful in the part of Thurrock and Billericay that I have the honour to represent.

These people have scant regard for the rights of others, and trespass en masse on people's property. The new legislation allows the police to take action if six or more caravans or lorries turn up on someone's private property. The Minister has sympathised with landowners and local communities because many householders have been affected and the value of their properties can be severely affected if they live near a piece of land that gipsies or travellers frequently visit. Power was given to the police to act with local authorities to deal with such invasions.

One my constituents—a Mr. Luck from Laindon—received a supportive reply from my hon. Friend the Under-Secretary of State who is present tonight on the Front Bench. He said:

> "We do not believe that it is right that a private landowner should always have to bear the sometimes onerous cost of using his civil remedies to evict unauthorised campers, particularly when the encampment causes intolerable nuisance to the local community."

I should like to pause here to congratulate my hon. Friend, who has an excellent track record in speaking up about this menace, not just for his constituents but for the whole country.

The hard-working and honest farmers in my constituency are not being given the back-up the legislation allows, and they are still being forced to bear the costs. Farmers are harassed and intimidated by these people and then left to clear up the appalling mess that they leave behind. The travellers break fences and leave trails of rubbish and worse—as a well-brought-up young woman, I would not wish to embarrass the House with a more detailed description, but it is extremely offensive for the farmers and very costly to clean up.

Before November 1994, it was up to the individual to get rid of travellers. Now, however, as a result of years of complaint, such trespassing has been recognised as a criminal offence under section 61 of the Criminal Justice and Public Order Act. The police have been given discretionary powers to direct trespassers to leave land in cases where there are more than six vehicles or where there has been threatening or abusive behaviour. If the travellers fail to comply, they can be arrested and their vehicles and animals seized.

The problem is that in our part of Essex and East Anglia that does not appear to be happening. There are two sites in Thurrock where travellers can go, and we do not want a third. We have appealed, and the matter is being dealt with by the Department of the Environment. We do not want another site, because the people behave so appallingly. They are not even acceptable on the sites that have been made available for them because their standard of behaviour and conduct is so bad.

There has been very little diminution in the number of travellers in our part of the world. For example, in 1994 686 cases were reported. In January 1995—a year on—the figure had gone down by only a handful to 665 cases. On eight separate occasions this year, farmers in my region have asked the police to take action against the gipsies, as it is within their power to do, but the police have failed to do anything. Even Thurrock council, which is rather friendly to such people, has said that it is not prepared to try to get rid of the unauthorised campers. Some of the invasions have taken place on council land.

Those events precede the peak season for itinerants. They travel from southern Ireland, in particular, and spend their summer holidays visiting the tips in Essex. They collect and sort garbage and leave the detritus behind them on the fields. Essex is invaded by travellers in the summer, and we fear that the police may continue to refuse to deal with the problem.

I know that the matter would be addressed more appropriately to the Home Office than to my hon. Friend the Under-Secretary of State for the Environment, but I will come to that point in a moment. There are two existing sites in my constituency for travellers. There are vacancies on those sites and they could apply to stay there. Thurrock council has provided quite good quality accommodation on the sites, but they are not acceptable to the travellers.

There is no evidence that providing a third site will have any impact on the current desperate situation. I therefore urge my hon. Friend not to follow that route. There is no truth in the theory that the more sites one provides the fewer problems there will be. It does not work like that. The travellers are so undisciplined and inconsiderate of everyone but themselves that they simply will not use the site. We therefore do not want to see another site established at Gammon field.

I believe that the argument that travellers should not be moved to those sites is redundant. The travellers are simply not acceptable—not even to Thurrock council, which I believe is over-friendly to itinerants. *[Interruption.]* The hon. Member for Thurrock (Mr. Mackinlay) interrupts from a sedentary position. He supports the local Labour-controlled council, which we regard as one of the last outposts of Stalinism in our part of the world. It adopts an extremely soft attitude to people who appear to have no assets, which is not in tune with that of the majority of my constituents or of the hon. Gentleman.

I will outline two cases involving travellers. On 16 May, Mr. Robert Cole's farm was set upon by scavengers. The police were asked to take action, but they decided to do nothing. Mr. Cole had to resort to the legal system and, as a consequence, incurred a solicitor's fee, a process server's fee, a court issue fee, a commissioner's fee and a fee for the bailiffs, which came to a total of £500. The trespassers moved on only when the bailiffs moved in and

told them that the police would eventually be coming around. Quicker action by the police would have avoided wasting a great deal of Mr. Cole's time and money.

The travellers had left a great deal of rubbish behind and it cost £250 to clear the field. Those people are positively uncivilised in the way in which they move on and leave their garbage behind them. They do not even put it into black sacks; they simply leave their rubbish, including rented gas cylinders which they use to provide heating and lighting for their caravans, all over the field. Before the poor old farmer can milk his cows, shear his sheep, sow his corn or reap his barley, he must clear up the fields after those people.

Mr. Christopher Gill (Ludlow): Should we not ask the Minister why the people to whom my hon. Friend refers should be allowed to cause such extreme discomfort and aggravation to law-abiding citizens through their totally anti-social activities, which seem to enjoy more protection under the law than the bona fide law-abiding citizens who are affected by them? Should not the Minister address that issue? Were we not all led to believe that the Criminal Justice and Public Order Act 1994 would help us to solve that problem?

Mrs. Gorman: I agree with every word that my hon. Friend has said. I know that he encounters such problems, because he represents a rural area. I give the Government credit for introducing the measure as part of the Criminal Justice and Public Order Act 1994, but in many parts of the country it is not being implemented.

Another farmer in my constituency, Mr. Cooper, watched 24 caravans arrive at his farm in Cookoo lane. The police were asked to intervene, but again they were prepared to do nothing. As the powers are not mandatory, the police can choose whether or not to implement them. After the usual legal wrangling to get rid of the caravans, Mr. Cooper was left with a bill for £2,000 as 200 tonnes of rubbish had been left on his field. That is a perfect disgrace, not just for the farmer, but for those who live in the area.

Last Sunday, the travellers returned with their caravans and entered the land by force. Mr. Cooper had parked a large heavy cultivator across the entrance to the field so they broke in, which is another offence, and the farmer was once again left to phone the police, who were unwilling to deal with the matter. He spoke to the travellers, but he might just as well have been talking to wind as they were not interested until today, when he got a bailiff to talk to them.

We are discussing two issues. First, is there any sense in providing more sites for such people? I entirely disagree with that, as they are so badly behaved that they cannot even get on to the sites. The second issue involves the attitude of the police. That is a delicate problem, because the police naturally do not want to cause themselves more trouble if the travellers become stroppy and difficult, but I maintain that we have to be absolutely firm. The Government provided the power because it was such a popular measure.

Mr. Eric Pickles (Brentwood and Ongar): My hon. Friend will recall that the amendment to the law was intended to give private landowners the same rights as councils, which have enormous resources, to move travellers on. The decision of the police not to enforce the law returns private landowners to their position before the law was amended, so we might just as well not have amended it.

Mrs. Gorman: I entirely support what hon. Friend has said. That is exactly the position of farmers in my constituency.

I have it on the highest authority that the Association of Chief Police Officers is advising local forces in my area that action should be considered only in exceptional circumstances and that there is an expectation that all other remedies will have been tried before the police are prepared to intervene. As my hon. Friend has just said, that was exactly the position of farmers before the legislation.

The police seem unwilling to get involved, at least in East Anglia and Essex. The local National Farmers Union met the police in East Anglia, who made it clear that police forces intended using their discretionary powers only as the last resort, which I believe to be a negation of the Government's intention in giving them the power. The chief constable in Essex said, "We have to cover Brightlingsea and we have to send policemen to deal with the animal rights protestors." That is not good enough. The police were given that power and they should be using their manpower to help the farmers. If we had one or two good cases, the itinerants would go somewhere else; they might even, for a change, decide to behave like law-abiding citizens, although that would be a small miracle.

The NFU senior technical adviser said:

"I suspect that farmers and landowners will still be left to bear the brunt of the cost, time and stress involved in removing squatters from farmland through the Courts."

That is not acceptable and I invite my hon. Friend the Minister to comment on it in his reply to the debate.

The news is not all bad. In some parts of the country, the police are taking up the authority which has been given to them. I am told that, in the Metropolitan area, Sir Paul Condon, the Metropolitan police commissioner, has set out a plan of action and a clear procedure so that farmers and landowners know exactly which button to push when the problem hits them. They have a sort of ARP notice—those of us old enough to remember the war will know that it stands for "air raid precaution"—to pin up in their barns, outlining the stages to go through and the police officers to call. Sir Paul has said explicitly that he is determined to see that the unauthorised vehicles and animals that these people bring on to land are removed. He is also insisting that local councils co-operate in their part of the job when the vehicles and animals are taken into custody. Obviously, they have to go somewhere.

Co-operation is therefore possible, but I am assured by many of my colleagues with rural constituencies that what they all hoped would be a happy ending to the problem is not materialising—certainly not in our part of the world. I should like all chief officers to do as the Metropolitan police have done and assure farmers that they will never again need to act alone. They must have the sort of back-up that Sir Paul Condon is advocating in the Metropolitan area.

We need more guidelines from the Home Office or the Department of the Environment. Although most of my complaint is directed at the lack of police activity in my area, I assure my hon. Friend the Minister that allowing more official sites to come on stream will not cure the

[Mrs. Gorman]

problem. We need more action on the part of the Government. I ask the Minister to try to give some idea to my farmers, and to those in other parts of the country, that the Government are determined to ensure that the powers that they have enacted and which are available to control this menace will be put into action.

Unless that happens, these people will pour into the country seasonally, acting like mobile totters—like Steptoe characters, picking over rubbish or offering their services to put down tarmac on drives. When they do that, they dump all the rubbish taken from people's drives on some hapless farmer's field. These people must be dealt with and made to act within the law of the land.

10.32 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert B. Jones): I congratulate my hon. Friend the Member for Billericay (Mrs. Gorman) on securing this debate. I am also delighted to see in his place my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles), who has tirelessly campaigned for his constituents on this and other issues.

My hon. Friend the Member for Billericay is concerned about instances where the police have not exercised their powers under the Criminal Justice and Public Order Act 1994 to deal with trespassers residing on land. I should make it clear at the outset that the enforcement of the law and the making of arrests are entirely operational matters for chief officers of police. They are not matters in which Ministers can intervene. However, what I can do is to explain to my hon. Friend and to the House what the relevant provisions of the Act can do.

Section 61 of the Act strengthens previous police powers to deal with trespass on land, and further assists the police in protecting landowners and local communities which suffer so badly from incursions on to land. It provides the police with a discretionary power to direct trespassers to leave land in certain circumstances.

The Act retains the requirement for the occupier to have taken reasonable steps to ask the trespassers to leave the land before the police may consider whether or not to use their powers. In addition, the section retains the safeguards that the police may direct some, and not necessarily all, the trespassers at a particular location to leave. The police therefore have the discretion to remove only those trespassers who are causing trouble, and equally, to allow those with pressing health or welfare needs to remain.

Police powers to deal with trespass are, rightly, limited to circumstances where public order problems might arise. The majority of trespass cases will continue to be dealt with by civil law procedures.

Of course, where landowners take action by this means, and where it is then necessary to serve court papers on trespassers, the police should be notified so that they can provide a presence to prevent breaches of the peace.

My hon. Friend will also be aware of new powers available to local authorities under sections 77 to 79 of the 1994 Act, to direct unauthorised campers to leave land where they are parked without permission. A direction can be issued immediately and without reference to the courts. If persons so directed do not leave the land in response to such a direction, or if they return to the same land with a vehicle within three months of the date of the direction, they commit an offence subject to a maximum fine of £1,000.

It is open to any private landowner to ask his local authority to use its powers of direction. We have issued a circular, No. 18/94, entitled "Gypsy Sites Policy and Unauthorised Camping", to local authorities. It gives guidance on the scope and use of the new powers. We have made it clear that we envisage local authorities using the powers primarily to protect private landowners plagued with the nuisance of unauthorised camping. I should, however, emphasise that the powers are, like those available to the police, discretionary. It is for the relevant local authority to judge whether, in all the circumstances, use of the powers is justified.

My hon. Friend has made criticisms of the local authorities and the police. If she has not already done so, I hope that she will arrange to discuss these matters directly with the police in Essex and with the local authority in Thurrock. As she has said, these matters are outside the Department of the Environment's responsibilities by and large. They are matters that she should pursue with my right hon. and hon. Friends at the Home Office if necessary.

As for the proposed gipsy site at Gammon field, my hon. Friend has expressed concern at the decision of Thurrock borough council to press ahead with it. The council has taken the decision despite the repeal of the duty on local authorities to provide sites and of the power to pay gipsy site grant.

The position is that Thurrock borough council applied in 1992 for outline planning permission to provide a site of 21 pitches at Gammon field. The decision had been made after an extensive search for a suitable site over a number of years to provide for the demand from gipsies in the district, some of whom were encamped on sites without planning permission. There were a number of objections to the chosen site, on the basis that it was in the green belt. The planning application became the subject of a public inquiry in April 1993, at which I believe my hon. Friend gave evidence.

I can reassure my hon. Friend that the full and proper process of public consultation and debate over the provision of the site was followed. In considering the proposal, my right hon. Friend the Secretary of State had particular regard to the following issues: the relationship of the proposal to policies contained with the Essex structure plan and deposited Thurrock borough local plan; the suitability of Gammon field for a gipsy site, having regard to its location within the metropolitan green belt and a landscape improvement area; the need for a further gipsy caravan site within the borough of Thurrock; the availability of alternative sites for the proposed development; the likely impact of the proposed development on the appearance and character of the area, and the amenity of local residents; and the effect of the proposals on the local highway network and, in particular, the adequacy of measures to control access to the site.

After giving careful consideration to a new scheme for access to the site submitted to the council in February 1994, about which my right hon. Friend and other parties to the public inquiry were consulted, my right hon. Friend the Secretary of State was also satisfied that the highway safety objections which concerned the inspector could also be overcome, so in August 1994, he granted planning permission to Thurrock borough council. As my hon.

Friend will know, once the Secretary of State has issued his decision on a planning application, his jurisdiction in the matter is at an end.

Subject to the granting of planning permission, the authority submitted a valid grant application to my Department in October 1994. My hon. Friend will appreciate that I am bound to consider any grant application which was submitted to the Secretary of State before 3 November 1994, the date of repeal of his power to pay gipsy site grant under section 80 of the 1994 Act. The application from Thurrock borough council falls into that category, and the local authority thus has a legitimate expectation that its application will be considered.

I cannot comment on the merits of this proposal, as the formal grant application is still being considered. My hon. Friend can be assured, however, that I shall consider all remaining grant applications, including the one for Gammon field, very carefully against our criteria of need, value for money and comparability with the works cost benchmark, before deciding whether approval is justified. In Essex, the benchmark is £27,000 per pitch, and we would need to be convincingly persuaded to agree any higher figure.

The Caravan Sites Act 1968 gave county councils a duty to provide authorised sites for gipsies, in the hope that it would control unauthorised camping. Generous Government grant has been made available to authorities to assist them to tackle the problems of unauthorised gipsy camping. Locally, there have been successes. In Essex, many sites have become accepted and integrated into local communities, even where existing residents had doubts. The development of official sites has also led to a great reduction in the number of unsightly roadside encampments.

There are a good many gipsy families throughout the country who are keen to make their own site arrangements, and the Department has issued planning guidance to show how that can be achieved within the existing planning framework. We have encouraged local authorities to consider gipsy families' needs within their development plans. Indeed, whether or not a county or district council decides to proceed with the provision of a gipsy site, the planning guidance to which I have referred allows that private sites may well be admissible within the current planning system, and we would expect local development plans to reflect that.

I am also aware that my hon. Friend has written to my hon. Friend the Under-Secretary of State in my Department concerning gipsies who have purchased land at Crays hill, Basildon, and sited caravans there. I understand that 17 plots have received planning permission, eight as a result of appeals against enforcement action dating from November 1992.

However, I hope that my hon. Friend will take comfort from what I have said, in connection with the Gammon field site and its location in the green belt, in that planning guidance on gipsy sites has been revised in circular 1/94. That policy, together with the new eviction powers contained in the Criminal Justice and Public Order Act 1994 should, as I am sure my hon. Friend and her constituents will recognise, significantly curb the number of unsightly and disruptive occurrences of unauthorised camping.

I hope that what I have been able to say in explaining the position will be helpful to my hon. Friend. I am grateful to her for drawing the subject to the attention of the House.

Question put and agreed to.

Adjourned accordingly at nineteen minutes to Eleven o'clock.

House of Commons

Tuesday 20 June 1995

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

HEALTH

Acute Admissions, Leicestershire

1. **Mr. Robathan:** To ask the Secretary of State for Health what steps her Department is taking to ensure that there are sufficient hospital beds for acute admissions in Leicestershire. [27711]

The Parliamentary Under-Secretary of State for Health (Mr. John Bowis): It is for the local health authorities, working with local trusts and other providers, to plan for the right number of beds and other services to meet the identified needs of the local population.

Mr. Robathan: Although I appreciate that it is not the direct responsibility of his Department, my hon. Friend will know that there has been grave concern in Leicestershire about the number of acute and emergency beds available. There have been some publicised incidents in which people have been kept waiting for some time on trolleys in Leicestershire hospitals. I am aware of the good work of the bed bureau in Leicestershire, but will he assure me and the people of Leicestershire that sufficient beds will be made available for their needs in the near future?

Mr. Bowis: The specific question is rightly directed to Leicestershire. My hon. Friend rightly praised the bed bureau for its work; it had a remarkably good success rate right the way through 1994, including the winter months, but, during a couple of months this spring, a problem was caused by extra demand and staff sickness. That has been tackled, and the good news for Leicestershire is that, for 1995-96, the cash allocation goes up by 5.4 per cent. We can therefore look forward to ever-improving services for the people of that county.

Mrs. Beckett: Does the Minister not recognise that, despite the Department's recent conversion to evidence-based policy making, in all too many parts of the country, as in Leicestershire, beds are being closed at a rate that seems to anticipate changes in the delivery of health care rather than to follow in their footsteps, despite lack of evidence, and without evaluation of effects and monitoring of what is happening? As a result, in many parts of the country, including Leicestershire, too many patients are chasing too few beds, and it is his Department's responsibility.

Mr. Bowis: The right hon. Lady has widened this somewhat from Leicestershire. If one widened it still further and considered comparisons round the world, one would find that the trend here in in-patient beds per thousand is on the same graph as it is in the United States of America, Italy and many other countries of Europe, including Ireland.

The important thing is that, in 1993-94, 8.2 million episodes were carried out. The average wait, which in 1988 was more than nine months, has gone down to under five months. The number of day cases has gone up by 66 per cent. In counties such as Leicestershire, there are improvements day by day, to which the right hon. Lady failed to give a moment's regard, much less a moment's praise.

Let me refer the right hon. Lady to the rapid access chest pain assessment service at Glenfield general hospital, enabling general practitioner referrals on the same day for many people. She should pay tribute to progress, and not find nit-picking criticisms based on somewhere that has nothing to do with Leicestershire.

Mr. Garnier: My hon. Friend will know from his days as a Conservative party agent in Leicestershire of the good work of the national health service in that county. Will he take the opportunity in the near future to return to Leicestershire to consider the work of LOROS—the Leicestershire Organisation for the Relief of Suffering—which has an excellent hospice in the constituency of the hon. and learned Member for Leicester, West (Mr. Janner), which is doing sterling work but which is 50 per cent. funded by the NHS and 50 per cent. funded by voluntary subscription? Will my hon. Friend ensure that the health service continues to donate 50 per cent. of funding to that most wonderful hospice?

Mr. Bowis: I am always pleased to be invited to return to my former county of Leicestershire. When I am next there, I shall try to make time to visit the hospice to which my hon. and learned Friend rightly pays tribute. He also pays tribute to the fact that, under this Government, the hospice movement has really taken off. The funding for hospices, the work in palliative care and our recent guidance on continuing care where palliative care is concerned show that that sector has an excellent future while the Government are in power.

Regional Variations

2. **Ms Janet Anderson:** To ask the Secretary of State for Health what action her Department is taking to reduce cross-regional variations in health. [27712]

6. **Mr. Bayley:** To ask the Secretary of State for Health what new initiatives she intends to take to reduce regional and social class variations in the health of the population. [27716]

The Secretary of State for Health (Mrs. Virginia Bottomley): We are tackling variations in health by working to improve health across the whole population, by allocating funding according to need, and by ensuring that health authorities are able to assess the needs of their local population and target spending accordingly.

Ms Anderson: Can the Secretary of State explain why the death rate from cervical cancer in the Burnley, Pendle and Rossendale area is 60 per cent. higher than the national average, and more than twice the rate in her constituency of Surrey, South-West?

Mrs. Bottomley: Before giving a substantive reply to the hon. Lady, I should like briefly to pay tribute to the

late Lord Ennals, who held my present office for several years. I knew him personally since my childhood, and he was a great campaigner and a great enthusiast, especially on mental health issues, so it seems appropriate to mention his contribution to the House today, when we are to discuss the Mental Health (Patients in the Community) Bill.

In answer to the hon. Lady, the key question is why her party resisted the GP contract that introduced additional encouragement for screening for cervical cancer. Our strategies have directed help to where it is most needed, and developed practical policies that have achieved change, so that the hon. Lady now has in her constituency not only a cervical screening programme but an effective breast screening programme. Difficulties involving variations in health outcome exist in this country, as in every country. The difference between the Labour party and ourselves is that we have practical policies for addressing and reducing those inequalities.

Mr. Bayley: Does the Secretary of State agree with the British Medical Association that the wealth gap and the health gap are both widening—in its words, as

"the direct, if unintentional, result of policy choices"

by the Government? When will the Government change those policies, which have led, for instance, to the scandal that, in Gateshead, infants are 12 times more likely to die in their first year of life than are infants in the Prime Minister's constituency of Huntingdon?

Mrs. Bottomley: I agree with the BMA that our "The Health of the Nation" strategy is one of the most important initiatives that we have developed in recent years. It has been commended by the World Health Organisation and the Organisation for Economic Co-operation and Development, and as a result of it we can now bring the different Departments together to tackle the task of improving health.

In the same way, we expect local health alliances to form, so that the health authorities and the local authorities can develop practical policies to deliver change. Over the past 10 years, infant mortality rates have fallen from 11 to 6.5 per thousand, and life expectancy at birth has increased from 71.8 to 73.8 years. Those figures have improved, and infant mortality has fallen, for all social groups and in all regions.

Dame Jill Knight: Does my right hon. Friend agree that the biggest and most important link between poverty and ill health is poor housing, and that much—indeed, the overwhelming bulk—of poor housing is administered by local government? If so, how often do she and her colleagues discuss health and housing matters with the Minister for Local Government, Housing and Urban Regeneration?

Mrs. Bottomley: As ever, my hon. Friend has hit the issue precisely. The Labour party talks about equality, but delivers a shambles. It has no practical policies for delivering any of its objectives. We have recently been subjected to the news that it plans a great act of vandalism against precisely the strategic changes in the health service that have enabled us to identify areas of difficulty and to take forward practical policies.

My hon. Friend is absolutely right about the link between housing and health, as she is about many other factors. My hon. Friend the Under-Secretary of State and I frequently meet Housing Ministers to discuss practical ways in which to take policies forward. People would be better served by Labour local authorities who took their stewardship more seriously, and, instead of talking the rhetoric of improving quality, took practical action, as the Conservative party has.

Sir Anthony Grant: When considering cross-regional variations, will my right hon. Friend bear in mind the fact that hospitals such as Addenbrooke's and Papworth are centres of excellence equal to any London hospital, and that they happen to be in one of the fastest growing areas of the country, whereas London is the slowest growing area? On that basis, is she aware that her policy on hospitals is absolutely bang right?

Mrs. Bottomley: I thank my hon. Friend. He is one of a number of extremely distinguished and eminent opinion formers who take the view that the change in London was long overdue, and that, if there has been a problem in London, it has been the inadequate primary care services. That is why our decision, for example, to introduce deprivation payments for GPs in poorer areas, which means that they can get up to £30,000 more, is the right way forward—the practical action to deliver the necessary change.

Mr. Nicholas Brown: I thank the Secretary of State for her tribute to Lord Ennals, which is, of course, both appreciated and echoed by the Opposition.

On the substance of the question, can I ask the Secretary of State whether, in spite of all the evidence to the contrary, it is still her view that the Government should continue to deny the link between poverty and health inequalities?

Mrs. Bottomley: As ever, the Labour party is simplistic in its analysis. Of course income is a factor, and so are heredity, education, housing and unemployment; but our party supports a wealth-creating, job-creating economy, which means that we have below-average, falling unemployment—1,000 fewer on the unemployment registers every day. I suggest that those in the Labour party who are genuinely concerned about the wealth and well-being of the people of this country should applaud a Government who have so singularly successfully improved the standing of our nation and the employment prospects of our people and, in practical terms, substantially improved the health service.

Mrs. Roe: Does my right hon. Friend agree that the health needs of deprived populations are best met by developing the community health services provided by GPs and their teams? Will she confirm that that will remain at the heart of the new NHS?

Mrs. Bottomley: Undoubtedly, the development of and improvements in primary care have been among the most important changes in recent years. That is the first priority in the guidance that we have issued to the service this year.

I think that those who believe in primary care are perplexed that among the many acts of vandalism being prepared by the Labour party is the undermining or destruction of GP fundholding, which has so singularly led to successes and changes in primary care. It should pay more attention to how it can build on the successes, and, above all, make sure that the substantial extra

resources going to local authorities for community care are properly spent and wisely used in the interests of the most vulnerable in the community.

Hospital Trusts

3. **Mr. Denham:** To ask the Secretary of State for Health how many hospital trusts have entered into contractual agreements with health purchasers which set different maximum waiting times for the same clinical procedures. [27713]

The Minister for Health (Mr. Gerald Malone): Under the new patients charter, we have recently introduced a new, 18-month guaranteed maximum wait for in-patient and day case treatment and a first ever standard for wait to first out-patient consultation; all patients should be seen within 26 weeks of being referred by their general practitioner with nine out of 10 being seen within 13 weeks. These are, of course, maximum waiting times and we encourage purchasers to agree contracts which improve on these times for their patients when possible.

Mr. Denham: What does the Minister have to say to my constituents in Southampton who in the past year have had to wait twice as long for cardiac operations at Southampton general hospital as patients from Bournemouth who use the same hospital for the same treatment with the same surgeon? Indeed, what does the Minister have to say to his own constituents who had to wait three times as long as patients from Bournemouth for treatment in Southampton general hospital? Is it not the case that the internal market is forcing hospitals to enter into contracts in which where people live is more important than how ill they are in respect of how fast they are treated?

Mr. Malone: I remind the hon. Gentleman that tougher targets of that sort apply only to non-urgent cases. All treatment is provided within the terms of the 1991 agreement between the Government and clinicians, which clearly indicates that no trust should offer a contract to one purchaser that would disadvantage another. Emergencies should be seen at once and there should be common waiting lists for cases that cannot be seen immediately.

The hon. Gentleman wants to deny better treatment when it is possible under the new system. He could always ask those in his constituency who have waited for more than a year for treatment at Southampton hospital whether they think bringing waiting times down is an improvement for them. He will find it hard to do so, because, under the present system, nobody has been waiting for more than a year at the hospital in his constituency.

Mr. Barry Field: Why did my hon. Friend not tell the hon. Member for Southampton, Itchen (Mr. Denham) about the Isle of Wight hospital trust, which moved its cardiac contract from Southampton, because the service was so awful, to King Edward VII hospital at Midhurst, where we now get a fantastic service? The surgeon concerned made a hell of a row publicly, because he preferred playing golf to getting on and doing the operations.

Mr. Malone: I am sure that my hon. Friend, who always speaks vigorously on behalf of his constituents, will lose no time in reminding them that, under the policies that the right hon. Member for Derby, South (Mrs. Beckett) is preparing, which have been leaked, taking such action would not be possible. The reforms that we have put in place for the new NHS bring better treatment for more people, more flexibility and decisions closer to the patient. Those are precisely the things that the Labour party is trying to destroy.

Ms Jowell: Does the Minister accept that variations in consultant practice may be another reason for different waiting times? Does he consider it acceptable that some consultant surgeons on maximum part-time contracts with the national health service should work three or four half-days a week in the private sector? Has he examined the evidence prepared by his own adviser, John Yates, on this? What action does he propose to take to ensure that consultant surgeon time, paid for by the national health service, is spent treating national health service patients?

Mr. Malone: It is, of course, the Government's policy to pursue over the long term local pay and contracts for the medical profession, which, if I have understood correctly, the Labour party is dead against. I remind the hon. Lady that there are already job plans which have to be agreed between trusts and consultants. A consultant's primary duty is, of course, to his or her NHS contract; that is clearly recognised and understood. The Government, however, very much welcome the fact that any additional work that a consultant may wish to do in the private sector can be done, as long as the balance is right. The Labour party, which continues to carp on about the issue, has brought forward no evidence that the balance is not right in any particular case.

Funding

4. **Mr. Robert Ainsworth:** To ask the Secretary of State for Health what plans she has to ensure equality of funding between district health authorities. [27714]

Mr. Malone: We remain committed to the principle of weighted capitation as being the fairest way in which to achieve equality of funding for health authorities.

Mr. Ainsworth: Despite covering the area with the second highest level of deprivation in the region, Coventry Health receives the lowest level of funding. Why is there not yet a time scale for addressing that issue? How on earth do those facts stack with what Ministers continually say about applying money where it is needed? Is it not the case that the Conservatives are loth to remove money from more affluent areas where the needs are not as great? That is the real issue.

Mr. Malone: Certainly not. If the hon. Gentleman looked at his own figures, he would see that, during the past year, Coventry Health moved from minus 3.5 per cent. below target to minus 2.2 per cent. That involved a cash increase of £7 million being spent within the hon. Gentleman's health authority.

A number of points have to be borne in mind. As one moves towards targets, it is extremely important not to destabilise arrangements that are already in place. If the hon. Gentleman is suggesting that the health service across the country should be destabilised in terms of funding—his right hon. and hon. Friends intend to destabilise it by ripping up the structure that has been put in place—he will find that that opinion is not very popular.

Mr. Wilshire: Does my hon. Friend accept that the over-provision of service in central London results in underfunding in places such as my constituency? Will he

accept the advice of my NHS managers, my consultants, and my GPs, and stand firm on the Department's proposal to rationalise services in central London?

Mr. Malone: I can certainly assure my hon. Friend of that point. I reiterate that the whole purpose of weighted capitation payments is to ensure that there is fairness not just between London and the rest of the country, but across the rest of the country as a whole.

Mr. Janner: When looking at funding, will the Minister be kind enough to remember the representations made to him just now by his hon. Friend the Member for Blaby (Mr. Robathan), who pointed out the grave concern of people in the Trent area in general, and in Leicestershire in particular, about the difficulty of getting hospital beds at all? A number of people have been dying before they manage to get into hospital or because of delays, an example being my constituent, Mrs. Lillian Wilkinson.

As yesterday marked 25 years of my service to my constituency, will the Minister be good enough to have a special look at the problems of the city of Leicester and its hospitals? Will he try to do what his hon. Friend the Member for Blaby asked him to do, and what Leicestershire Members of all parties wish him to do, which is to bring some hope and help to people in the area?

Mr. Malone: I congratulate the hon. and learned Gentleman on 25 years of representing his constituents, of which I was unaware. The sounds of rejoicing had not quite reached my ears at Westminster, but I am sure that, locally, they are loud indeed.

Allocating resources fairly across the country is the principal objective of policy, but we also have mechanisms whereby local purchasers, be they health authorities or GP fundholders, can ensure that there is proper provision by directing funds at a local level and causing investment to take place. That is exactly what is happening across the health service, and it would be destroyed by the policies of the right hon. and learned Gentleman's party.

Regional Health Authorities

5. **Mr. David Shaw:** To ask the Secretary of State for Health how much money she estimates will be saved from the abolition of regional health authorities. [27715]

Mrs. Virginia Bottomley: By 1997-98, total annual savings from the abolition of regional health authorities are expected to be around £100 million. Those substantial savings will be retained by the national health service and reinvested in patient care.

Mr. Shaw: Will my right hon. Friend confirm that that £100 million would be lost if Labour were ever to implement its policies on the reforms of the national health service? Is it not true that the reforms in the NHS to date have helped my constituents immensely? Are not more in-patient and out-patient cases being treated, and are there not seven new consultants in the South-East Kent health trust?

Mrs. Bottomley: My hon. Friend is correct in saying that the Labour party proposals would simply increase levels of bureaucracy, with no possible benefit to patients. My hon. Friend has seen the way in which improvements have taken place in his constituency, as they have throughout the country, with extra consultants, falling waiting times and improved services. The Labour party simply offers promises to its trade unions, and nothing for patients.

Mrs. Mahon: Will the Secretary of State ensure that some of that money is earmarked for the Halifax district hospital? We have been waiting for it to be built for 20 years. Will she also stop the Calderdale trust from closing down the purpose-built Northowram hospital until the new hospital is built? Can she give a date on which construction will start?

Mrs. Bottomley: I know that the hon. Lady will greatly appreciate the fact that, on average, the Government have been able to open one £1 million capital project every week that we have been in office. There has been an unprecedented sustained programme of investment in the national health service. She will understand that changing medicine and changing therapeutic styles inevitably mean a changing structure in the health service in this country, as it is changing in every country in the world. Only the Labour party, with its luddite habits and its resistance to change, would pay the price of failing to give patients the best possible health care. We will continue to make progress as soon as we can.

Mr. Rowe: Will my right hon. Friend take courage from the success of this first assault on the multi-level bureaucracy of the national health service? As the NHS trusts grow in confidence and competence, will she assure the House that she will give them more freedom and less overweening bureaucracy from the top?

Mrs. Bottomley: I can indeed give that assurance. The freedoms of NHS trusts are part of the reason why they have been able to develop more responsive and better quality care for their patients, and not least why they have been able to design the pay structures of staff who work within them. The Labour party's research expenses are funded by Unison, yet Unison is demanding a payback on those research costs by requiring the Labour party only ever to take forward policies that would increase bureaucracy and undermine benefits for patients. We are keeping a book. Every commitment made by the Labour party reduces service and increases costs. Only the union paymasters benefit.

Mr. Alex Carlile: Bearing in mind the fact that GPs are now working an average of 62 hours a week, will the Minister consider committing some of the savings of which she has spoken to the six essential points which need to be met to solve the GPs' out-of-hours problem? In particular, and before the GPs meet tomorrow, will she consider telling them that she is prepared to use some of those savings to deal with the issues of valuing work load, valuing the work done by GPs, and the patient education needed to reduce out-of-hours calls?

Mrs. Bottomley: In my view, there are many areas for discussion with GPs. A work programme which looked at the work load of GPs was submitted to the review body, and it revealed that, although their work had increased by about 2 per cent., pay had increased by about 8 per cent. in the years considered. We have not only met the review body recommendations in full, but have agreed to a number of mechanisms to help GPs share the load of out-of-hours cover.

In addition, we have put on the table £45 million to help with the development of co-operatives. We want a constructive outcome, and we believe that there are many areas for discussion with GPs, which I hope will continue—not least their fair comments about encouraging the public to use their services responsibly and not to call them out inappropriately.

Capital Project Schemes

7. **Dr. Spink:** To ask the Secretary of State for Health how many capital project schemes costing over £1 million are currently under construction; and how many are in the pipeline. [27717]

The Parliamentary Under-Secretary of State for Health (Mr. Tom Sackville): There are a 112 building schemes in progress with a construction cost of over £1 million, with a further 75 in the pipeline.

Dr. Spink: Does my hon. Friend recall the media criticism of the decision to close the 400-bed unit at Rochford, even though it was based in an old workhouse and could not serve patients' needs effectively? Will he join me in welcoming the new 400-bed unit at Southend trust hospital? It has replaced that old workhouse unit and will serve many more patients, and serve them much better than the old unit. Will he fight the perverse antediluvian tendencies of the Opposition, who seek to resist all sound change we want to make in order to invest in the future of our national health service?

Mr. Sackville: I certainly agree with my hon. Friend that his constituents will receive better health services in modern surroundings at the Southend hospital. The Opposition's constant carping and criticism of any closure is always accompanied by the construction of excellent new facilities elsewhere.

Mr. Betts: How many of the projects are now stuck in the private finance initiative assessment process? What is the average delay while projects are subject to that assessment? Is it true that those delays were responsible for a £200 million underspend in the national health service capital budget in the previous financial year?

Mr. Sackville: The PFI will be a better way of procuring hospitals quicker and more cheaply by using all the skills of the private sector in tandem with those of the NHS.

Hospital Projects

8. **Sir Roger Moate:** To ask the Secretary of State for Health if she will make a statement about capital expenditure on hospital projects in Medway and Swale. [27718]

Mr. Sackville: Some £70 million is being invested in hospital projects in Medway and Swale. I am sure that my hon. Friend will agree that this represents a substantial investment in the health care of his constituents.

Sir Roger Moate: Is my hon. Friend aware that people in north Kent and north Kent Members of Parliament have been battling for years to get that type of investment in our local health service? It is marvellous news that the Government are delivering the next phase of the Medway hospital; that the Sittingbourne hospital is under construction; and that the construction of Sheppey hospital is due to start this year.

Is that not further evidence that the health service under the Government is being sustained and improved as one of the best health services in the world? Would it not make a change for those on the Opposition Benches to welcome such good news instead of adopting a constant carping, critical and negative approach, which undermines confidence in our health service?

Mr. Sackville: Those developments at Medway, Sittingbourne and Sheppey represent a huge number of projects—600 in the past 15 years—and they represent a constant upward trend in the hospital capital programme over that time. In fact, last year, that programme reached a record of £1.8 billion. Although I would be the last person to try to make political capital out of that, I must point out to the House that the late 70s was the only time when that trend was reversed, when the so-called Treasury team of the Labour Government drove this country to the moneylenders, and their first instinct was to slash the hospital capital programme. That is some commitment to health from a Government of which the right hon. Member for Derby, South (Mrs. Beckett) was a member.

St. Bartholomew's Hospital

9. **Mrs. Gorman:** To ask the Secretary of State for Health what proposals she has to allow St. Bartholomew's to continue as a private hospital. [27719]

Mr. Malone: Local health authorities and trusts are discussing the possibility of continuing health care at the St. Bartholomew's site with the Corporation of London. In addition, my right hon. Friend has asked Sir Ronald Grierson to chair a task force to look at practical options for the future use of the Smithfield site. The outcome of that work is awaited.

Mrs. Gorman: Does my hon. Friend agree that Bart's is to the medical world what Harrods is to retailing in the private sector—that is to say, it is a famous institution which can attract masses of spending to London from abroad? The tens of thousands of alumni of that hospital who are practising abroad would send their clients to a well-known public service hospital if it were not for the prejudice which the Opposition have about pay beds, which has prevented many hospitals from developing what could be a lucrative income to supplement their national health service work. Is it not a great shame that we are not doing more to encourage money that is spent in private hospitals to be spent in that area of the public sector?

Mr. Malone: My hon. Friend will be pleased to hear me confirm that it is the Government's intention to promote and to try to ensure a mixed economy for health, as that is important. My hon. Friend makes her point forcibly, but the reputation of any trust depends on its clinical excellence. The purpose of the change and consolidation at the trust to which we are referring is to promote clinical excellence. I am sure that Bart's reputation will be maintained and that the alumni will take good note of that.

Mrs. Beckett: Is the Minister aware that Bart's received more nominations from the public for a charter mark award than any other institution? Does he think that that might be due to the fact that, in all its history, Bart's has never had private beds and has never treated private patients? Is it not typical of the direction of health care under this Government, and the ultimate comment and

obscenity of their policy, that Conservative Members should be advocating the closure of Bart's as an NHS hospital and its opening—after 900 years—as a private institution to treat just a few people?

Mr. Malone: I am glad to see that—probably uniquely among Labour's Front-Bench team—the right hon. Lady's 1970s prejudices are entirely undiminished. Bart's received no nomination from the right hon. Lady when she was asked in a recent interview whether her party's policy would be to save Bart's. All we got was equivocation, and no firm answer. She is in no position to make any suggestion about the future of Bart's.

Sir Patrick Cormack: Reverting to the point made by my hon. Friend the Member for Billericay (Mrs. Gorman), if the Al Fayeds buy Bart's, can they have British citizenship?

Mr. Malone: I am sure that they would seek my hon. Friend's advice.

Brinnington Health Centre

10. **Mr. Bennett:** To ask the Secretary of State for Health what progress is being made in funding an extension to the Brinnington health centre. [27720]

Mr. Sackville: The proposal to develop Brinnington health centre as a primary care resource centre is due for discussion at the North West regional health authority's July meeting. If approved, it will receive the go-ahead at that time.

Mr. Bennett: Will the Minister urge North West region to give sympathetic consideration to the proposals since there have been repeated reports during the past six or seven years about the ill health suffered by many people in Brinnington? The most useful thing that could be done is to make sure that those people have a health centre large enough to enable them to have such facilities as a pain clinic to improve the treatment that they are now receiving.

Mr. Sackville: Yes. This appears to be a worthwhile scheme which offers a great variety of services. Since the hon. Gentleman tabled his question he will have received a letter from the Stockport health commission, in which it mentions that the response to date to the information given to the region has been favourable. I hope very much that the scheme will go ahead, and that it will join another nine modern health centres in the north west, including four at a cost of £6.5 million in various deprived areas around Manchester.

Residential Accommodation

11. **Mr. Clapham:** To ask the Secretary of State for Health what assessment she has made of the implications of removing from local authorities the duty to provide residential accommodation for the elderly; and if she will make a statement. [27721]

Mr. Bowis: There is no such duty. Under the National Assistance Act 1948 the duty is to arrange to provide. Our purpose is to clarify that local authorities may arrange to provide residential care either directly or through contracts with other providers. This matches current practice.

Mr. Clapham: I hear what the Minister says, but is that not contrary to the policy that has been set down in previous White Papers, which suggested that care for the elderly should be based on a mixed economy? Is he aware that in Barnsley, one third of all households contain at least one person who is either elderly or disabled and who requires care? Some 12 per cent. of the adult population of Barnsley are informal carers. If the changes are implemented, will the Minister ensure that resources are made available to deprived areas like Barnsley so that adequate care in the community can be provided?

Mr. Bowis: It is a matter for Barnsley to organise the very real resources that it has obtained from the taxpayer to meet those needs. If our proposals are accepted, no one will compel anyone to do anything; we will just make things possible.

I think that perhaps Barnsley needs some guidance in view of what the Act requires and what a recent judgment suggested might be required. Barnsley provides no residential care for expectant and nursing mothers, for the physically disabled or for the mentally ill. I do not question that, but I think that it might help Barnsley to have the system clarified.

Mr. Sims: Can my hon. Friend confirm that, when an elderly person is assessed as being best cared for in a residential home, it remains the responsibility of the local authority to ensure that that person is suitably placed? Does he agree that elderly people's needs vary greatly and that the private voluntary sector is able to offer a far wider range of accommodation at a more reasonable cost than local authorities have ever been able to provide?

Mr. Bowis: Yes. My hon. Friend is quite right: as local authorities have looked for better quality at a better cost when placing people in residential care, increasingly they have looked to the independent sector. It is also true that individuals who are placed in residential care are choosing that sector as they begin to realise their rights under the statutory direction on choice. The only organisation that stands in the way of that choice is the Labour party, and sometimes the Liberal party, in the local town halls.

Mr. Hinchliffe: In view of the fact that elderly people from the Minister's constituency were in the High Court last month defending their residential accommodation and that elderly and disabled people were in the High Court again last week defending their care services, what steps are the Government taking to address the serious difficulties currently facing vast numbers of users and carers? The Minister's own figures show that, since the care changes, one third of local authorities have been forced to cut home care, half have cut meals on wheels and more people are now entering institutional care. Is it any wonder that there is a total lack of public confidence in the Government's care policies?

Mr. Bowis: No one has required those authorities to cut anything. Some Labour authorities are making a hash of managing their existing resources and they are not exerting the good financial control that is required of them, not just by the Government and the taxpayer, but clearly by the Audit Commission. The Audit Commission has also pointed out that, if local authorities managed their affairs better, half a billion pounds would be available for front-line services. I cannot understand why, if individuals want to choose between the sectors and if the Audit

Commission believes that that is in the best interests of the people who are being placed, the Labour party should reject it because it is the way to ensure good value for money and good services. *[Interruption.]*

Madam Speaker: Order. The House must come to order. It is very difficult to hear those hon. Members whom I have called to speak.

Expenditure (Hospitals)

12. **Mr. Lidington:** To ask the Secretary of State for Health how much public money she plans to spend on hospital building and refurbishment in the current financial year. [27723]

Mrs. Virginia Bottomley: Government capital spending on hospital and community health services is planned to be £1.8 billion in 1995-96, of which some two thirds is expected to be on hospital building and refurbishment. Capital spending stands at 59 per cent. higher in real terms than in 1978-79.

Mr. Lidington: Can my right hon. Friend confirm that that list will include the £23.5 million rebuilding and refurbishment programme for Stoke Mandeville hospital in my constituency, work on which is due to start this December? Will she continue to encourage national health service trusts to work in partnership with the private health sector wherever possible so that private health resources can be added to the very considerable sums already contributed by the taxpayer?

Mrs. Bottomley: I can, indeed, confirm that the Stoke Mandeville project is very much in the main stream. It is a major programme, offering substantial further improvements at a nationally, indeed internationally, famous hospital.

My hon. Friend is absolutely right that the private finance initiative offers substantial further advantages, to extend the capital programme in the NHS. That is another aspect over which the Labour party would cut off its nose to spite its face. It is not prepared to work with the private sector, and would allow patients to suffer to please its union paymasters.

Rev. Martin Smyth: Does the Secretary of State share my concern that we may not be obtaining value for money? Many capital projects are finished over time and over budget.

Mrs. Bottomley: Achieving value for money on capital programmes is fundamental to the good management of the NHS, and I can tell the hon. Gentleman that now, cost overruns and time overruns run to the tune of 7 and 9 per cent. When the Labour party was in power, it was about 30 per cent. It is a further example of substantially improved management in the NHS, from which patients and staff are benefiting.

PRIME MINISTER

Engagements

Q1. **Dr. Lynne Jones:** To ask the Prime Minister if he will list his official engagements for Tuesday 20 June. [27741]

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Dr. Jones: Yesterday the Prime Minister agreed that the public are opposed to Brent Spar being dumped at sea. Today we know that the Government's own scientists also oppose that. Why were their objections overruled? Surely it is now time for the Prime Minister to act to prevent that dangerous dumping.

The Prime Minister: With respect to the hon. Lady, she is a little behind the events of today. The views of a Ministry of Agriculture, Fisheries and Food scientist were completely misreported in this morning's press, and the scientist involved has now issued a statement and appeared on television to clarify the matter. He has made it entirely clear that the concerns expressed in the leaked paper expressly did not apply to deep-sea disposal, which is what is proposed.

Mr. Quentin Davies: Does my right hon. Friend recall Kipling's lines:

"If you can keep your head when all about you
Are losing theirs and blaming it on you"—*[Interruption.]*

Madam Speaker: Order. The House must come to order to hear Mr. Davies.

Mr. Davies: Does my right hon. Friend remember the confusion that was caused when the Bosnian Serbs seized hostages a few weeks ago, when some people even suggested that we should beat a retreat or give in to blackmail? Will my right hon. Friend recognise that the clearsightedness and resolution that he displayed then have saved not only the lives of the hostages, but the credibility of NATO? Will he now take a little credit where it is so obviously deserved?

The Prime Minister: I am grateful to my hon. Friend for his kind remarks and for reminding me of one of Kipling's great poems. I am of course delighted that all of the peacekeepers have now been released, and I take the opportunity to make it clear to the House that no deal whatsoever has been entered into to ensure their release. That would not have been the wish of the House, and no deal at all has been made. We also said that we would hold the Bosnian-Serb leaders personally responsible for their release. I cannot be certain whether that had an impact on their decision, but certainly they were in no doubt whatsoever that, if any harm had come to our hostages, or indeed other United Nations hostages, we would most certainly have held them personally responsible for that harm.

Mr. Blair: Does the Prime Minister recall that, shortly before the Scott inquiry, he said that Parliament had not been misled deliberately or otherwise, and that the guidelines for the sale of arms to Iraq had not been changed after 1985? Is that still the Government's position today?

The Prime Minister: I recall very clearly what I said about that. I also recall that I set up an inquiry by Sir Richard Scott so that he might examine that to determine whether or not he felt that that was correct. That report is in the course of being considered at the moment. I have

made it clear to the right hon. Gentleman that I have no intention of commenting on the substance of that until Sir Richard has reached a final conclusion and has reported.

Mr. Blair: What I was asking the right hon. Gentleman to do was to state the Government's position, not to anticipate the findings of the report. *[Interruption.]* Fair enough, if he says that he has to await the report, then may we have his categoric assurance that if the report does find that Parliament has been misled he will abide by its findings and act upon them?

The Prime Minister: Clearly, the right hon. Gentleman is unaware of the requirement set down clearly in "Questions of Procedure for Ministers". I approved and published that guidance, so it is a matter of open report to the House. I have made it clear in "Questions of Procedure for Ministers" that Ministers who deliberately mislead Parliament should resign, except in exceptional circumstances like a devaluation—the Lord Callaghan example is a case in point. That remains the case.

We are witnessing at the moment a series of quite malicious leaks. I say "malicious" because I believe that they should be seen for what they are. They are intended to blacken Ministers' names before they have responded to a provisional report with which they strongly disagree. I hope that in future people will see these leaks for what they are and will await the final report from Sir Richard Scott.

Mr. Blair: What I am trying to establish is whether the right hon. Gentleman will abide by the findings of the Scott inquiry. I accept that he has said that if Ministers are found to have misled the House deliberately they will resign; but will the right hon. Gentleman abide by the findings of the Scott inquiry on that point? If he does not, and rejects them, that will put the final seal of contempt on a disintegrating Government.

The Prime Minister: I was wondering in which direction the soundbite would go today—now we know what the first two questions were intended to lead up to. I set up Sir Richard Scott's inquiry; I am awaiting the report; I will consider it; and I will make my judgment when I have got it and seen it.

Mr. Raymond S. Robertson: Does my right hon. Friend share the concern of many of my constituents about malpractice in local government? Has he seen the recent independent report on Monklands district council showing that, where the Labour party is in power, it cannot be trusted not to abuse it?

The Prime Minister: Following the right hon. Gentleman's question, my hon. Friend was called at an appropriate moment. On a day when we have heard yet more Labour accusations based on rumours and leaks, here, with this report on Monklands, we have a clear case of how Labour in office runs its own affairs. I have seen the reports on how the council apparently targeted spending for political reasons, on jobs for the boys and jobs for their families. It is no good the Labour party trying to get off the hook; this council is run by Labour councillors. It is not an isolated example: Lambeth council, Birmingham council, Monklands council— *[Interruption.]* My hon. Friends add to the list.

If the right hon. Member for Sedgefield (Mr. Blair) is so concerned about open government, will he say today that he will publish the earlier, secret report held by the Labour party into Monklands council, which the hon. Member for Hamilton (Mr. Robertson) has consistently refused to make public?

Hon. Members: Answer.

Madam Speaker: Order. Sit down.

Mr. Ashdown: Given that the Government are prepared to allow Shell to dump the toxic waste from Brent Spar into the sea, will the Prime Minister tell us how the Government intend to stop the other 50 North sea oil rigs waiting for disposal being similarly disposed of, by dropping them into some vast underwater toxic scrap-metal dump off the coast of Scotland?

The Prime Minister: As the right hon. Gentleman should know, there are a number of international commitments before there can be disposal of any oil-bearing rigs of this sort. We have complied with all the requirements under the Oslo convention, the London convention and the Ospar—Oslo-Paris—convention. In each and every case we shall do precisely the same. No case will be precisely similar, and on each occasion we will make a judgment of what we believe to be the right environmental way to dispose.

Mr. Hayes: Does my right hon. Friend recall the words of an illustrious predecessor, who was a great patriot and a good European, who said that the dogs may bark, but the caravan moves on? Does he take those words to heart? *[Interruption.]*

Madam Speaker: Order. We must hear the answer to this one.

The Prime Minister: I am delighted that my campaign for literacy is bearing fruit in all directions.

Q2. **Mr. John Evans:** To ask the Prime Minister if he will list his official engagements for Tuesday 20 June. [27743]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Evans: Does the Prime Minister agree that President Chirac's cynical resumption of nuclear weapons testing in the Pacific is treating the people of that region with contempt and putting at risk the health of their children and children yet unborn? If the French must have nuclear testing, why cannot they do it in central France?

The Prime Minister: I am not sure whether that will add to the hon. Gentleman's European credentials. The decision on nuclear testing is not an easy one for the French. It is for them and they have made it. The principal objective at the conclusion of the short series of tests is the early conclusion of an indefinite comprehensive test ban treaty. President Chirac has confirmed his commitment to it, we are committed to it and I hope we can achieve it as speedily as possible.

Mr. Gale: Has my right hon. Friend had time to study reports in the press indicating that Opposition spokesmen now have the effrontery to suggest that it was the fault of the Scottish Office for not conducting an inquiry into the Monklands issue that led to the present position? Is it

possible that the Scottish Office might have been unwise to accept assurances from Labour Front-Bench spokesmen that nothing was wrong?

The Prime Minister: I must confess to my hon. Friend that I am not entirely sure of the background, but my right hon. Friend the Secretary of State for Scotland has today written in detail to the hon. Member for Hamilton (Mr. Robertson), asking him to make public all the information that he has and that so far has been kept private. I hope that, in the new spirit of openness, the Labour party will respond immediately and comprehensively to that request.

Q3. **Mr. Tom Clarke:** To ask the Prime Minister if he will list his official engagements for Tuesday 20 June. [27744]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Clarke: Does the Prime Minister agree that discrimination against disabled people is wrong? *[Interruption.]* The House and the country will note that the Conservative party does not seem interested in the concerns of 10,000 of my constituents. *[Interruption.]*

Madam Speaker: Order. *[Interruption.]* Mr. Shaw. Order now. *[Interruption.]* Order. I shall have silence in the House when Members are asking questions. I call Mr. Clarke.

Mr. Clarke: Does the Prime Minister agree that discrimination against disabled people is wrong, whatever its nature and origin? If he does, will he join me in congratulating the House of Lords on extending the provisions of the Disability Discrimination Bill by a majority of two to one, so that any discrimination against disabled people, whatever its origins, will be seen as unfair, unjustified and rightly unlawful?

The Prime Minister: I have always opposed discrimination in all its forms and the Disability Discrimination Bill sent by this House to the other place, promoted by this Government, is the greatest single advance in disability legislation that we have seen for a long time—perhaps the greatest single advance on any occasion. I hope that the hon. Gentleman will accept that that is the case, for he knows it to be so. If he is concerned about discrimination, he might also be concerned that people ought not to discriminate in favour of their relatives on his local council. *[Interruption.]*

Madam Speaker: Order. There is no injury time.

Mrs. Roe: Does my right hon. Friend agree that the abolition of independent funding and management of grant-maintained schools destroys the whole notion of grant-maintained status, and that no amount of words from Labour Members will be able to hide their instinctive hostility towards grant-maintained schools?

The Prime Minister: I do find myself a very strong advocate of grant-maintained schools. I understand that the Labour party now wishes to channel grant-maintained funds through local education authorities, allowing the political opponents of grant-maintained schools to control the purse strings. It also seems to be prepared to stuff the grant-maintained schools' boards of governors with Labour party leaders from the local councils. So much for its professed concern about quangocracy. When it suits it, that is precisely what it will do. Having preached one thing, it practises another. It pretends that it favours grant-maintained schools with strings but, in reality, it is a string that will break the neck of the grant-maintained system.

NEW MEMBER

The following Member took and subscribed the Oath: Robert Law McCartney Esq., for North Down.

Determinate Sentences for Murder

3.32 pm

Mr. Gary Waller (Keighley): I beg to move,

That leave be given to bring in a Bill to abolish the mandatory life sentence in respect of convictions for murder and to confer on courts the power to impose determinate sentences while retaining the power to impose sentences of imprisonment for life.

We all like to believe that the British system of justice is the fairest in the world; that every accused person is assured of a fair trial and a fairly administered sentence. Yet I would like the House to compare that model with the following statement:

"The judges at present are having to pass a sentence which in many cases is patently inappropriate and does not mean what it says. That does nothing to enhance the authority of the law. Nor does it allow them to carry out their proper, albeit difficult function, namely to pass a sentence appropriate to the crime and to the criminal, whilst at the same time, as far as possible, protecting the public."

That was the conclusion reached by the Committee on the Penalty for Homicide, chaired by the former Lord Chief Justice, Lord Lane, and his words have been entirely endorsed by the present Lord Chief Justice, Lord Taylor, giving evidence recently to the Select Committee on Home Affairs. They were both referring to the mandatory life sentence now condemned by nearly all the Appeal Court judges as inappropriate and unjust. Another severe critic is the former Master of the Rolls, Lord Donaldson.

My Bill seeks to abolish the mandatory life sentence, but to retain the availability of life imprisonment as a penalty, where it is necessary, especially in the interest of protecting the public or because of the seriousness of the crime. In many of those cases, life would genuinely mean life. Far from going soft on murder, my Bill would ensure that life imprisonment was taken to mark the utmost horror and gravity with which society regards some truly dreadful crimes.

The present mandatory life sentence is justified by some on the basis that it differentiates a unique crime. Homicide is a unique crime, in a sense, but there must be many cases of manslaughter that are devised essentially to avoid the mandatory life sentence that would inevitably follow a conviction for murder.

There can surely be nobody in the House who thinks that all those who are convicted of murder are equally culpable, whether they be on the one hand a moors murderer, or on the other a loving husband convicted of the mercy killing of his wife; on the one hand the bank robber who in cold blood shoots a police officer in trying to make good his escape, or on the other Private Lee Clegg. Lord Ackner has described as "rubbish" the suggestion that all murders are equally wicked, and he is right.

In requiring judges to pass a sentence of life imprisonment in all cases, we not only devalue what should be the true meaning of a life sentence, but we bring about quite perverse outcomes. Even if the convicted person is released relatively soon, as in the case of a so-called "mercy killing" and perhaps Private Lee Clegg, he will be released only on licence and must live the rest of his life knowing that he may be recalled to prison at any time at the behest of the Home Secretary.

Among those who most detest the concept of the life sentence are many of the families of victims, and some of the organisations that represent them. In the case of a determinate sentence, they would know, because the decision would be announced in open court, that the person responsible for the death of their loved one had been sent to prison, perhaps for a very long time. A life sentence today, however, is a meaningless concept and leaves open the possibility, as the brother of a murder victim complained on the BBC radio programme "Face the Facts", that the killer will soon be free to walk the streets of the neighbourhood as a result of an Executive decision.

In other cases, the relatives are cheated of a murder conviction because a verdict of manslaughter is substituted, perhaps on grounds of provocation, essentially because it enables a determinate sentence to be imposed in cases where a mandatory life sentence does not seem appropriate.

Some hon. Members may recall that the previous Bill that I introduced in the House sought to reinforce the opposition of the House of Lords Select Committee on Medical Ethnics to the introduction of euthanasia in this country. The mandatory life sentence for murder is of assistance to the pro-euthanasia lobby, because the public think it manifestly unfair that a relative or friend responsible for a mercy killing—someone for whom we should all surely have the maximum sympathy—is charged with a crime that is bound to carry a penalty of life imprisonment. Yet if the judge had the power to pass a minimum sentence, to show that justice can be tempered with mercy, I think that everyone would rightly applaud. Thus it was that, among many other proposals that I support, the House of Lords Select Committee on Medical Ethics also recommended the introduction of determinate sentences for murder.

Determinate sentences would also enable the courts to deal more fairly with those who kill following a prolonged period of abuse over many years—what one might call the "Brookside" factor, which is well known to followers of the Channel 4 soap.

It used to be argued that discretion had to be left to the Home Secretary because judges sometimes passed unduly lenient sentences, but now, of course, the Attorney-General has the power to refer a case to the Court of Appeal if the sentence is considered unduly lenient. That would obviously be a vital safeguard in cases of murder, where public interest is often very great.

One of the criteria whereby I judge the existence of genuine civil liberties in a state is the separation of judicial and Executive powers. Justice should be done in open court, not by Ministers. Justice behind closed doors may or may not be justice denied; we just have no way of knowing. An example that highlights that defect is the case of Mohammed Riaz and Abdul Quayum Raja. Those men, Kashmiri separatists, were convicted of the murder of an Indian diplomat—a truly awful crime that came about as a result of a kidnapping that went wrong. The principal killers were never apprehended. Riaz was implicated as a captor of the victim, and that was sufficient for him to be charged and convicted of murder, although he was not present when the act was committed. After passing a sentence of life imprisonment, the trial judge recommended to the then Home Secretary that Riaz be released after no more than 10 years at the outside. Account should be taken of the fact that he had been brought into the conspiracy at a late stage. He was, the judge stated on the basis of the evidence, unlucky to find himself in his present position.

Although he had not seen the defendant in court, the Lord Chief Justice recommended to the Home Secretary that the tariff—the term fixed in the Home Office—

should be increased to 16 years. Initially, the Home Secretary did not reveal what tariff had been set, but, when required to do so as a result of a landmark court decision, he stated that he had set a tariff of 20 years—double that recommended by the trial judge.

Many people of Kashmiri origin are resident in this country. What must they think of a sentence passed in such a case, not by a court but by a politician? Might they not think, as many evidently do, that the Home Secretary's agenda incorporated a wish to satisfy the Government of India—a country with immense trade potential? No one can refute that argument, for the simple reason that the decision was made in private by the Executive power of this country.

I suspect that, if sentences in some third-world country were imposed not by judges but by Cabinet Ministers, there would be many signatures to an all-party early-day motion and many letters would be on their way from the House to the ambassador concerned. Should we not seek to put our own house in order, too?

The mandatory life sentence creates anomalies. It undervalues the seriousness with which we should consider the most dreadful murders, while subjecting those who deserve some sympathy to a perverse punishment. It leaves the country open to challenge in international courts. It undermines our argument that a free, unfettered judicial system is intrinsic to any liberal democracy.

The mandatory life sentence does the opposite of what it sets out to achieve, and it should go.

Question put and agreed to.

Bill ordered to be brought in by Mr. Gary Waller, Mr. Alex Carlile, Mr. Alan Howarth, Mr. Gerald Kaufman, Ms Liz Lynne, Mr. Max Madden and Sir Keith Speed.

DETERMINATE SENTENCES FOR MURDER

Mr. Gary Waller accordingly presented a Bill to abolish the mandatory life sentence in respect of convictions for murder and to confer on courts the power to impose determinate sentences while retaining the power to impose sentences of imprisonment for life: And the same was read the First time; and ordered to be read a Second time upon Friday 14 July and to be printed. [Bill 140.]

Points of Order

3.42 pm

Mr. Raymond S. Robertson (Aberdeen, South): On a point of order, Madam Speaker. Have you received an application for a private notice question from either the hon. Member for Monklands, West (Mr. Clarke) or the hon. Member for Monklands, East (Mrs. Liddell)?

Madam Speaker: Order. I do not divulge what applications come my way. That is not a point of order.

Mr. Oliver Heald (Hertfordshire, North): On a point of order, Madam Speaker. This morning's edition of *The Scotsman* reports that council officials in Monklands say that the practices there—or, rather, malpractices—are widespread in Scottish local government. Have you—

Madam Speaker: Order. What has that to do with me?

Mr. Heald: The Nolan inquiry, Madam Speaker, was set up to look into standards in public life. Would it be in order for the Nolan committee to widen its inquiry to take account of the malpractices—

Madam Speaker: Order. The Nolan committee is nothing to do with me.

Orders of the Day

Mental Health (Patients in the Community) Bill *[Lords]*

Order for Second Reading read.

Madam Speaker: I have selected the amendment in the name of the Leader of the Opposition.

3.43 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Bowis): I beg to move, That the Bill be now read a Second time.

We have in our keeping the welfare of people who are ill. It is never an easy task, but when the illness is of the mind, it is one of the most difficult areas of policy and practice to get right. Mental illness is often invisible and unpredictable; it can come upon us suddenly, without warning, or steadily over a period of deteriorating months and years. It can usually be managed and can often be cured, but it strikes fear into the hearts of some and many see it as a stigma.

Our aim in the Bill is to improve the care of that small number of severely mentally ill people sometimes characterised by the term "revolving door"—people who need additional supervision of their care if they are to live successfully in community settings. We must keep their needs at the forefront of our minds. Alongside that, we must never forget our obligation to reassure the public as a whole that such supervised care will be effective, because without public confidence and support, mental health policy cannot function in the interests of patients. It is a chicken-and-egg scenario—the egg of mental health policy and the chicken of supportive public opinion.

The Bill is not and must not be seen as an isolated measure, but it is a key component in a coherent and comprehensive strategy by which we seek to address all aspects of the needs of mentally ill people, their families and communities.

Mr. Dafydd Wigley (Caernarfon): The Minister says that the Government's approach is comprehensive. I see nothing in the Bill that addresses the real difficulty that is faced by many people suffering from mental illness in getting adequate services from general practitioners within their communities. Many GPs have not been trained to deal with some of the more complicated aspects of mental illness. How does that aspect fit into the legislation?

Mr. Bowis: It fits in very well. The hon. Gentleman is right to raise the matter, not in terms of the wording of the Bill, but in terms of how it will operate. Perhaps we can discuss that in Committee, because we shall want to make sure that the issue that he mentions is included in the guidance that will accompany the Bill when, we hope, it receives the support of Parliament and Royal Assent. We shall ensure that such care is covered.

Dame Elaine Kellett-Bowman (Lancaster): I assure my hon. Friend that GPs in my constituency, which has a long tradition of caring for people in the community and was the first to initiate 24-hour nursing care, are very well trained to look after people who have been discharged from our local hospital.

Mr. Bowis: My hon. Friend is right to highlight the good work that is carried out by many general practitioners and community nurses and others, particularly community health nurses, who work with people with mental illness and with the severely mentally ill whom we are debating today. That is not to say that any of us should underestimate the need to improve co-operation among general practitioners and between all the agencies and professionals whom we seek to include in our care programme approach as we look after people in the community.

Dr. Norman A. Godman (Greenock and Port Glasgow): I should like to ask about children. Are the Scottish measures in the Bill compatible with those in the Children (Scotland) Bill? One of the concerns that has been raised with me is that, through this legislation, doctors and social workers would be able to apply to a sheriff to secure control of a child without having to refer to a children's hearing. Is that right? If it is, it would be a disgraceful state of affairs. I see that the Minister is getting advice.

Mr. Bowis: I am not getting advice at the moment. I shall return to the matter that the hon. Gentleman raises. It is the sort of issue that we might debate in Committee, and perhaps the hon. Gentleman is volunteering to join in that debate. When one drafts legislation, one takes account of all the needs of other legislation and of other family members. Although on the whole we are debating adults with severe mental illness, children in families may also need our protection. I certainly take the hon. Gentleman's point.

The Bill is a Great Britain measure, which amends both the Mental Health Act 1983 for England and Wales and the Mental Health (Scotland) Act 1984. The most important of its provisions, on which I intend to concentrate in my opening speech, are those to introduce the new power of supervised discharge, which in the Bill is called "after-care under supervision" for England and Wales, and the broadly equivalent "community care orders" for Scotland. The other provisions deal with leave of absence for detained patients and the return of those who are absent without leave.

The words "Patients in the Community" in the Bill's title precisely reflect the way in which the emphasis on the care of mentally ill people has shifted over the past 30 years. There is now a quite different landscape from the one that was characterised so vividly by Enoch Powell in his description of the old, isolated mental hospitals. The change to a service that concentrates on helping people to maintain or resume life in their own homes has, overwhelmingly, been for the better. No one who knows what the old days were like would really want to go back to them. We have promoted the new approach vigorously, both by the increased resources that we have devoted to it and by the initiatives that we have taken to develop it as a policy. In 1979, we were spending on mental illness services provided by hospital, community health and social services some £450 million. In 1992-93, the latest year for which we have full figures, that had risen to £2,350 million, a real terms increase of £1 billion.

Let me make it absolutely clear that the trend to community-based services does not mean that no mentally ill people should ever be in hospital. Many will need access to hospital services, some will need long-term in-patient care and some will need secure care. We need the right balance between hospital and community-based services, and between care and control on the one hand and respect for civil liberties on the other.

When my right hon. Friend the Secretary of State for Health, who has probably done more for the interests of people with mental health problems than any of her predecessors—and we should pay tribute to that—announced her review of the present legal powers, she expressed a concern shared by many people that in some respects those elements may have got a bit out of balance, or, to put it another way, that the pendulum may have swung too far in favour of civil liberties and away from care and control.

As a society, we certainly owe a duty to mentally ill people to protect both them and other people from the harm that their illness may cause, and to ensure that each person's quality of life is enhanced by the right balance and blend of asylum and independent living that is appropriate in his or her case. If we are to make a success of care in the community, we must ensure that the community has confidence that the balance and blend are right. That means ensuring that both mentally ill people and other people are properly protected from the risks that they may present.

The tragic cases that have occurred concern us not only because of the failing that they represent in the services for the person who is ill, but because of the damage that they do to public confidence. As a matter of actual fact, the public are not now at greater risk from mentally ill people than they were in the past; indeed, the number of mentally disordered people convicted of homicide under the Homicide Act 1957 has fallen significantly in the past 20 years. Nevertheless, our ability to manage successfully patients who present the greatest potential risk both to themselves and to other people is crucial, both as a test of the effectiveness of the policy and in ensuring that public confidence is maintained.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I agree with the Minister that no responsible Government can ignore the Silcock and Clunis tragedies; they were indeed tragedies that had to be urgently addressed. However, he is saying that the whole approach to dealing with mental illness has changed, and rightly so, since the introduction of community care. Does he accept, however, that the 1983 and 1984 Acts to which he referred were cast at a time when treatment was undertaken on a wholly different basis? Does he not therefore think that it is right that the Department, as well as dealing with some of the short-term, immediate problems, should be considering in a fundamental manner the way in which we cast the legislative framework within which mental illness is treated?

Mr. Bowis: The hon. Gentleman has a point and it has been made to us by many, not least the Mental Health Act Commission. I and my right hon. Friend have thought about that point deeply and we have said clearly—as I told a conference held with the Law Society on the Act—that we have an entirely open mind on the need to review the Act as a whole. I say that genuinely. The time is coming when we shall need to consider the Act to ensure, as the hon. Gentleman rightly says, that the environment and times in which we live, work and help mentally ill people are still as relevant to that legislation, and that that legislation is as relevant to our current practice, as we would like. We shall think hard about when the time is right for a wider review. Meanwhile, it was right that we should come through with our policies and strategy for the 10-point plan and the Bill, and that we should get them bedded in; then we can see how we should progress further.

Central to our policy is a clearly defined relationship between the community and hospital services. Under the care programme approach, to which my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) referred, and which we started to introduce in 1991 for all patients receiving care from specialist psychiatric services in the community, mental health service providers must co-operate with local social services departments to deliver a package of care to meet the individual needs of severely mentally ill people. Every patient covered by the care programme approach must have a named key worker, and we have given increasing attention to ensuring that services are properly managed and organised and that legal powers are properly understood and applied. However, the cases to which I referred highlighted a need for more effective legal powers in some cases.

Many of the issues were brought to a head by events in the early part of 1993. Even before the subject started to hit the headlines, my right hon. Friend the Secretary of State had made clear her concern about the need for new legal powers. Indeed, by chance an account of her views was published the day before the incident involving the patient in the lions' cage.

My right hon. Friend was not alone in identifying that need. The review of legal powers governing the care of mentally ill people in the community, which she announced in January 1993, took as its starting point the proposals for community supervision orders that had just been published by the Royal College of Psychiatrists, having been developed by a college working party under the distinguished chairmanship of Professor Bluglass.

However, our proposals for supervised discharge involve some significant modifications to the approach that the college proposed. In the first place, supervised discharge gives legal backing to the key features of the care programme approach, including both the power to supervise a patient and the reciprocal obligation on the national health service and local authorities to provide the after-care services that the patient needs.

Secondly, the review team had to consider the impact of the European convention on human rights, and that led it to propose an approach different from that of the college for dealing with the case of a patient who refuses to accept supervision in the community. That also reflected the consideration of the college's proposals by the Select Committee on Health, which concluded that

"the notion at the core of the College's proposals that a patient could consent in advance to compulsory treatment raises so many legal ethical, philosophical and logical complications as to be unworkable".

When the college responded to our proposals, it was content to go along with the changes that we had made to its original approach.

The review team's proposals for supervised discharge were published in August 1993 as part of my right hon. Friend's 10-point plan—a plan that I am glad to say has now largely been implemented. Soon after the review report, we published the revised Mental Health Act code of practice, which cleared up a serious misunderstanding that had developed about the criteria for admitting someone to hospital under the Act, and had led some professionals to interpret them too narrowly. Last year, we issued firmer guidance to ensure that patients are discharged from hospital only when it is safe for that to be done, and when proper arrangements have been made for their after-care.

[Mr. Bowis]

We launched a training initiative for key workers, and we shall soon publish the clinical standards advisory group's report on schizophrenia. We also instituted a special study by the mental health task force of problems affecting the services for several mentally ill people in London, with a follow-up report.

In preparation for the Bill, we consulted widely on the proposals, and in the responses that we received, support for the principle of the new power substantially outweighed opposition to it. I am sure that that will be one of the key issues for debate as the Bill goes through the House, but I believe that we have got the balance right.

The Bill benefited greatly from the constructive cross-party scrutiny that it received in another place. We were grateful to the occupants of the Labour and Liberal Front Benches, and to the many noble Lords from all parties and from none who contributed. I am pleased that we could accept the principles of several of the amendments moved by, among others, my noble Friends Lord Mottistone and Lord Campbell of Croy and by Lord Carter, Lord Carmichael, the Earl of Mar and Kellie and Baroness Jay.

Those amendments covered important matters, such as the requirement to consult a patient's nearest relative, the qualifications of the doctor who is to act as the responsible medical officer in the community, and the duty to give written information to a patient about both the effect of after-care under supervision and his appeal rights. I believe that those changes have significantly improved what was already a good Bill, and we are grateful for the help that we received from all sides.

I hope that we can look forward to a similarly constructive scrutiny of the Bill in this House, but I must confess that I am somewhat disappointed by the position that the Labour party appears to intend to adopt. It seems that Labour will not offer the Bill its support. Indeed, it has tabled an amendment that demonstrates its lack of alternative proposals. I notice that Labour has even deleted references to new resources from the original text of its amendment. I would like to take this opportunity to remind Labour Members of the description of the Bill at different stages in the proceedings in another place by their noble Friend Baroness Jay, as both necessary and useful, and of Baroness Farrington, who gave her support to the Bill's principles and the important issues that it seeks to tackle.

If I really wanted to look for support from the Opposition in another place, I would look to the Liberals' noble Friend Earl Russell who, on Third Reading, said:

"I can recognise a good government Bill when I see it."—[*Official Report, House of Lords*, 11 May 1995; Vol. 564, c. 195.]

We are happy to receive those accolades.

I refer, as my right hon. Friend the Secretary of State did at Health questions, to the missing face in our discussions, Lord David Ennals. I always enjoyed his company and discussing and debating with him. Sometimes we agreed; often we did not. Sometimes he was mischievous; he was always forgivable. We shall miss his robust contributions to this Bill, as we shall to many others.

We have continued to develop our approach in the light of experience and new developments. We have in particular taken very full account of the recommendations of the inquiry into the treatment and care of Christopher Clunis, which was chaired by Miss Jean Ritchie, QC; and of the lessons learned from the Robinson inquiry, chaired by Sir Louis Blom-Cooper, QC.

As a direct response to one of the main recommendations of the Ritchie inquiry, we have prepared a comprehensive inter-agency guide for purchasers concerned with the care of severely mentally ill people and we shall issue that shortly, after wide consultation.

I shall now refer to the main thrust of the Bill, dealing first with the England and Wales provisions. Clause 1 introduces the new power of supervised discharge. Some 20 patients might be eligible for a supervised discharge in the average health district at any one time. The new provisions formalise the supervision in the community of previously detained patients so that they receive after-care in line with the care programme approach. There will be full consultation with all concerned, a written care plan, and a requirement to undertake regular reviews of the patient's needs and the services being provided.

Supervised discharge will be available for patients who are suffering from a mental disorder as described in the 1983 Act and who no longer need to be detained, but who could present a substantial risk of serious harm to themselves or to other people if they did not receive the after-care services they need. The patient's responsible medical officer—the RMO—will make a supervision application to the health authority, supported by recommendations from another doctor and an approved social worker. Before doing so, the RMO must consult the patient and any informal carer, as well as the professional care teams in hospital and the community. Unless the patient objects, the RMO must also consult the patient's nearest relative.

Before accepting the supervision application, the health authority is required to consult the local authority that is jointly responsible for providing after-care services under the existing section 117. When the application is accepted, all those who have been consulted about it must be informed and the patient told in writing of his right of appeal to a mental health review tribunal.

The patient's medical care in the community then becomes the responsibility of a designated community responsible medical officer, who must be approved under section 12 of the 1983 Act as having special experience in the diagnosis or treatment of mental disorder. To supervise the patient's receipt of the after-care services, a supervisor will have been nominated, who is likely to be the patient's key worker under the care programme approach and usually a community mental health nurse.

Clause 1 also defines requirements that the section 117 bodies may impose on the patient: to live at a specified place and to attend specified locations at specified times for medical treatment or rehabilitation services. They may require the supervisor to be given access to the patient where he or she is living. To back up those requirements, the Bill provides a power to convey the patient to a place where he or she is required to live or attend. That is essentially an emergency or fall-back measure for patients temporarily or uncharacteristically unwilling or unable to comply with their care plan requirements.

The power cannot be used to require the patient to accept medication in the community, and compulsory medication is no part of the Bill's provisions. I know that that is something that some, including the British Medical

Association, would like, but we are advised that it would risk being in breach of our human rights convention obligations, as well as being opposed by substantial bodies of medical opinion.

Mr. Nicholas Brown (Newcastle upon Tyne, East): One of the principal causes for concern about the Bill is the way in which the power to convey will work in practice and, indeed, what the purpose of that power is. Once the patient—presumably with a degree of reluctance—has been conveyed to the appointed place, could the Minister say what it is intended will happen next?

Mr. Bowis: I can make that clear. The purpose is that the patient can continue, with his wholehearted consent, with the care programme. As I said, that power will apply in cases where the patient, temporarily or uncharacteristically, is unwilling or unable to comply. The power to convey is nothing new; it is in the Mental Health Act 1983, as the hon. Gentleman knows. If the patient has been conveyed and is still unwilling to comply with the care plan, it is likely that he is coming to the point at which his case will need to be assessed in terms of whether the care plan is appropriate, whether supervised discharge is appropriate or whether the plan needs to be amended or revised. If it is not working, it may be that the person needs to be considered for return to hospital.

Mr. Brown: If the patient's case needed to be reassessed, would not that process happen anyway? Why is the power to convey necessary to act as a trigger? Is not it likely that somebody who has been compulsorily conveyed will not be very willing to take part in whatever is intended at the other end of the journey—*[Interruption.]*

Madam Speaker: Would the Attendant kindly remove the bleeper from the Chamber?

Mr. Bowis: I do not think that the hon. Member for Newcastle upon Tyne, East (Mr. Brown) was asking about absent friends. We are all, not least the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), grateful that it—[HON. MEMBERS: "A pacemaker?"]—whatever it is, has been removed.

The question is how we strengthen the supervision of the patient in the community; that is what it is all about. If we strengthen, a little, the arm of the supervisors so that they have the power to convey if a patient is temporarily reluctant, by the time he has reached the destination for treatment, employment, education or whatever, it is likely that he will have recovered his feelings about the programme and will go forward with it. If the power to convey does not work, there is a case for reassessing the patient and the supervised discharge. If it does work, it is an additional strengthening, which is helpful.

Mr. Jim Lester (Broxtowe): I regard the Mental Health Act 1983 as one of the most fundamental pieces of legislation in which I have been involved, and I would not want to see it damaged. I remember that during the discussions on that Act, the principal problem was considered to be with schizophrenics. I understand from what my hon. Friend has said that the power to convey is mid-way between being in the community and having to be sectioned again; it is a halfway house. I have schizophrenic constituents who have decided that they are not mentally ill any more and who, rather than taking the medication, prefer to go to the pub and drink, which makes them more aggressive. The power to convey is a middle way, whereby the care assistant can work with patients to get them back on to medication rather than sectioning them and thus taking them back into full-time care.

Mr. Bowis: That is absolutely right and I am grateful to my hon. Friend, with his knowledge of the discussions on the 1983 Act, for the experience that he brings to the subject. I do not know whether he is offering to pursue his interest and to join the discussions on this Bill; we would very much welcome his experience. He is right to say that the power to convey is a halfway measure that will encourage people to stick to the plan to which, after all, they have agreed before coming into the community. We do not want them to have to be taken back. Here we have one step that will encourage people to stick with the plan; we hope that the power will be used rarely.

Health authorities and local authorities are required to keep the after-care services under review and to modify them as necessary. If the patient refuses to accept the services, the next step is that consideration will be given to whether supervision is still appropriate—and, if so, whether the care plan needs to be amended—or whether the patient may need to be readmitted to hospital, using the powers in the 1983 Act.

Initially on discharge, a patient will be subject to supervision for a period of six months, which can be renewed for a further six months and then yearly. Before it is reviewed, there must again be full consultation with the patient and others concerned. The community RMO may end supervised discharge at any time, subject again to consultation. Supervised discharge will provide a legal framework for what should already be widespread good practice and well-co-ordinated services for the most vulnerable mentally disordered patients who have been detained under the 1983 Act.

Clause 2 ends a loophole in the 1983 Act relating to the return to hospital, or guardianship, of detained patients who are absent without leave. Restricted patients who abscond can be returned to hospital at any time, but under section 18(4), as it stands, an unrestricted patient who is not returned within 28 days simply ceases to be liable to be detained—regardless of the state of his or her mental health or the original period of detention.

That is clearly unsatisfactory, so the Bill provides for an unrestricted patient to be returned to hospital or guardianship at any time up to six months from going absent without leave, or within the existing period of detention or guardianship if that is longer. Where a patient is returned after more than 28 days, his or her condition must be reassessed by the RMO. The new limits improve the protection given by the Act to detained patients and the public while taking proper account of patients' civil liberties.

Clause 3 extends from six months to one year in England and Wales the period for which a detained patient may be given leave of absence from hospital. While the patient remains under the care of the hospital team, that time is commonly used as a preliminary period of rehabilitation, to establish whether he is ready to leave hospital care entirely. When we consulted on those proposals in 1993, there was widespread support for extending the leave of absence provision, giving a longer, more meaningful period in which to assess a patient's ability to cope with life in the community before formal discharge.

Mr. Ronnie Campbell (Blyth Valley): What happens if a patient turns up at an 'accident and emergency department? The Select Committee on the Parliamentary Commissioner for Administration heard recently of a patient being turned away from a department because it could not deal with the case. Are there any policies in place to deal with such patients turning up at A and E departments, because the departments have not got a clue what to do with them?

Mr. Bowis: I am not sure whether the hon. Gentleman is referring to the part of the Bill about extended leave, to which I have just referred. If a patient on extended leave turned up at an accident and emergency department, hopefully the A and E department would contact the patient's care team.

Mr. Campbell: Hopefully?

Madam Speaker: Put it on the record, please.

Mr. Campbell: The Minister says "hopefully", but I am looking for something more concrete, so that when such people turn up at A and E departments, they are dealt with properly. The Select Committee heard that, on one occasion, a man was sent home and he hanged himself.

Mr. Bowis: I am glad to have the hon. Gentleman's support for the Bill, because such instances are precisely why we need to have closer and tighter supervision of individuals. Supervisors may then keep much closer contact with the individual. Certainly, if word came that somebody had gone to hospital because on a particular day he or she was not feeling well, or whatever, the supervisor would immediately be required to contact the individual. A person may also be on a supervision register—which is a different issue and not to do with the Bill—which would alert people to the need to pay special attention to the patient.

That brings me to the Scottish provisions in the Bill. The Mental Health (Scotland) Act 1984 addresses the care and treatment of people with a mental disorder in Scotland. It is broadly similar to the Mental Health Act 1983 for England and Wales, but there are differences between the two Acts, which influence the way in which the proposals for community care orders in Scotland are framed.

Ministers and officials in Scotland, England and Wales have kept in close contact while developing the respective proposals for the care in the community of people with a mental disorder. However, with regard to extended leave under the 1984 Act, patients who are liable to be detained in hospital in Scotland may be granted leave of absence for a specified period of up to six months and that may be extended for further periods.

There are perceived to be legal problems with a patient who is liable to detention in hospital for treatment also being in the community on very extended leave of absence. A judicial decision raised the possibility of a successful legal challenge to the long-term use of leave of absence. A limit of 12 months for the use of successive periods of leave of absence is therefore also being introduced in clause 5 for Scotland.

Dr. Godman: May I point out to the Minister that there is a great deal of concern in Scotland—for it has already been voiced—about the failure of the Bill to define precisely the powers of the sheriff in making orders? Is a sheriff in such a case to be advised by a medical expert, an assessor, or will he or she have to rely on guidelines from the Under-Secretary of State for Scotland, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton)? One of the serious concerns that some of us have about the Bill is the poorly defined powers of the sheriff.

Mr. Bowis: I am sure that the strict issue of how the system will operate vis-à-vis the sheriff will be explored in greater detail in Committee. I intend to refer to the sheriff, the individual and the courts in a moment, so that may cover the points raised by the hon. Member for Greenock and Port Glasgow (Dr. Godman). If not, the Under-Secretary and I will do our best to offer reassurance to those who are concerned about the procedures in sheriff courts.

Community care orders are introduced by clause 4. They will provide for Scotland a safeguard broadly similar to supervised discharge in England and Wales. An application for a community care order may be made for a patient who is liable to be detained in hospital under section 18 of the 1984 Act, or is subject to a hospital order without special restrictions made by a court following his involvement in criminal proceedings. Before an application can be made, the patient must have been liable to be detained in hospital for at least 28 days.

The application process is triggered when the patient's responsible medical officer and another medical practitioner are satisfied that the patient's medical condition justifies a community care order, with a view to ensuring that the patient receives medical treatment and after-care services, for the patient's own health or safety or for the protection of others.

The responsible medical officer may then make an application to the sheriff for a community care order. That is supported by a second medical opinion and a recommendation from a mental health social worker. That mechanism may allay some of the concerns expressed by the hon. Member for Greenock and Port Glasgow. The application to the sheriff reflects the role of the courts in the Scottish mental health system, where it is the sheriff who makes an order for detention in hospital and hears appeals against detention in hospital. The courts do not have that role in England and Wales.

The patient will be consulted before the application is made. He also has a right to be heard and call witnesses when the order is made. The order lasts initially for six months, after which it may be renewed for a further six months, then annually. When the order is first renewed, the patient is accorded a right of appeal to the sheriff. That is comparable to the arrangement for appeal against detention in hospital under the 1984 Act.

The community care order will specify the special medical officer who is to be principally concerned with the patient's medical treatment in the community while the order is in force; and it will specify the after-care officer, who is the social worker responsible for co-ordinating the provision of the patient's after-care services. The conditions of the order will also be specified. They may include a place of residence and a requirement to attend certain places for treatment or training, in common with the English and Welsh system.

The Scottish provisions include a new provision for reassessment in hospital. That will allow a person subject to a community care order to be returned to hospital for a period of up to seven days if his mental state has

deteriorated and gives, or is likely to give, grounds for serious concern regarding his health or safety, or the protection of other persons. The reassessment has to be approved by two doctors and the after-care officer must agree to it. Following a period of reassessment, the community care order may be continued or revoked, or an application for the patient's detention in hospital may be made.

The Mental Welfare Commission for Scotland has a statutory role under the 1984 Act to exercise protective functions in respect of those who may, by reason of their mental disorder, be incapable of protecting their person or their interests. Those duties are specifically extended by the provisions of the Bill. The commission will also have the power to revoke community care orders in appropriate cases. That is entirely consistent with its role in respect of patients detained in hospital subject to guardianship.

There will be no power under community care orders to administer medication in the community without the patient's consent. I make that clear because there appears to have been some misunderstanding about what is being proposed.

Clause 6 is the equivalent for Scotland to clause 3 for England and Wales. It makes equivalent provisions for detained patients or people subject to guardianship in Scotland who abscond, to be taken into custody and returned within their current period of detention or guardianship or within six months, whichever is later.

Clause 7 is a Great Britain clause. It covers the short title, commencement and extent. The commencement date of 1 April 1996 will give sufficient time for regulations to be laid and made and for the necessary guidance to be issued to the NHS and local authorities. That is important because hon. Members have already raised issues today, which we shall have to consider as we issue guidance. We shall consult fully on that guidance before it is issued. The new powers are, of course, a significant addition to the existing arrangements. That guidance has an important part to play in ensuring that those powers are used properly and fairly.

Mr. Roger Sims (Chislehurst): Will that guidance also include advice to clinicians who will be responsible for releasing patients into the community as a result of the Bill's provisions? My hon. Friend has already referred to certain tragic cases, some of which appeared to involve patients with a history of violence, who were, nevertheless, released into the community. Such cases have harmed the concept of care in the community for mental patients. I would be grateful for my hon. Friend's assurance that firm guidance will be given to those who will take such decisions.

Mr. Bowis: That is a fair point. As my hon. Friend knows, we have issued new clinical discharge guidance, and that is clearly making people think hard before discharging somebody from the hospital into the community. We must make sure that it is not inappropriate to discharge, and that there is a care team ready and waiting out there to receive each individual. The guidance will be issued after all the consultation, and will go to everyone involved in the planning and implementation of supervised discharge. That applies to people at the discharging end, as well as to those involved in the receipt of patients into community care. We shall make sure that that happens.

Mr. Thomas McAvoy (Glasgow, Rutherglen): I thank the Minister, who has been generous in giving way. I would like to take him back to the situation in Scotland. There is concern at the lack of guidance to sheriffs on how they are to determine the conditions. Bearing in mind the fact that sheriffs in Scotland are not always uniform in how they arrive at their decisions, will there be a system to monitor sheriffs' acceptance of guidance from the relevant professionals in cases?

Mr. Bowis: It would be wise for me to distinguish between issuing guidance and seeking to guide the courts. We shall seek to issue guidance, which I hope the courts will find helpful, but it would be wrong—I am sure that the hon. Gentleman is not suggesting this—for us to seek to influence the decisions of the courts or the personal conclusions reached by sheriffs in the Scottish legal system. I shall certainly bear in mind what the hon. Gentleman has said. We shall try to make sure that the guidance for Scotland is clearly understood by all concerned, including those in the legal profession.

I believe that the Bill provides a coherent, firm, reasonable and compassionate approach to the needs of the most seriously mentally ill people. It strikes a careful balance between taking into account the rights of citizens and the duty we owe to them and the wider public, to protect them from the harm that mental illness can cause. I commend the Bill to the House.

4.21 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"That this House, acknowledging the widespread public concern about the plight of people with serious mental illness discharged into the community, and noting with concern the growing shortages in the availability of acute psychiatric beds and the considerable strain put on community care services for the mentally ill, declines to give the Mental Health (Patients in the Community) Bill *[Lords]* a Second Reading because the Bill will inevitably result in a reduction in the funds available for existing mental health services, because the Bill will not improve co-ordination between government departments in administering effective community care strategies or between professionals in devising individual care plans and because, as a consequence, the Bill fails to address the present shortcomings of community-focused care for people with mental illness."

Let me say from the outset that there is no division between ourselves and the Government on the two declared issues of principle involved in the matter. We believe that the Government have a duty to make provision for the protection of the public. We believe that it is the duty of the Government to make proper provision for the care and protection of their citizens who are ill, including those who are seriously mentally ill. These are objectives which the Government claim for themselves, as we do.

In introducing the Bill, the Minister set out some of the background, and I too would like to put the Bill in its context. It is a fact that discharged psychiatric patients who represent a threat, either to themselves or to the public, constitute a tiny proportion of all mentally ill people cared for in the community. Sadly, as the Minister said, all the evidence shows that mentally ill people are at greater risk of abuse or harassment from others than they are a danger to the public.

A number of high-profile cases have inspired the legislation that is before us today—the stabbing and killing of Jonathan Zito by Christopher Clunis in 1992,

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the murder of occupational therapist Georgina Robinson and the injuries received by Ben Silcock after he climbed into the lions' enclosure at London zoo. Those are three examples of community care going terribly wrong, and that is the issue which—in my view—the House should be addressing today.

It is, of course, important not to let those terrible incidents go by without attempting to draw conclusions about how they might have been averted. It is equally important to retain a sense of just how atypical those cases are. It is the view of the parliamentary Labour party—in this we are at one with the Government—that we should move from institution-based care for the mentally ill to care in the community. We acknowledge the problems that have arisen as a result of that policy, but we advocate efforts to solve those problems and to move forward rather than retreat or return to the old-fashioned way of containing the mentally ill in large, anonymous and undignified asylums.

In enabling Parliament to consider important issues such as how best to protect the public and how best to care for the mentally ill, we are assisted by a number of very thorough and well-informed inquiries into the individual incidents that have occurred as well as into more general issues. The various reports about the recent tragedies have served two important functions: they have identified failings in the community care system, and they have made comprehensive recommendations to address those failings.

The very valuable and thorough "Report of the Inquiry into the Care and Treatment of Christopher Clunis"—which no less a person than the Secretary of State for Health described as "essential reading"—offers some guidance. The report does not pin responsibility for the incident on any one individual involved in the care of Christopher Clunis, but indicates a range of problems besetting the community care system. The authors do not argue that the Christopher Clunis case was an exception. They say:

"we are very concerned that these failures may well be reproduced all over the country, in particular in poor inner cities".

The report contained a range of criticisms. Most importantly, it criticised poor liaison between different agencies, the failure of the responsible authorities to act upon warning signals, and the failure to provide social workers to assess new referrals and provide supervision.

The report made special mention of the lack of psychiatric beds in London. The number of psychiatric beds in the capital has halved in the past decade. London also has fewer medium-secure unit places per head of population than most other regions, even though there is a disproportionate number of mentally ill people living particularly in the inner-city areas of the capital. The report also mentions the shortage of suitable accommodation providing a supportive environment to enable patients to readjust to life in the community and avoid admission to hospital.

The Clunis report does not stand in isolation. The Health Select Committee, in its report "Better off in the community? The care of people who are seriously mentally ill", which was published in March 1994, concluded that

"levels of performance nationwide are highly uneven".

It repeated many of the concerns that were raised by the inquiry into the Clunis case. "The Falling Shadow", the report on the killing of Georgina Robinson, which was published in January this year, pointed to a number of mistakes made by staff at the Edith Morgan centre in Torbay. The authors went on to argue that

"much of the maladministration and malpractice derived from a fundamentally flawed statutory framework".

It went on to propose, as does the Labour party, a thorough revision of the Mental Health Act 1983 and the consequent legislation for Scotland. The authors are not alone in calling for a new Act. The chairman of the Law Commission recently described the law in that area as

"now out of date and full of gaps".

We contend that this Bill does not fill those gaps adequately. The Matthew Trust report entitled "Victims of Care", which was issued in February 1995, had much of value to say to the House. It is a powerful report which tells a selection of very moving personal stories of mentally ill people who sought financial help from the trust having been turned away by all other agencies and charities. The report concludes:

"the sweeping changes in the management of care appears to be putting vulnerable people even more at risk".

The House should concern itself with that issue.

Today we have to decide whether the Bill tackles those significant problems. The purpose of our amendment is to say that it does not. The reports to which I referred—there are several others—provide an accurate critique of the condition of community care for mentally ill people. They point to many problems and a range of solutions. Each report, as one would expect, offers a slightly different perspective, but it is perfectly possible to notice where the common ground lies. It does not lie in the Bill before us. It is the duty of the House to establish whether the Bill adequately tackles those widely accepted shortcomings of community care for mentally ill people.

In summary, the shortcomings are as follows. There is a lack of co-ordination between the different departments and agencies responsible for providing community care services. The Bill will not improve that. There is poor recording of incidents that might serve as a predictor of future dangerous behaviour. The report into the Clunis case says:

"Despite the fact that an accurate history is widely recognised to be invaluable in assessing a patient's dangerousness, we found time and again either violent incidents were minimised or omitted from records, or referred to in the most general of terms in discharge summaries."

The report had a fair amount to say about the role of the police in those matters as well as the role of other health care professionals.

Behavioural patterns are probably the best predictor of future behaviour that it is possible to obtain. Therefore, one would have supposed that the Minister might have made some mention of it in his speech and that the Bill might make some special mention of it; neither is the case.

However, the Minister did refer to resources as an issue. The allocation of resources at the moment fails to take into account need, and results in often desperate shortages in deprived inner-city districts. The Audit Commission report, headed, "Finding a Place", demonstrates that need can vary from district to district by as much as four or five times.

As a proportion of total expenditure in the national health service, spending on mental health services has decreased in the past three years from 12.3 per cent. in 1988-89 to 10.8 per cent. in 1993-84—I have the answer given by the Secretary of State to a parliamentary question as recently as 9 June 1995. That is despite repeated assurances from Ministers that mental health services are a priority.

A study of all 18 districts in north London found acute psychiatric bed occupancy rates increasing from 94 per cent. in 1990 to 101 per cent. in 1993, with some units running to an occupancy rate of more than 120 per cent. The Royal College of Psychiatrists believes that an 85 per cent. occupancy rate is optimal.

Mr. David Nicholson (Taunton): Of course there will be interest and concern, as the Bill proceeds through the House, in the resource arguments; I do not deny that for a moment. I was interested in the percentages that the hon. Gentleman gave a moment ago. That may be an example of an occasion when statistics mislead, because between 1988-89 and 1993-94 there was a massive expansion of resources in the national health service as a whole, and therefore the percentages that the hon. Gentleman gave mislead. Probably the absolute amounts of money going to mental health increased substantially between those years.

Mr. Brown: It is a broader argument and is of course one of the issues that are very much in contention between the parties. However, extra resources that have gone to the national health service from the mid-1980s to the present day have been sucked into a spiralling bureaucracy and into the installation of the internal market rather than being spent on patient care. I do not want to broaden the argument; I would prefer to focus on the Bill but, if the Minister wishes to broaden it out, I am happy to allow him.

Mr. Bowis: The Minister never broadens anything if he can help it, but he is certainly interested in getting at the facts. The hon. Gentleman referred to a parliamentary question. If he had read that carefully, he would have read the caveats that those figures were not comparable for those years. I gave the actual figure, and I gave it in both ways. First, when we came into office, £450 million was being spent on mental health services—social services and health together—and that has now increased to £2,350 million. Secondly, I gave him the real terms increase, which was £1 billion. That is significant extra money going into the national health service and mental health care.

Mr. Brown: I am just quoting the Minister's parliamentary answer back at him. I am not responsible for answering the question; all I did was ask it. The Minister says that there is a caveat relating to the capital programme. Still, the way the Government choose to compel the NHS to deal with these matters in internal budgets means a reduction in both percentage and real terms. If provision is adequate, perhaps the Minister will tell the House why the Secretary of State has to go and discuss these matters with the Government's senior Law Officers, and why people are trying to drag her before the courts to get these issues resolved. That does not sound to me like adequate provision—but perhaps the hon. Gentleman would like to defend the Secretary of State.

Mr. Bowis: I would certainly wish to defend the Secretary of State—and the facts. The facts are that the beds to which the hon. Gentleman refers—medium-secure beds—were perceived as being needed by the Glancy committee in 1974, but when we came to office in 1979 not a single such bed had been provided. By the end of next year there will be about 1,200 such beds. That is a sign that the Government provide medium-secure beds when they are needed, to meet the needs of the courts, the prisons and the secure health services. The hon. Gentleman might pay tribute to that fact and ask why, in his period of government, nothing happened for five years.

Mr. Brown: My period of government has yet to come. I am looking forward to it, as are many in my party. If the polling evidence is to be believed, the British public are looking forward to it too.

The Minister tells us his view of the laws of supply and demand in the provision of psychiatric beds. The courts seem to be taking a different view. Perhaps the Minister is right and the rest of the world is wrong, but I doubt it. In any case, I wish to move on.

Another criticism that has been made and which we wish to make again today concerns the failure of the Mental Health Act 1983 to provide an adequate legal framework for today's community-focused mental health strategies. That view is not unique to the parliamentary Labour party. In a memorandum to the Secretary of State, her own Mental Health Act Commission accurately described the problem thus:

> "The incremental distancing of mental health services from those which pertained in the 1970s, and for which Parliament was appropriately legislating in the early 1980s, is such as to call for legislation, to match the substantially changed environment of mental health services, in the facilities for care and treatment, psychiatric practices and public expectation of the services for the mentally disordered."

The Bill addresses none of those central problems. Consequently, we believe that it represents a missed opportunity to deal with a number of clearly identified problems.

Professor Chris Thompson, registrar of the Royal College of Psychiatrists—the organisation that originally proposed the new community supervision order—wrote, referring to supervised discharge, which is the key component of this Bill:

> "To many psychiatrists and others it is the worst of both worlds. The mentally ill will be subject to the power of 'arrest' to no apparent purpose. Psychiatrists remain deeply sceptical and believe that the Bill will not provide the extra public safety which the Government is hoping for."

The supervised discharge idea to which Professor Thompson refers has been condemned by a range of groups representing the mentally ill, groups representing mental health professionals and carers, and civil liberties organisations too. If the Bill gets a Second Reading, we shall want to explore these matters in Committee—but clearly, the civil liberties issues must be treated seriously.

There are those, including MIND, who argue that the Bill contravenes the European convention on human rights, in particular the right to liberty, the right to respect for private life, and the right to exercise these rights free from discrimination on grounds of race, gender, sexual orientation, class or any other status. The key area of concern is the power to take and convey. The necessity of a power to convey a person under supervision to a place of treatment, training, education or residence specified under the terms of the supervision order is highly questionable. I do not understand how such a

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power, which may be exercised by anyone nominated by the patient's supervisor, is appropriate for a co-operative and humane approach to community care. If the power is exercised against a patient's will, it is highly unlikely to encourage that patient's compliance with his or her treatment plan.

There is also a danger that the coercive elements of the new arrangements will compromise the important relationship of trust which ideally should exist between patients and carers. Parliament should not legislate to compromise that relationship.

The Minister has not yet explained to my satisfaction why the power to convey is necessary. In particular, he has not explained what it will achieve. It will certainly undermine the relationship between the carer and the patient.

A possible alternative might have been to look again at the use of guardianship for which the Mental Health Act already provides. It seems anomalous to have a new power of supervised discharge when such provision is already in place. It is at least worth the House exploring—perhaps in Committee if the Bill is read a Second time—whether greater use of guardianship would facilitate increased effective community care for the serious mentally ill and make supervised discharge unnecessary, particularly if attention were paid to patterns of behaviour.

I accept that guardianship affects a relatively small number of people. Only 326 people were placed under guardianship orders in 1993-94, but its use is increasing and the use of guardianship procedures rather than the rather coercive supervised discharge procedures might better make the Government's case.

Mr. Bowis: I shall return to guardianship a little later, if I succeed in catching your eye again, Mr. Deputy Speaker. If the hon. Gentleman believes that the power to convey is a danger to civil liberties in respect of supervised discharge, why did Labour Front-Bench spokesmen suggest that it was missing from the guardianship procedures and advocate the power to convey for guardianship?

Mr. Brown: The Minister seems to have misunderstood my point. The power forcibly to convey is clearly a coercive power. The Minister was unable to explain what would happen at the end of the conveyance to a patient who had been aggravated by the use of a coercive measure. If the Minister could tell the House that when a patient had been conveyed, a particular outcome was necessary for the protection of the public or the well-being of the patient, he would be able to make a case, but the power exists in isolation, as if it were left over from an earlier examination of these matters, but without fitting into any overall scheme. The power exists to be used or not, but for no particular purpose.

The Minister has not explained to my satisfaction why forcible conveying will somehow help a patient's treatment or mental well-being. It seems to me that the opposite is likely to be the case.

The workability of supervised discharge has been widely questioned. It appears to be a proposal left over from the earlier consideration of options. The new provisions sit uneasily with the present joint health and social services arrangements for providing after-care services under the care programme. The Bill effectively superimposes health authority-led powers on present procedures without, for example, allowing social services to refuse a supervision arrangement if services are not available or appropriate.

There is no role in the procedures before the House today for the Mental Health Act Commission, which could monitor patients under supervision orders. Everyone who has commented on the issue says that monitoring is of enormous importance. The commission is a special health authority with a statutory remit to monitor the care of patients detained in hospital under the Mental Health Act. It has requested its scope to be widened to include supervised discharge and guardianship. MIND and the Royal College of Psychiatrists support that request. As both organisations express the same point of view, it is incumbent on the House at least to take notice of it. It was part of the inquiry into the Clunis case.

The Minister gracefully acknowledged the unmet resource implications, although I may have misunderstood him. Most parts of the country would need substantial increases in services to meet the requirements of the Bill. Although the Bill is accompanied by a money resolution, it covers only the costs of the appeals process in England and Wales, but not in Scotland. The new money is provided to pay for professional advisers and lawyers, not for the direct care of the mentally ill.

The supervision orders may be made only in cases where the patient, being subject to after-care under supervision, is likely to receive the after-care services to be provided. If the after-care services are simply not in place—that will be the case in many inner-city areas—presumably it will not be possible for the patient to be discharged under a supervision order. If that will not be possible, perhaps when the Minister replies to the debate he will tell us what alternative procedure will be followed.

My final point concerns ethnic discrimination. There are some who believe that supervised discharge will be applied disproportionately to ethnic minorities. The evidence is that black people are more likely to be diagnosed as mentally ill and compulsorily detained under the Mental Health Act and less likely to receive adequate care after being discharged. All that combines to give the impression that the more coercive powers in the Bill will operate in a discriminatory way. I am certain that that is not the intention of the Minister or the Government, but it might happen and the House should not allow it.

Having outlined my objections to how the Bill will work in practice, I repeat that there is no issue of principle between the Government and the Opposition. We believe that Parliament has a duty to make provision for the protection of the public and to care for those citizens who are ill, including those who are seriously mentally ill. How we achieve those objectives is under discussion tonight. Our amendment and a more thorough-going review of the 1983 Act offer a better way, so I urge the House to support the amendment and decline to give the Bill a Second Reading.

4.48 pm

Mr. Michael Spicer (Worcestershire, South): I shall be brief. This is a good Bill, but if, as a result of the Chairman of the Committee of Selection hearing that I

said that, I find myself on the Standing Committee, I am sure that I shall be able to find masses of objections to it and speak for hours on end.

Quite properly, the Bill has been set in its historical context. I do not think that there will be much controversy about its history or the fact that the closure of the big asylums was intrinsically good. When I first entered Parliament 21 years ago, I had two big asylums in my constituency. Although I battled to save the, at that time, famous rehabilitation hospital, St. Wulstan's, for various reasons on which I shall touch, it was right to close such institutions in order to prevent people from becoming so institutionalised that they were lost to and forgotten by the community.

The issue arose, and still arises, as to exactly what should replace such institutions. Part of the controversy was the medical issue. The psychiatric profession's expertise is still underdeveloped, in both diagnostic and treatment terms. The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), and I think the hon. Member for Newcastle upon Tyne, East (Mr. Brown), seemed to ask for some grand systematic solution which did not involve options and different institutional and legal approaches—or the least flexibility there—but that seems to discount the fact that there is much uncertainty in, above all, the medical profession about the way forward.

When I first joined the debate 20 years ago, the buzz phrase was "comparable facilities". The case for not shutting St. Wulstan's for 10 years was based on the fact that there were not considered to be comparable facilities. That concept seems to have been a little forgotten recently, but it deserves a place in the argument. As has been said, there is a clear role for some institutional treatment within the health service. To provide that in a modern, decentralised and humane way should clearly be an objective of any Government.

That concept needs to be revitalised from time to time. It has now been largely replaced by the concept of care in the community. My constituency was one of the first experimental areas for care in the community, so I have watched it develop over many years. Clearly, it is intrinsically a good thing that the mentally ill should be returned to a normal way of life, linked, if possible, to their relations and families.

However, care in the community has two implications. One, which is at the centre of the Labour party's concerns, and perhaps those of the Liberal Democrats, is back-up resources. I do not understand the phrase in the Labour party's amendment, which says:

"the Bill will inevitably result in a reduction in the funds available for existing mental health services".

The opposite seems to be the case. Not only have resources for mental health risen by 40 per cent., or £1 billion, in real terms but, if there is any inevitability, because care in the community is inevitably more expensive, there must be more, not fewer, resources.

Mr. Nicholas Brown: The Bill is accompanied by a money resolution which provides new resources for the appeals process, but not for the actual provisions of the Bill. The Government intend that the new duties that the Bill requires will be paid for from existing resources. Therefore, resources will be moved from the treatment of people with other mental illnesses in order to carry out the Bill's purposes. That is what we are referring to in our amendment, which I hope the hon. Gentleman will support.

Mr. Spicer: I certainly do not support the amendment. Because the Bill is largely related to the concept of care in the community, there will, if anything—if one is to use words such as "inevitable"—be an increase in funds.

The issue is how the money will be spent. I do not agree with MIND's campaign on the Bill, but I support MIND in its succouring role. That is not only cost-effective—if one wants to use such a term—but an extremely good way of involving the community in regular care.

I have been president of my local branch of MIND, and I am particularly impressed with the regularity and consistency, day after day and week after week, with which people concerned with MIND provide assistance in the community. The Government devote large sums of money to the cause, and my only appeal to them is not always to think in terms of great official slices of money, and not to forget organisations such as MIND, which, certainly in my area, is beginning to lose out. It is taking on more and more responsibilities, but is losing the necessary funding. I am talking not about total extra funds, but about the Government perhaps being more involved in earmarking some of the funds they provide for such quasi-voluntary organisations which are so directly related to the community.

The second implication of the policy of moving mental health care out into the community is undoubtedly the issue of supervision which is covered by the Bill. The Labour party seems to be concentrating its criticism of the Bill on the power to convey. The power to convey exists; the question is how it is to be applied.

I am sure that hon. Members from both sides of the House have come across examples of people who are schizophrenic and potentially dangerous who move in and out of the penal system. The central issue, which the Opposition seem to be missing, is that the Bill seeks to make the health system work better, rather than, as happens at the moment, patients moving in and out of the penal system.

A person may be arrested for some offence, put into the penal system, found to be inappropriate for it and returned to the medical system, which cannot cope in a regular and controlled way. Such a person comes out without proper supervision and ends up back, a few days or weeks later, in the penal system. That is what goes on on the ground. In the penal system, to which there is often no alternative, from the point of view of such people the power to convey often exists in a frightening way.

I promised that I would not speak at length, but the central issue seems to be that people who are a danger to themselves and other people, who, because they are schizophrenic, because they are capable of being cured, because they are thought to be cured at any one moment, and because of the problems of diagnostics within the medical system, are in and out of institutions where there is, rightly, a constant attempt to return them to the outside world, but where they may prove to be a danger. Currently, such people may go back into prison or perhaps the prison hospital, which in turn cannot cope, so they are sent back out again.

[Mr. Spicer]

In the interests of the community and the patients, this is an excellent Bill. That the medical system should have a greater power of supervision, control and monitoring of patients is well overdue. The Bill will be good for the patient and for the community.

4.59 pm

Mr. Kevin Hughes (Doncaster, North): I give a qualified welcome to the Government's decision to take some action over the increasing crisis of confidence in mental health services. We know that public confidence has been shaken by the number of tragedies and deaths, including one in Doncaster, which resulted in the tragic killing of a 12-year-old girl, Emma Brodie. I am sure that the Minister is well aware of that case, so I shall not go into the details now.

My concern with the Bill is that the Government are reacting to the crisis of public confidence in mental health services rather than to the crisis in those services. It seems to me that the Bill fails to address many of the fundamental problems in mental health care. Much of what is proposed already exists, for example, in guardianship. The only thing that is truly new is the power to take and convey to places of treatment people with mental illness.

The switch from hospital-based care to community-based care has replaced one set of problems with another, and now we are faced with a shortage of psychiatric beds for those who really need them. People can be pushed out of hospital because of pressure on those beds, before adequate services and support in the community are available. That seems to be the key issue.

Patients' health will suffer. They will become revolving-door patients, making no long-term progress in the community. We must recognise that patients will need access to an income, suitable housing and activities to suit their needs if there is to be a sustained improvement in their mental health. Without those, they cannot seriously be expected to prosper in the community.

The Bill does not try to improve the health of the patient. Rather, it is a reaction to the failure of current services and treatments. The power to take and to convey is a reaction to a deterioration in the health of the patient. It is a reaction to the failure of community services. It is for that reason that we need to ensure better organisation and resourcing of those community services.

The Royal College of Psychiatrists has pointed to the danger of the Government skewing resources and paying attention to one group of patients at the expense of the less severely mentally ill. It said that, in most parts of the country, there would need to be a substantial increase in services provided if the after-care provisions of the Bill are to be met.

The Government's claim that the Bill is essentially resource-neutral is difficult to sustain. The claim ignores the problem of staff training and appropriate work loads for community psychiatric nurses, whom both the Royal College of Nursing and the Royal College of Psychiatrists identified.

If the Government are serious about tackling these problems, they should consider reviewing the Mental Health Act 1983 as a starting point. The Act should be revised to help it to address the community emphasis that is now placed on care and treatment following the introduction of community care. Instead, the Government have brought before the House a measure that could undermine the professional relationships between carers and patients, and which fails to address the real problem in mental health care: service provision and resources.

I hope that the Government will think hard about more long-term solutions, particularly when the Bill is in Standing Committee, and act to secure service improvements that will benefit those with mental health problems and the public at large. The issue is too important to be left to the quick fix that we all too often see from the Government.

5.3 pm

Mr. David Atkinson (Bournemouth, East): I believe that mental illness represents one of the greatest challenges facing our health and social services today. I fear that it will become even more so in future, as a result of the accelerating pace of change in our daily lives and, increasingly, the breakdown in traditional family life, with more people becoming patients in need of help and treatment than ever before.

I echo the tribute that my hon. Friend the Under-Secretary paid just now to my right hon. Friend the Secretary of State, for having done more for the mentally ill in this country in the past five years than has been done in the previous 50—or, indeed, 500—years. I believe that that will be acknowledged by all those involved in mental health today.

The Bill that my hon. Friend the Under-Secretary is introducing tonight was announced before—although it had anticipated—the outcome of the Ritchie inquiry. That it is necessary has been demonstrated far too often in recent years by highly publicised homicides and violent incidents, for which severely mentally ill people, such as Christopher Clunis, were responsible. Many of those homicides and incidents were committed by those being cared for in the community, having recently been discharged. As the Ritchie inquiry found, such care can be patchy, neglectful and inappropriate. The Government must address, and they are addressing, that situation today.

I welcome the new power of supervised discharge that my hon. Friend is proposing today, as it represents that element of my right hon. Friend's 10-point plan for developing successful and safe community care which requires legislation. I do so also on behalf of the National Schizophrenia Fellowship, as one of its two honorary parliamentary consultants, with the hon. Member for Birmingham, Selly Oak (Dr. Jones). It provides such excellent help and support for sufferers and their families, and for carers, to whom I pay tribute—as, I am sure, does the whole House. The fellowship will wish to thank my hon. Friend for being so helpful after we met him last December in ensuring that Forresters, its respite hotel in Hylton near Southampton, which was threatened with closure because of lack of funding, will remain open.

Before I express my two reservations about the Bill, I shall make a general comment about the background and experience against which it has been prepared. As my hon. Friend reminded us this afternoon, the community care approach aims to eliminate for all time the old remote and inhumane asylums. It was encouraging to see that the 1993 survey of attitudes towards the mentally ill supported that view by some 77 per cent.

There are today a growing number of fine examples of hostels and residential homes for those with mental health problems, and they often represent the first and only haven for the discharged. One such hostel is Charles house, in my constituency, which was opened some three years ago by Esther Rantzen for the Bournemouth National Schizophrenia Fellowship, in a joint venture with Dorset social services, Dorset Healthcare NHS trust and the Western Challenge housing association. The family atmosphere that its dedicated staff provide, with the support of a very caring GP, Dr. Chris Williams, in which all the residents are encouraged to participate, represents a happy contrast to their experience in hospital, where there appeared to be no time to listen to their needs and problems, and where medication was the means to keep them quiet.

Charles house is proof that community care can and does work for the mentally ill. Only the establishment of a comprehensive network of such long-stay, short and medium-stay hostels, sheltered homes or homes based in each district throughout the country for the mentally ill to be treated and cared for, ideally close to friends and family, will ensure the success of the care approach, provided that such care is backed up by an adequate number of hospital beds.

Although I am aware that my right hon. Friend the Secretary of State will approve hospital closures only when she is assured that adequate community care is already in place, what continues to concern me, and also the fellowship, is the apparent lack of co-ordination and monitoring of the discharges from hospital beds to care beds.

According to the House of Commons Library research paper on the Bill, between 1981 and 1991 the number of beds for mentally ill people in English hospitals fell from 85,000 to 50,000. In the same period, the number of day hospital places increased from 15,300 to 22,500. How can we be sure, however, that the balance of the 27,800 discharged patients are being properly accommodated in non-hospital, residential beds in the community? How can we be sure that they will not fall—or have not already fallen—through the net of care, although it is the statutory responsibility of the health and social services departments to provide for them?

That brings me to the principal concern of the National Schizophrenia Fellowship in regard to the Bill. I attempted to reflect that concern in early-day motion 1214, which was signed by many hon. Members on both sides of the House. The fellowship fears that, because the Bill provides for no new funds apart from those for an increased number of mental health review tribunals, it will not succeed in its purpose, but will divert existing resources to the supervision of "revolving-door" patients at the expense of others who are just as severely ill or who are voluntary patients.

My hon. Friend the Minister will probably say that what is proposed is merely a statutory extension of what should be existing best practice—for example, the existing guardianship arrangements, which are little used—and that his Department is issuing guidelines and advice on what good practice should be.

The fellowship points out, however, that the legislation requires involvement with no fewer than eight different professionals and non-professionals at six-monthly intervals as after-care under supervision continues—not to mention any extra consideration if changes are proposed, or discussions with housing agencies, day centres and the like. All that will require more staff time, which must be properly resourced.

Moreover, although the Bill provides for the cost of the additional number of tribunals, it does not appear to provide for the cost of the additional time required for psychiatrists and social workers to prepare reports for the additional tribunal hearings. The Ritchie report recommended new funding for specialist psychiatric teams to supervise discharged patients needing intensive after-care.

Without such extra resources, the Bill will undoubtedly result in a reduction in staff time and other resources for patients who are not subject to after-care under supervision, but who are still severely ill. That is bound to make those patients a risk to others—as well as to themselves, through self-neglect or attempted suicide—and will only add to the number of those needing care under supervision. In other words, without extra resources, the Bill could prove counter-productive and self-defeating, rather than fulfilling its intention of making the community safe for patients and making patients safe in the community.

I have a second reservation, which has already been voiced by a number of speakers. I believe that the Bill is no substitute for a fundamental review of the 1983 Act. I was a member of the Standing Committee that scrutinised that legislation; it was one of those rare Bills that are subjected to the Special Standing Committee procedure, which allowed us to invite representations and to question experts. In my view, the eventual Bill was all the better for that, and I am sorry that most legislation is not subject to the same process: I think that, if it were, it would be better legislation.

The 1983 Bill was enacted at a time when patients were treated in long-stay residential settings, and is no longer relevant to today's approach to care. We cannot ignore the case of Stephen Laudat, who stabbed a man to death having previously refused to take his medication, and had declined psychiatric follow-up treatment; nor can we ignore the Blom-Cooper inquiry into the case of Andrew Robinson, which called for powers to allow compulsory treatment for patients who decide not to comply with their recommended care programme.

I hope that, when the Minister winds up the debate, although he has already told us that he has an open mind about a review of the 1983 Act, he will tell us whether he accepts the recommendation of the British Medical Association that appropriate safeguards should be in place, and that compulsory treatment should be imposed only when patients pose a serious danger to themselves and others. I hope that he will give some thought to what the safeguards should be.

5.15 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I remind the House and the hon. Member for Bournemouth, East (Mr. Atkinson) that it is a mistake to make too powerful and perceptive a speech in the hearing of a member of the Committee of Selection. As the hon. Member for Worcestershire, South (Mr. Spicer)—who also made an interesting speech—was not present to hear the argument of the hon. Member for Bournemouth, East and the answer to his question about resources, I propose to ensure that both of them are selected to be members of

[Mr. Archy Kirkwood]

the Standing Committee. Indeed, I might appoint myself to the Committee so that I can watch the fun as the argument between them develops. I shall include the Minister as well, just so that he does not feel left out.

Like the Minister, I hope that the Bill can be discussed on a non-party political basis, as it was in the House of Lords. I do not think it necessary to be politically partisan. I was encouraged by the sensible and rational speech that we heard from the official Opposition spokesman—

Mr. Nicholas Brown: Not surprisingly.

Mr. Kirkwood: No, it is not surprising, but I have heard one or two Opposition Front-Bench speeches in my time.

I am sure that the Bill, and the work of the Standing Committee, will be the better for that non-partisan approach, although I feel that it should really have gone straight into a Special Standing Committee. I endorse what the hon. Member for Bournemouth, East said about the Special Standing Committee procedure that was used in the case of what became the 1983 Act. I do not know why the Government have set their face against that procedure; perhaps the House of Lords was considered a substitute for a Special Standing Committee, but I do not think that it was. Legislation such as this would be much better framed if we had direct access to the views of the National Schizophrenia Fellowship and other pressure groups, although some views have been expressed adequately to hon. Members in writing.

I pay tribute to the work that the hon. Member for Bournemouth, East has done for many years. Schizophrenia is a terrible illness. We have all read case histories that tell of the destruction of families who have tried to deal with the condition. I accept that it is difficult for the Government to respond, and I therefore think it important for us to do what we can on a cross-party basis to get the legislation right.

On a slightly carping note, I want to raise a procedural matter. As a Scots Member and, in a previous incarnation, a humble provincial solicitor—none of the big silk hankie brigade for me—I feel that we must rid ourselves of a certain habit. I address my complaint to the Under-Secretary of State for Scotland—the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton)—who is seated diligently in his place. We must stop mixing Scottish and English legislation: it is fiendishly difficult for practitioners who are trying to disentangle Acts of Parliament to find Scottish legislation in unified United Kingdom Bills, because the legal systems are so different. The powers of the sheriff and the rules of guardianship are substantially different.

I understand that there are problems with finding enough compos mentis Scottish Tory Back Benchers for Standing Committees. The Under-Secretary of State for Scotland disagrees, but I know that there are difficulties. When the Government decided to move on this matter, they should have introduced two separate pieces of legislation. I hope that the Bill will be the first step towards a proper review in the new atmosphere of the whole framework of legislation in this field. I say that in passing because the point was made adequately earlier in the debate and I tried to make it in an intervention. The Minister said that he has an open mind. Ministers always have open minds. I am grateful for small mercies and take that response at face value because I know that he is genuinely concerned. I hope that his open mind will focus on getting the legislative time that he needs for the fundamental review for which the whole House appreciates the need.

These are difficult matters. Clunis and Silcock and the other events that have been mentioned, all of which were individual tragedies, give a heightened, almost hysterical, background against which we have to try to deal with this intractable problem. By far the biggest problem concerns mentally ill patients who damage themselves, commit suicide or leave themselves in terrible positions which destroy their families. When contemplating legislation, we must put in the balance not just the cases that get the headlines; we must also address the desperately distressing cases of neglect and worse among the mentally ill.

Resources are an important part of the argument. If there were adequate facilities for after-care, housing, employment, training and recreation, the problem would not be nearly as bad, particularly in inner cities. I do not have any special expertise in that respect because mine is a rural constituency, but the problem is bad enough there. I know that my colleagues, who know about these things and have studied them in more detail than I have been able to do, are concerned about the lack of facilities in areas such as central London. That must be dealt with.

Some of the representations that all hon. Members have had from the British Medical Association, the Association of County Councils and some other bodies such as the National Association for Mental Health and the Scottish Association for Mental Health cannot but cause concern about alleged omissions and anomalies and the Government's lack of a proper and systematic approach to this problem. When the Bill is in Committee, we will have to address some of those problems as best we can.

I think that the Scottish Affairs Select Committee's report is due almost any day now. It is currently preparing a report on the problems associated with the closure of psychiatric institutions in Scotland. I hope that the report will not be ignored by the Standing Committee and that any conclusions reached by that important Select Committee will inform the work of the Standing Committee, certainly in relation to the Scottish sections of the Bill. I would not like to think that it was too late to weigh the Select Committee's conclusions in the balance of arguments in the Standing Committee.

More than anything else, resources must be taken into account. I hope that the Committee will have an opportunity for sensible discussions about that. There is obviously a good deal of difference between the Government and the Opposition parties about the increase in resources that has occurred, how the money has been spent and whether it has been put to proper use. It would be in the public interest for the Committee to try to get to the bottom of the statistics and to establish how they work out in practice.

If I heard him correctly, the Minister estimated that there are about 20 cases to which supervision orders might apply in each health authority area. That figure is new to me. I found it difficult to discover how many people the Bill would affect. I assume that the figure relates to England and Wales. It is very small. Is it a firm figure? I

know that there is uncertainty about statistics and I shall happily give way to the Minister if he would like to clarify the matter.

Mr. Bowis: The figure that I gave was the estimate of an average for each district health authority. A figure of about 3,000 nationally has often been quoted and when that is divided by the number of health authorities the result is about 20. The figure would obviously depend on each health authority, the practice of individual clinicians, decisions by psychiatrists and facilities that are already in the community. My figures are no firmer than that, but I thought that they were helpful in terms of the scale of the operation.

Mr. Kirkwood: I appreciate that helpful intervention. If the Minister had not made the position clear, I could have set off in a spurious direction. The figure could mask substantial discrepancies between inner-city areas and other parts of the country, but I am grateful to the Minister for his clarification.

The Committee will also have to look at co-ordination. I am not convinced that the Bill does anything like enough to get appropriate co-ordination between the various agencies. I am on the parliamentary panel of the Royal College of Nursing and try to work with it, obviously on an honorary basis. It is worried about the extra resources that might be needed to get properly trained mental health nurses, give them further training and deal with the increased work load if the Bill reaches the statute book.

There are a number of detailed questions I should like to ask, but it would not serve the purpose of the House to go through them at length. I am still a bit sceptical and have not yet formulated a final view, but as the Committee's deliberations proceed I shall be interested to see whether a purely legal approach of this kind is the right way forward. Some people say that such an approach is not right and that we should go for a better resourced, administrative solution. The Committee may want to turn to that. There is a real worry that the new supervised discharge system that we are considering will not sit all that comfortably with community care—certainly not in Scotland. The term "community care order" is a misnomer and the Committee should spend some time considering whether it is the right name. Community care orders are driven by psychiatrists; care in the community should be driven by social workers. There could be a great deal of confusion if we do not get these matters right at the beginning.

I think that it was the hon. Member for Greenock and Port Glasgow (Dr. Godman) who asked about the powers that are to be made available to sheriffs. There is real concern north of the border that the powers given to sheriffs are indeterminate and too vague. I am still unclear about the extent to which the Bill will affect children and young people. I do not think that it can north of the border because they will be subject to the panel procedure, although it will affect young people in England and Wales, but I am not sure about that.

Does the Bill apply to people with learning difficulties? Questions such as that cause me concern but they may be clear to the Minister. There is enough confusion in people's minds for it to be important to use the Committee to clarify some of these matters. The Minister was kind enough to refer to my noble Friend the fifth Earl Russell who is no less a person than the author of a book entitled "The Crises in Parliaments, English History from 1509 to 1660". I am unlikely, therefore, to controvert anything that my noble Friend says.

This is a good Bill, but it is not perfect. I am persuaded by the argument in the reasoned amendment but, if we support it, it will not be because we are totally and implacably opposed to the principle of the Bill, as the hon. Member for Newcastle upon Tyne, East (Mr. Brown) said, but because we think that much work will have to be done in Standing Committee to get the Bill right before it goes on to the statute book.

5.29 pm

Mr. David Nicholson (Taunton): I welcome the Bill for what it contains and points to, but in particular I welcome the opportunity that it gives us—here I echo the thoughts of the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood)—to reconsider, analyse, discuss and debate the care in the community system as it affects people with severe mental difficulty. Naturally, I regret that the Opposition have moved an amendment and will be dividing on Second Reading, but I welcome much of the speech by the hon. Member for Newcastle upon Tyne, East (Mr. Brown), as I welcome that of the hon. Member for Roxburgh and Berwickshire, who spoke for the Liberal party.

I was especially glad that the hon. Gentleman echoed a point that the National Schizophrenia Fellowship has made: although the few cases where severe mentally ill people, often suffering from schizophrenia, have attacked and occasionally killed members of the public—which have been accompanied by sensational publicity—may have triggered the legislation and concern, alas, less attention has been paid to the mortality rate of people with schizophrenia, which is estimated at twice that of the general population, mainly because of suicide. Through our families, friends and constituencies, we probably all know individuals whose lives, even in recent years, have had a tragic end in those circumstances.

In addition to the direct interest of families and neighbours of people who suffer in that particular way, there is a much wider interest in us getting the system right. Even now I hear, in letters or in conversation—although I am glad to say that it is less frequently stated—"This is all a disaster and completely wrong. Wouldn't it be better to have these people incarcerated in those Victorian buildings out in the countryside?" That attitude is wrong, but Parliament and all the people involved in operating the care in the community system must constantly work to assure the general population that the new system, which is very recent—it came into practice only two or three years ago—is the right way to deal with these matters and does provide proper protection for the safety and amenity of the general population, as well as being in the best interests of patients.

My interest in this subject has increased from, I must confess, near zero when I was first elected, largely through discussions with interested constituents, whether they be doctors, nurses, practitioners, the families of patients, or the small group that the National Schizophrenia Fellowship has established in my constituency and, I hope, in many other constituencies. Regular meetings are held with practitioners, families of sufferers or sufferers themselves. I have been grateful to have been invited to some of those discussions to talk in

[Mr. David Nicholson]

a calm and measured way about the concerns that those people have. I have been grateful for the insights that that has given me.

If we intend to use—and I think that we will—the Standing Committee to probe and to explore this matter, of course we will depend on those outside organisations to help us with briefing and raising questions. My hon. Friend the Member for Bournemouth, East (Mr. Atkinson) may recall that we were reminded of that some weeks ago. Parliament, especially when it considers a Bill in detail, cannot operate in an ivory tower, separate from what happens outside. We are anxious, through certain other matters that are being considered by people in high office, properly to regulate the way in which outside interests—they may be economic and commercial, but often they may be caring institutions and organisations—influence and inform our procedures here and to make progress in that respect.

I have been personally involved in some cases in my constituency. In one case, I took part in having someone, alas, sectioned. In others, I have tried to ensure that schizophrenia sufferers were properly looked after when their families were convinced that they were not taking their proper medicine. Like the hon. Member for Blyth Valley (Mr. Campbell), I am a member of the Select Committee on the Parliamentary Commissioner for Administration—the parliamentary ombudsman—who also acts as the health service commissioner. The Select Committee has had cases before it—I mentioned one in a debate on the parliamentary ombudsman just before Christmas—where it has been shown that the system has not worked. It is vital that we take what measures we can to minimise those occasions where this cumbersome system has not worked, involving practitioners from various specialties.

I am interested in the passage in the Opposition's amendment about Government Departments co-ordinating. Of course it is vital that Government Departments, local authorities and, if necessary, the police and various other bodies should properly co-ordinate. When something goes wrong, it is vital that individuals in a community get together to put it right as quickly as possible. I hope that, as the Bill proceeds, we will consider how that works.

My wife is president of Taunton Mencap; that is a slightly related matter. I am glad that the Prime Minister's wife and the Prime Minister himself take a great interest in that charity. I am particularly pleased to say that both my hon. Friends the Under-Secretary of State for Health and the Under-Secretary of State for Scotland, who will be responsible for the Scottish aspects of the Bill, are excellent Ministers. I knew them both long before they entered the House—indeed, I have known them for more than 30 years, so I could not believe that this matter would be in better hands.

Mr. Menzies Campbell (Fife, North-East): Do not say that, they will put it in their election address.

Mr. Nicholson: I do not know what election address the hon. and learned Member for Fife, North-East (Mr. Campbell) is talking about.

Before I discuss some of the concerns that have been raised, I shall refer to some of the successes that the local services, including the Avalon, Somerset national health service trust, have had. This might be nearer to the election address to which the hon. and learned Gentleman referred. It is well known and, I think, my hon. Friend the Minister will recognise that Somerset was one of the relatively few regions where co-ordination and co-operation between the health authority and county council social services were of such excellence that Somerset was ready to go ahead with care in the community at the earlier date envisaged by the Government. After care in the community was finally set up, it progressed extremely well in Somerset. I salute all the people who have been responsible for that in the local community.

I shall give the House some figures to show how progress has been made in past 10 years. In 1985, the number of Somerset hospital beds for mental health was 746 in six locations and the number of day places was 97 in four locations. Ten years later, the figures had changed to 382 beds in 21 locations and 413 day places in 21 locations, with community mental health teams working with social services, primary health care teams and the voluntary and private sectors to ensure that people had a range of options for dealing with their mental health problems, bringing them into the community, which is the purpose of the exercise. In the past year, occupancy levels for hospital beds averaged 81 per cent., ensuring that it was always possible to find a bed in Somerset if one was needed. One may not have been available at the nearest unit, but a bed has always been available.

Another important factor that reflects the massive changes that have taken place is the closure of large Victorian institutions. Tone Vale, in the middle of my constituency, closed in March, and a housing estate and other facilities will be developed on the site. I have visited the new units at Rydon house and Pyrland house for mental health patients and other people needing care, and I was most impressed by the work that went on there.

Over the past three years the proportion of staff employed in direct patient care has increased by 3 per cent. as a consequence of the changes in service delivery—mainly because of a reduction in estate staff and others needed to maintain large obsolete buildings, and an increase in nursing and medical staff. However, I am told that there is still a problem with the number of consultant psychiatrists and junior medical staff available to cover a community-based service.

Although the closure of large hospitals has reduced the number of beds, the value of the estate employed in the care of mentally ill people has increased considerably. In 1993 that estate was valued at £14.8 million; in March 1995 it was valued at £28 million. The buildings are now purpose-designed, with low maintenance costs, and are liked and valued by users of the service. That shows the practical way in which changes have taken place in Somerset.

My hon. Friend the Member for Bournemouth, East referred to some of the concerns raised by the National Schizophrenia Fellowship, and I simply echo some of those. A small minority of people, perhaps about 3,000 of them, are never offered appropriate care or reject it. That can happen because the services do not exist, or are not co-ordinated, or because they concentrate on those who are easier to work with. But it can also happen because the patient is suspicious of everyone, has lost all motivation and stays in bed all the time, or dislikes the services offered or those offering them—those are

common features of schizophrenia. Or the patient may be too ill or too disorganised to keep appointments or to take prescribed medication. The NSF says that that is the group of patients whom the Bill aims to help.

The NSF also says, and my hon. Friend the Member for Bournemouth, East reiterated, that the Bill requires involvement with no fewer than eight professionals and non-professionals at six-monthly intervals—more often if some change is proposed—through requirements either to give information or to consult patients. Staff time costs money, so there will be costs there.

Indeed, I have just received a letter from the director of social services for Somerset county council saying that revenue support grant needs to be increased to allow for the growing pressures and for capping to be relaxed. We debated capping last week, and Somerset's experience is somewhat happier than that of some other counties. Nevertheless, the director says that capping needs to be eased in line with the new demands, because for more and more people the promise of community care will not be satisfied unless that happens.

Finally, I shall develop the argument about resources in a wider sense. I heard the Minister say that, as a Minister, he did not want to widen the issues, but when we talk about care in the community wider issues inevitably crop up.

Mr. Deputy Speaker (Mr. Michael Morris): Order. I do not wish to anticipate what the hon. Gentleman intends to say, but I hope that we shall not hear about revenue support grant, capping, area cost adjustment or any of those aspects.

Mr. Nicholson: I am happy to say, Mr. Deputy Speaker, that I have finished talking about those matters.

I hope that the Minister will continue his work on the resource aspects that arise when elderly people need geriatric care in private nursing homes. That is a big issue facing us now, and although the causes are not the same, the problems that those people have are not very different from the problems of the people with whom the Bill attempts to deal.

Secondly, referring also to people with mental difficulties, I wish to raise the problem of the people whom we see on the streets of our large cities, especially London, begging and sleeping rough. Many initiatives have been taken by the various Departments responsible for helping them. I know that they are generally described as "the homeless", but we all know that homelessness is not their main problem. Some suffer from drug abuse, alcohol abuse or other forms of abuse.

I recall what was said about the state of mental health services in London and the south-east. Many of those people have mental difficulties, and I should like to impress on the Minister the need for all responsible Departments to co-ordinate action effectively so that those people, whom we now see every day and every night, are dealt with and helped. A sight that is becoming offensive to many of us could then be removed.

With those provisos, I welcome the Bill.

5.45 pm

Dr. Jeremy Bray (Motherwell, South): Undoubtedly new legislation is needed, but this is not the Bill with which many Opposition Members would have chosen to start. However, it could be substantially improved in Committee, and I hope that when we reach that stage the Minister will be as open minded as his colleagues were in the House of Lords.

The Bill is not about improving the delivery of community care services for the great majority of mental health service users. As at present drafted it is essentially about the control and containment of the severely mentally ill. I do not underestimate the importance of that need, and I attach particular importance to what was said by the hon. Members for Taunton (Mr. Nicholson) and for Bournemouth, East (Mr. Atkinson) when they paid tribute to the role of the National Schizophrenia Fellowship, many of whose members strongly support the Bill and say that it is much needed.

The Bill is about the control and containment of a small proportion of the mentally ill who have been "sectioned"—that is, detained under sections 3 or 17 of the Mental Health Act 1983 or the equivalent provisions for Scotland. The Government introduced it in response to some distressing incidents of violence. However, as several hon. Members have said, the number of people injured or killed by the mentally ill is tiny compared with the number of deaths caused, say, by road accidents, or even by drunken drivers alone. The person most likely to be injured—sadly, all too often fatally—is the mentally ill person himself.

The best that can be said of the Bill is that it could be significantly and usefully amended to stimulate the development of services appropriate to the needs both of those who have been formally detained and of others.

The representations that have been submitted to the all-party mental health group, of which I am proud to be chairman, all emphasise the importance of involving the users of mental health services in their care plans. There is little of that in the Bill as originally drafted, although, as the Minister said, amendments made in the House of Lords have improved the emphasis on informing patients and, if they consent, their closest relative—and, to a more limited extent, their informal carers, to whom in practice so much of their care devolves.

However, much more could be done to amend the Bill so that users could be more fully involved in their care plan programme. The benefits are genuine. Obviously, a user's consent makes the life of the mental health worker or social worker easier. But in a more profound way, involving the user in his or her care plan improves the effectiveness and appropriateness of treatment. It can build a therapeutic relationship and gives the user more control and a better incentive to recover.

Involvement is a key concept in a number of recent reports, including Department of Health reports such as "Advocacy—a code of practice", "Black mental health dialogue—a dialogue for change", and especially "Guidelines for a local charter for users of mental health services", which was produced by the mental health task force user group of the national health service executive.

The Mental Health Acts of 1983 and 1984 placed on Ministers a duty to draw up, after consultation, a code of practice for mental health workers; to lay it before Parliament and to update it regularly. In England, the code of practice has been recently updated; the Scottish code, first published in 1989, still awaits its first revision. Both codes will need to be revised in the light of the Bill. I hope that the Minister, in replying to the debate, will be

[Dr. Jeremy Bray]

able to tell the House that consultations will start soon and will involve user groups, as well as those who deliver the service.

There is a point that is not dealt with in the Bill and I hope that the Minister will carefully consider it. In parallel with the code of practice, there should be a new duty laid on Ministers in Scotland and in England and Wales to provide a charter for mental health users. When I say "a duty on Ministers to provide a charter", I am well aware that the guidelines are for a local charter for users of mental health services.

It is interesting that in the model charter that is provided, only two lines make provision for local input—the names of people to whom resource can be had. There are, nevertheless, local factors which, if they could be taken into account effectively in so many different situations, would clearly be helpful.

In the report, a user commented:

"Much work is needed on general care of the patient. Even basic care like bath, shampoo, shave, dental care, clean clothing is being neglected."

I doubt whether that is the case in Taunton, but certainly it is in Brixton.

Another user commented:

"Black patients, and other patients from minority groups, feel isolated with their illness, doubly, because their opinions and cultural needs are overlooked. For example, native food and drinks are not seen as important. Roots food, tonic remedies, herbal treatment and therapeutic massage are sources of alternative care that must be considered."

The perpetual cry from every user organisation that is ever consulted is echoed by this comment:

"Emergency care is needed out of hours to talk and defuse situations, not just medication. It is wrong that the police should be involved".

If there were a duty on Ministers to provide a charter for mental health users, it would be perfectly possible to provide for local additions to it dealing with the sort of problems that I have outlined and being specific about the channels of access to those resources.

An enlightened code of practice would, of course, interact with the charter and could help to change the climate of mental care and—I hope that this is still regarded as important—safeguard the civil rights of the mentally ill.

The Bill should require that each time a patient is informed of a supervision order or of changes to a supervision order, he should be given a copy of the charter and have its provisions explained orally. Likewise, the patient's closest relative and his or her informal carer should be fully informed. Those are the people who are crucial to the patient's well-being and their involvement is vital.

Some would query whether the persons sectioned are the right client group to involve in a charter for mental health users. I would argue that it is necessary to start with them. Patients who have been sectioned are not necessarily the most violent or severely or chronically ill, or even the most disturbed. They are simply those seen by doctors or social workers as liable to endanger others or themselves.

In its operation, sectioning is a rather arbitrary act. Some people have been sectioned for one brief, traumatic breakdown and live the rest of their lives without any sign of mental instability. Some may be sectioned during one episode of illness and not the next. For others, the illness is a long-term problem with, perhaps, repeated admissions to hospital. They may sometimes be sectioned and sometimes not. The consultant's attitude, rather than the severity of the illness, may be the determining factor.

It is right to involve the users precisely because they are the people who in hospital are deprived of their liberty and to whom the Bill relates. They, above all, merit the sort of respect, involvement and empowerment that the charter for mental health users offers.

Users, above all, need appropriate treatment. The Bill says a good deal about appropriate things but little about appropriate treatment. The charter is not an easy option and it would be a way of giving practical effect to appropriateness of treatment which, at present, is not covered in the system.

In giving people rights, we also place on them responsibilities. The task of keeping well is very difficult for many people whose lives are shot through with mental illness. It is a serious matter. I hope that the Mental Health (Patients in the Community) Bill can be so amended as to help formerly detained patients to keep well and maintain their dignity and self-respect.

5.55 pm

Mr. John Marshall (Hendon, South): I apologise to the House for not being able to attend the beginning of the debate. Some hon. Members may know that the Prime Minister was addressing a meeting of the Conservative Friends of Israel. As an officer of the CFI, I thought it only right and proper to be there.

I should like to declare an interest. I am a member of the advisory council of JAMI, the Jewish Association for the Mentally Ill. The advice comes from it to me, rather than from me to it. I pay tribute to the work that that wonderful charity does and emphasise the difficulty that it faces, from time to time, because some local authorities take advantage of its services but refuse to pay anything in the way of a contribution towards the cost of providing those services.

Like my hon. Friends the Members for Bournemouth, East (Mr. Atkinson) and for Taunton (Mr. Nicholson), I should like to pay tribute to the work of the National Schizophrenia Fellowship. It was one of the first groups that I saw after I was elected in 1987. The stories that I was told by individual parents underlined the difficulties that were being created by the care in the community policy.

I went up to one member and asked, "What is your problem? Who is affected? Is it your daughter or your son?" She said that her daughter was schizophrenic. I asked where she was and she told me that her daughter was sleeping somewhere on a park bench in London and that she did not know where she was. That was typical of the problems that I heard about. It was not a unique situation.

One of the tragedies of mental health in London is that many of those who sleep rough in London are people who were sent out of mental hospitals to be treated in the community. They have ended up with a quality of life that is substantially poorer than that which they once enjoyed. There was another case I saw that evening of a lady who was concerned about the treatment that her son was

receiving from psychiatrists. Unfortunately, despite many letters, the psychiatrist did not listen and, last year, the boy committed suicide.

One of the problems, and one with which the Bill seeks to deal, is that many of those who are released into the community refuse to co-operate with the treatment that is suggested for them. Their medication is unpleasant and it is very difficult to tell patients that they are sufficiently well to go into the community but sufficiently ill to need to carry on with their treatment. All too often, the result is that they say, "Yes, we are well enough to go into the community, therefore we are well enough not to have this rather unpleasant treatment." The result of that is that they become violent, lose their friends and end up in a different form of institutional care. It is quite wrong that people should be released into the community from an institution that is caring for them and then end up in prison as a result of committing some crime.

The Bill is obviously going to help deal with that through the concept of supervised discharge. However, I believe that that must be viewed as part of a package because for too long, the mentally ill have been the Cinderella of the health service.

In all these great issues, the pendulum swings too far one way and then too far the other way. In the 1940s and 1950s, it was far too easy to have someone admitted to a mental hospital. The Victorian asylums were too large and too impersonal, but unfortunately society, in a crisis of conscience, went from one extreme to the other. In the revulsion against our history in this matter, we have gone on to make different mistakes. The fact that too many people were admitted to mental hospitals led to a failure to recognise that many who would be released into the community might be better off in an asylum which, traditionally, is a place of care and rest. The fact that the Victorian institutions were too large and too impersonal led to a failure to recognise that smaller hospitals might be necessary.

In 1961, Enoch Powell decided to close all the large mental institutions by 2000. There is no doubt that the Treasury was seduced by the capital receipts that it anticipated and that it believed that care in the community might become a cheap option. The Treasury did not realise, however, that care in the community, if it is to be done properly, is more expensive than hospitalisation because it requires a lot of investment in training and people. Care in the community is labour intensive and cash intensive; that was not recognised by the Treasury or by others in the beginning.

Whatever the situation may be in sunny Taunton, there is no doubt that in London and the south-east, we suffer from a lack of beds for the mentally ill. All the evidence is that there is an inadequate number of beds for the mentally ill in London and the south-east. It is also the case that in London and the south-east, we do not have sufficient psychiatric nurses to deal with the number of schizophrenics we have. A third of those needing psychiatric services in London are homeless. That underlines the problems, which the Department and my hon. Friend the Minister recognise.

Those who say that the supervised discharge offends against individual civil liberties do not hit the right point. First, it is a paradox to say to someone, "You are sufficiently ill to need treatment, but you are sufficiently sane to recognise the fact that you need treatment and to say that you will undergo that treatment." A small number of people do not recognise that fact and then cause problems for themselves and for others.

Secondly, many of the relatives of those who will be affected by the Bill are praying for it to become law because of the traumas that they suffer when they see their sons and daughters not responding to treatment, when they know that their children are sleeping rough in London and not having the treatment that they need. I suggest that anyone who talks about civil liberties should talk to the relatives of those who will benefit from the Bill; they will get a very rough answer. The relatives worry the whole time whether their sons or daughters will commit suicide, they worry about whether they will become violent towards an innocent individual and they worry about their quality of life. For some who are released into the community, the quality of life is little more than a scandal.

The other civil liberty to be considered is the civil liberty of an innocent individual who may be harmed if we do not have the power of supervised discharge. There is no doubt that a number of murders have taken place—a relatively small number perhaps, but one unnecessary murder is the denial of someone's civil liberties and there is no greater liberty than the freedom to live. We are dealing, however, not only with the civil liberties of those who are killed by people who are not taking treatment.

Let us face the fact that there are many schizophrenics who have been released into the community and who then commit suicide. The official figures show that there were 266 suicides in three years, but that severely understates the number. There is a reluctance on the part of coroners to say that someone took his own life because some people have a religious revulsion at the thought of suicide. Sometimes there may be insurance policies which will not be honoured in the case of suicide and it is not unknown for the coroner to take that fact into account.

There are many people whose civil liberties will be affected if we do not pass the Bill; we must bear that in mind. I very much hope that the Bill will pass speedily through its Committee stage. The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who is a member of the Committee of Selection, is present this evening. I volunteer to be a member of the Standing Committee; we have had three volunteers already this evening, which means that we may have a relatively short Committee stage. I hope so because the Bill is important and will benefit part of our society which has been neglected for too long.

6.5 pm

Ms Ann Coffey (Stockport): The Bill provides for the after-care supervision of patients who have been subject to treatment or hospital orders. As some of my hon. Friends have already pointed out, there are concerns about how the after-care supervision will be implemented and by whom, and there are issues about the role of the supervisor that will be considered carefully in Committee.

The supervision orders will apply to a minority of patients whose illness is chronic—patients whose behaviour may place them at risk or may place other people at risk. It is right and proper that we should be concerned about those patients. The intention seems to be twofold. First, it is to secure for a patient after-care services, which will be provided under section 117 of the

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Mental Health Act 1983. Secondly, supervisors will have to ensure that patients attend for treatment, occupational therapy, education, training or whatever—a wider policing role.

As the Bill explains, there should be no additional cost for health authorities and local authorities. However, after-care services self-evidently require resourcing, so it is hardly surprising that the Bill is viewed as legislation that emphasises the social policing role of social workers and health workers. They are the people at whom the finger can be pointed when something goes wrong, enabling the Minister to wash his hands of any responsibility to provide resources for them to do their jobs. As the Minister is aware, even social policemen need resourcing.

Before the Minister asks where the resources will come from, I point out that when the trusts were set up in Stockport, the taxpayer had to pay for a £1 million increase in the salary bill. If I am asked where extra resources for mental health care should come from, I can say that they could easily come from the administrative costs resulting from setting up the trusts. One million pounds would have gone a long way towards helping mentally ill people in Stockport; unfortunately, they did not get that money.

Mental health is the Cinderella of the health service for a number of reasons. There is, unfortunately, a great deal of fear among some of the population who regard all mentally ill people as exceedingly dangerous. That is far from the truth. Many mentally ill people face sad and painful lives with great courage—more courage than the rest of us may have. Mental illness can also be a source of shame and embarrassment for those who suffer from it because their difficulty in coping may be seen as a mark of failure.

I do not know the exact figures, but I know that a high proportion of the population will suffer an acute period of depression or a disabling anxiety episode in their lives. Most will recover but, sadly, some will not. Stress at work and at home, when communities have become less supportive, has increased the likelihood of breakdown in the general population. For some, schizophrenia and recurring psychoses are totally disabling. The high proportion of such people among the homeless is a sign of their ultimate fate and shows what community care has brought for them.

There is not a magic division between mental health and mental illness. Death, redundancy, mental breakdown and other crises can bring even the strongest of us to the brink of disintegration. Perhaps the fact that vast investment has gone into bringing about technological changes, while we are unable still to heal a traumatised child or return to health a schizophrenic person reflects our priorities as a society. In the absence of such help, it is crucial that resources are available in the community and hospitals to offer care and support for those who may never get better and also for those who, with help, can overcome their difficulties.

Resources such as day provision, acute beds, long-term beds, community nurses, social workers, funding for self-help and support groups, carers and supported employment are all necessary for an infrastructure of community care. In reality, that infrastructure is not there. Since the closure of long-stay hospitals and the transfer of beds to local district hospitals, often hospitals cannot fulfil conflicting needs for beds. Over the past five years, there has been a 30 per cent. increase in the number of patients admitted to hospital under the Mental Health Act 1983. Unfortunately, the shortage of resources means that beds have not been available for voluntary patients or hard-pressed relatives who require respite care.

Indeed, I recently had to take up an issue concerning that very problem on behalf of one of my constituents. My constituent was informed by the hospital that as 42 per cent. of the beds at that time were occupied by people under compulsory admission, there was not—unfortunately—a bed for someone who was exhausted by having to cope with a husband who had a long-term mental illness.

Against that background, my concern is that, with no new resources being made available for wider community care, staff time will be taken up with implementing supervision orders. That will mean fewer community nurses available to support people such as my constituents. Without such valuable help, more families will be stressed, there will be further diminution of community care and it will be more likely that the health of people will deteriorate to the point at which they will have to be admitted to hospital. If services were available earlier, some of that illness could be prevented.

Where are the after-care resources to come from? We are talking about suitable housing, because we cannot just dump somebody in the community. Often much work has to be done with neighbours, who are sometimes very hostile to mentally ill patients. All that requires staff time. Day centres require money, but it is very important for patients to be able to attend them to talk, receive support and get help. Community nurses are invaluable—we need more of them. Where are they? Support for employment is also vital.

All those provisions are necessary in identifying and providing after-care services for patients on supervision orders. After all, good-quality after-care services are those that the patient needs, and they cannot be provided by trying to fit the patient into the available after-care services. Such a mismatch leads to coercion in the supervision order, when patients know that they are going somewhere that is not able to meet their needs, while being told that there is not an alternative.

If resources are to be pooled to meet supervision orders—no new resources are being made available by the Government—what will happen to the other mentally ill people who need help? It is all very well talking about targeting resources—if they can be prioritised—but mental illness covers two groups of patients with different needs. People with long-term psychiatric problems will need on-going help, but the illnesses of patients with acute problems can be prevented from getting worse, with help when they need it. Both those groups need prioritising. I am concerned about the latter group, because those people will not receive the necessary services, which will inevitably lead to the development of longer-term illnesses.

The Minister is right to be concerned with those who trouble society—we are all concerned about that—but he should also be concerned with those members of our society who are troubled. He should seek ways in which to help and support them. He should take this opportunity to tackle the problems of mental illness on behalf of all those who suffer from it. At the end of the day, it is they who bear the burden.

6.14 pm

Mr. Mark Wolfson (Sevenoaks): I shall not need to detain the House for very long because a number of points that I would have covered in more detail have been most adequately and effectively dealt with by my hon. Friend the Member for Hendon, South (Mr. Marshall), whose speech was a model contribution towards the sensible passage of the Bill. He was speaking from obvious experience of the families of severely mentally ill people, and the Bill specifically addresses the concerns of such families and patients.

I have always taken the view that the decision to close rapidly all the large mental hospitals was in some ways wrong. We should have moved rather more slowly. Although I accept that at the end of the day care in the community is more beneficial than those old asylums, nevertheless such institutions provided a level of care for very sick people which was of real value to them. We all carry a heavy responsibility for cases where the quality of people's lives has worsened.

I appeal to my right hon. and hon. Friends to move with extreme care in future closures and to ensure that the facts live up to their commitments; that they will not implement such closures until adequate care is available in the community. There is nothing in itself wrong with residential care and we should not forget that. Often it is right for people who are severely ill.

I cannot support the Bill, let alone vote for it tonight, without signalling the fact that I find the wording in the Bill on financial effects unrealistic. It says:

"The Bill should give rise to no additional costs for Health Authorities (in England and Wales), Health Boards (in Scotland) or local authorities. The new provisions . . . provide a legislative framework for existing good practice."

In the purest terms, that may be right, but we should talk about reality and practicalities. If more social workers and all other agencies involved are doing a better job under the supervision orders, their time will be used for such work and, as other hon. Members have said, there will be less time to deal with less severely ill people. Therefore, I argue that the Bill will require more resources.

All too often we in the House pass legislation, often with support—in principle—from all parties, yet we do not accept that additional resources will be needed as a result. I put my flag up on that issue now. I am absolutely certain that additional resources will be necessary. The work requires additional case conferences. Others have mentioned the involvement of up to eight different agencies and their staff when the orders are put in place. Giving support to the mentally ill in the community is a cumbersome process. I am not denigrating the process, but it is very time consuming. The problem has been that so many of the individuals who may require such assistance have dropped out of the net, and picking them up again, let alone giving them continuing treatment, will be very time consuming. Let there be no mistake—I emphasise the point to my right hon. and hon. Friends in the Department of Health—mental health service staff, whether they are employed by local authorities or by the NHS, are severely overstretched already.

So much progress has been made in looking after people better that those engaged in that work are now suffering a great deal of stress. I am not being soft about that, nor am I suggesting that management methods cannot be improved to achieve better productivity from those who care for the mentally ill. It would be unrealistic, however, to believe that such care will not involve additional time, and therefore additional resources.

I support the Bill because it is absolutely essential that we establish a legislative framework to deal with those who are discharged, but who are still severely ill. As has already been said, those people often come out into the community and are pleased to be in a freer, more comfortable and pleasant environment. They often do not, however, take the very medication that has enabled them to be discharged in the first place. It is essential for them to take that medication. Without the proposed legislative framework to ensure that, I cannot see how those people will continue to improve, let alone make progress in the community or not put themselves and others at risk. On that basis, the Bill is long overdue.

6.20 pm

Mr. John Gunnell (Morley and Leeds, South): I have listened to the entire debate, so I intend to underline briefly certain points that have been raised. The unanimity that has marked hon. Members' contributions is perhaps not surprising, because I assume that those present are interested in mental health services and the particular problems posed by the Bill. I have identified three particular weaknesses in the Bill and it is interesting to note that two of them have already been the subject of much comment.

I do not think that the closure of the large mental health institutions caused the difficulties that the Bill is designed to address. As the hon. Members for Hendon, South (Mr. Marshall) and for Bournemouth, East (Mr. Atkinson) said, those difficulties have arisen because of the loss of 35,000 acute psychiatric beds between 1981 and 1991. Without that loss, a certain number of people living in the community now would still be receiving hospital care from time to time, if not long term. Unfortunately, such care is no longer available to them.

The Bill's efforts to overcome the difficulties of care provision prompt me to raise three points. First, there is some confusion between the role of a health authority and that of social services departments. The health authority is clearly the lead authority, which nominates the responsible medical officer and supervisor. No doubt the health authority will take overall responsibility for taking and conveying patients who are subject to supervised discharge. No doubt health authorities will turn to the police to get that job done on many occasions, but according to the Bill, they are the lead authority. Social services take the lead, however, in providing community services and community care. Perhaps social services should also take the lead after the responsible medical officer has done his work. A greater input from social services is warranted rather than simply one social worker's approval of a supervised discharge. Baroness Jay suggested in the other place that the guardianship principles in the Mental Health Act 1983 could have served the Government's purpose instead of the Bill. She suggested that the guardianship powers envisaged in the 1983 Act could be beefed up to accommodate difficult cases, but that the original role of the guardian would be better suited to the needs of the mentally ill generally. I urge the Government to consider revising the 1983 Act to bring it up to date in line with current practice and available facilities.

[Mr. John Gunnell]

If social services are not at least an equal party to the health authority when considering an application for a supervised discharge, their professional partnership, which is vital to making a success of care in the community, will be downplayed. There should be a partnership and liaison not just between health authorities and social services, but between voluntary agencies. Some of those organisations have already expressed their concerns to us about the Bill. Housing authorities should also be party to that partnership, which should be as extensive as possible. As my hon. Friend the Member for Motherwell, South (Dr. Bray) said, it should embrace carers and those who use the services.

We must develop such partnerships and liaison rather than simply rely on the strong-arm-of-the-law approach, which seems to be explicit in the Bill, given the role of the police in taking and conveying those who are described as mentally disordered patients to a place of residence or training. I have no doubt that the public safety aspect is important and must be taken into account, but we proceed best through partnership. Certain powers must be invested in that partnership, but I am not convinced that the power to take and convey should be one of them.

Secondly, people are confused about the scope of the take-and-convey power. I know that in the Bill it applies to those under supervised discharge, but that is not clearly understood by those in the community. The Government estimate that around 3,000 people may be affected by the Bill, because should they not take their medication, they might be a danger particularly to themselves, but also, on occasion, to others. Far more than those 3,000 people were discharged from institutions ages ago. There is no likelihood of them being affected by the Bill, but many believe that they are under threat from what they judge to be a power of arrest. Were it applied loosely, that power would be draconian. No explanation has to be offered when someone is taken and conveyed, provided that the appropriate care workers have agreed to that.

The meaning of the term "mentally disordered", to whom the procedure will apply, is not clear to those in the outside world. It may be clear when seen in the context of the Bill, but more effort must be made to explain it, because some of my constituents are worried by the Bill for no reason. Their fear may be explained by the fact that many former mental health patients have been scarred by their earlier experiences. Some were kept for years in institutions that were unable to offer them any help. That happened either because of errors in their diagnosis or, in the not too distant past, because they had been sent to such institutions as inappropriate punishment for alleged offences. We have all heard of women who were put in institutional care when they became pregnant out of wedlock. I know of one constituent who spent 25 years in institutional care because he stole a bottle of milk. It is not surprising that people with such experience, who are now settled in the outside world, living unobtrusively, still feel under some kind of threat and in a sense discriminated against. They are worried that the Bill might apply to them and that the police might come to take and convey them without being told on whose authority that decision has been taken. Their anxiety is due to the experiences that they have suffered.

We have to make it crystal clear to whom the Bill might apply. The Minister will be aware that we are not happy about its phraseology, nor about the manner in which he will seek to implement the take-and-convey procedures. I believe that the extent to which those procedures might apply must be clarified.

Thirdly, nearly all hon. Members have said that it is unrealistic and impractical to offer no financial resources for the Bill's implementation. The Bill's necessary measures should not be implemented at the expense of the overall standard of general mental health services.

The Select Committee on Health studied mental health provision and envisaged an expanded service. It wanted more resources to be devoted to it. Even more significantly, the Department of Health's own review team—whose report back in August 1993 led to the Secretary of State's points on mental health—made it clear that extra financial provision was necessary for this measure to work. In these cash-straitened times, it is impractical to expect health authorities or social services departments to find those extra resources.

The original Mental Health Act saw itself as an expression of the commitment to supporting the role of the community, rather than institutions, in the care of the mentally ill. Without resources, the new Bill's intentions to ensure that that is not at the expense of the safety of the public will be just that—good intentions. Unless people with mental illnesses are dealt with by adequately resourced support services in an atmosphere of understanding, the Bill's objectives will not be realised.

Nobody denies that the public must be protected from potentially violent patients in the community. But denying those patients the means to reintegrate themselves into the community by depriving the responsible agencies of additional cash is what makes the Bill more about control than about care in the community.

6.30 pm

Mr. David Hinchliffe (Wakefield): We have heard a range of concerns expressed in the debate, both about the current state of community care—especially for those facing mental illness—and about the implications of some of the measures proposed in the Bill. I reiterate the comments of my hon. Friend the Member for Newcastle upon Tyne, East (Mr. Brown) that the Opposition recognise the extent of public concern about the difficulties which have arisen in a number of instances with tragic consequences, where vulnerable mentally ill patients have slipped through the net of care services.

I am conscious that some of the cases which have occurred away from London have not been reported, and I am aware of the case to which my hon. Friend the Member for Doncaster, North (Mr. Hughes) referred, of a tragedy affecting a child. Other cases have occurred elsewhere in the country.

While we share the Government's desire to move towards care in the community provision for vast numbers of people who would previously have been incarcerated in mental hospitals, we have serious worries that the policy of bringing about a rapid rundown of large, long-stay psychiatric hospitals has not been accompanied by a similar commitment to proper development provision within the community. It is that one-sided community care policy that is at the heart of the problems that the Government seek to address with the Bill.

While we will use the opportunities provided by the measure to offer constructive proposals to safeguard the public and the patients, our central concern is to press the Government to take seriously the fact that community care is about rather more than just closing mental hospitals.

A number of hon. Members present for today's debate were also present for the debate on mental illness initiated by the hon. Member for Hendon, South (Mr. Marshall) on 10 May. They will recall that I posed two key questions to the Government that day of direct relevance to the measure that we are considering this evening. First, I asked what happened to the patients concerned when 70,000 psychiatric beds were removed in the 10 years up to 1992-93. Secondly, I asked what happened to the public resources released by that huge closure programme.

The record shows that the Minister answered neither question when he wound up, because the Government have admitted on several occasions in answer to myself and to other hon. Members that they simply do not know the answers. There is no year-by-year breakdown of how many patients have been discharged to independent or semi-independent accommodation or to hostel provision, or how many have been discharged to attend day centres, day care or other forms of community provision. There is no record of what subsequently happened to them on their discharge or as they moved on from care provision within the community.

As we are charged as Members of Parliament with safeguarding public resources, we must be concerned at the fact that we have lost not only the patients but apparently billions of pounds of funding which was previously tied up in the resourcing of hospital care. The Government cannot tell us where that money has gone, but it is obvious from the problems to which the Bill is a response that it has not been diverted into the programme of re-provision within the community that is obviously required to ensure that the rundown of hospital care means improving the quality of patients' lives.

Our central concerns in relation to the measure relate to the two new orders at the heart of the Bill—the supervised discharge order and the community care order in Scotland. They are the culmination of a lengthy period of debate on whether a change in the law was needed to ensure that patients within the community could be required to follow a particular care plan. The initial proposals some years ago for compulsory treatment orders have reappeared in a range of forms, with the Government finally opting for supervised discharge orders and their Scottish equivalent.

It is surprising—given the length of time that this debate has been under way—that the Bill's central proposals have so little support from the individual organisations that will have the task of applying the legislation in practice. Virtually all those directly concerned have been vociferous in their criticisms, especially of the new powers introduced by clauses 1 and 4. The Community Psychiatric Nurses Association, the British Association of Social Workers, the Royal College of Nursing and the Royal College of Psychiatrists have all expressed reservations, as has the Law Society.

My background before entering Parliament in 1987 was as a social worker, and a number of colleagues here today—including my hon. Friends the Members for Dulwich (Ms Jowell) and for Stockport (Ms Coffey)—have similar backgrounds. I approach my evaluation of the measure with a particular eye on its application in practice. From that perspective, I—like others—am at a loss to understand the need for the introduction of a completely new order when the existing power of guardianship offers an almost identical provision.

During my time in local authority social work, I worked for many years as an authorised mental welfare officer. I looked to guardianship to offer the safeguards necessary when, in a few situations, it was felt that some statutory supervision was required. That power was used sparingly, but my experience was that it was used in a positive way to enhance the opportunities available in the community to a small number of patients who would otherwise have spent lengthy periods in hospital under section. Guardianship facilitated community care, while offering protection to the patient and to the public.

My hon. Friend the Member for Doncaster, North said that the supervised discharge orders and the similar Scottish provision duplicate the existing guardianship powers in a way that will inevitably cause confusion among those who have to differentiate between the two. The main difference that has been proposed is a new power to take and convey the patients to a place where they are required to live or to attend. That power has been mentioned by a number of hon. Members, and has been the subject of particular criticism as a provision that could totally undermine the consensual relationship upon which the most successful after-care supervision is based.

It is important to underline the fact that one cannot care for people in a community environment without some consent and trust between the person being supervised and the supervisor. Those involved are concerned about how the measure will operate when it is implemented, as they recognise that that element will cause difficulties between the person supervising the patient and the person being supervised. I hope that the Government will listen to that. It is not a partisan political point, but a point of practicality that has been raised with us—and with Conservative Members—by the organisations and individuals concerned.

The provision to take and convey could have been understood if the Government had taken the step of also including compulsory treatment within the new order, although I emphasise that I am not suggesting that that should have been done. But as it stands, a patient taken or conveyed under the order would be within his or her rights to refuse subsequent medical treatment. It will be necessary to make an application under a separate section of the Mental Health Act to enforce such treatment. As one writer with a legal background has put it, the community psychiatric nurse would have the power to take a horse to water, but not to make him drink.

The hon. Member for Worcestershire, South (Mr. Spicer)—who was critical of the provision—failed to grasp the key issue in this measure which is causing great concern to a number of organisations and individuals. If a patient no longer complies with a care plan, the only additional provision is the obligation on the care team to inform an approved social worker, who may consider applying for compulsory admission to hospital. But nearest relatives can do that already under existing law. Unlike guardianship, the new powers would be in the hands of health authorities in a move away from the lead agency status on community care which the Government introduced in the National Health Service and Community Care Act 1990.

[Mr. David Hinchliffe]

As well as the confusion with guardianship that I have mentioned, the shift from local authorities will raise more questions about who is responsible at a local level. The organisational responsibility question is another area that causes us extreme concern. We need to know exactly who is doing what. The clear similarity with the guardianship provisions organised by local authorities will cause immense confusion among practitioners at a local level.

While I understand that the measure is intended to formalise the care programme approach in some respects, that could have been achieved with fairly minor amendments to existing guardianship powers, with health authorities given similar status in law to local authorities. Amending guardianship would have been more in line with the wider policy moves in the direction of care in the community, because it would have enabled the development of a non-hospital route to formalised supervision in a way that the Bill does not allow.

It is not helpful to convey the clear message—as the Bill does—that the legal enforcement of key elements of the care plan within the community depends upon discharge from in-patient hospital care. While I appreciate that the prime motivation for the measure has been severe problems concerning patients who have left hospital, it is important to recognise within the context of current policy that care does not necessarily have to begin with an experience of hospital in-patient treatment. The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) touched on that point.

The fact that the proposals seem to be at odds with wider policy developments to some extent underlines the Mental Health Act Commission's argument that existing legislation, which was based substantially on policies that were in place in the 1950s—the 1983 Act was based primarily on the framework of the Mental Health Act 1959—has been largely overtaken by radical moves in the direction of community care. It is pretty obvious that those who are charged with the task of overseeing the legislation believe strongly that simply tampering with elements of existing mental health law will not succeed in making current legislation relevant to current circumstances.

The need for a new mental health Act, which offers a framework reflecting current policy, will clearly not go away. I was pleased to hear the Minister concede that his mind was not closed to a much wider review of the legislation. Clearly, the legislation is grossly outdated. The Mental Health Act Commission has stated that there is a need for new legislation that reflects contemporary policies in contemporary times, and I hope that the Government will take that call seriously.

The prime reason for introducing the Mental Health (Patients in the Community) Bill is, as the Government said, public protection. As my hon. Friend the Member for Newcastle upon Tyne, East made clear at the outset, the Labour party is as concerned as the Government to ensure that the public and the patients themselves should not be put at risk by inadequate care policies. As our amendment shows, we take a wider view of the causes of the problem and of the solutions.

Public protection must be a key objective, but as the Mental Health Foundation inquiry put it last year:

> "If everyone with a severe mental illness had appropriate services, sensitively provided and adequately funded, there would be much less concern about this issue".

Such services and provisions do exist in some areas, but, as the Audit Commission and the Health Select Committee have pointed out, they vary markedly in their quality and availability.

There are good examples of patients being offered long-term supported accommodation. There are some excellent models of asylum within the community, with safe houses and other forms of sanctuary along the lines that my hon. Friend the Member for Motherwell, South (Dr. Bray) mentioned.

There are excellent mental health resource centres in some areas, with round-the-clock crisis services and outreach provision. But in other areas, such key elements of community care provision are either minimal or non-existent. They have not been developed alongside the hospital closure programme, and that fact must be addressed. We must recognise also that access to acute hospital-based services offers an important back-up to care in the community, but it is clearly grossly inadequate in some parts of Britain. A number of Conservative Members made that point today.

Those factors have an important bearing on the reasons for the mental health Bill, but the Bill itself will clearly do nothing to ensure that adequate services are available to patients who are subject to the new order. The Department of Health review team said that the use of the new power implied a reciprocal obligation on statutory services to provide the support that patients need, but the Government tell us that it is a nil-cost measure. Without the necessary back-up support and services, any formalised supervision—whether under discharge orders or guardianship—will mean very little.

That point is central to our amendment, which reflects the very serious concerns about the Bill expressed by a range of organisations. There is a clear need to ensure that patients and the public are protected. However, we believe that the Government were very badly advised in bringing forward a measure that has not been thought out properly. For that and for the other reasons that I have outlined tonight, I urge hon. Members to support the amendment.

6.45 pm

Mr. Bowis: With permission, Madam Deputy Speaker, I shall respond to some of the points that have been raised by hon. Members on both sides of the House.

I think that there has been something of a competition—which is unusual in this place—to catch the eye of the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who has identified himself as the guardian of the Select Committee on Selection. Conservative Members have appealed to him to look after their interests as the legislation moves towards the Committee stage, and there have been similar hints from Labour Members as well. I hope that we have established in the hon. Gentleman's mind that there is a lot of interest in the measure.

Mr. Kirkwood: A lot of talent.

Mr. Bowis: And a lot of talent. Despite some of the comments made during the debate, hon. Members have

expressed broad agreement that we should look carefully at the measure, and that we must protect those people in the community who have severe mental illnesses, while also protecting their families, their carers and members of the general public.

Madam Deputy Speaker, you have graciously allowed the debate to range quite widely today. Perhaps that is inevitable, when one examines the background to the measure. It is interesting to see how the pieces of the jigsaw to which I referred in my opening speech will come together. I make it absolutely clear that the measures in the Bill are not an end in themselves. They will operate with all the other pieces of the strategy to secure the safety and well-being of severely mentally ill people and of the wider community.

I do not promise to cope with every point raised in the short time available to me, but I have no doubt that some of them will be raised again during the Committee stage. The hon. Member for Greenock and Port Glasgow (Dr. Godman)—who explained that he had to leave the Chamber—inquired about the Bill's compatibility with the Children (Scotland) Bill. I am assured that the measures are compatible with both the existing and the proposed legislation. Children under 16 may, in very rare circumstances, be detained in hospital under the Mental Health (Scotland) Act 1984, and that is why we have made community care orders available for such patients.

The hon. Member for Doncaster, North (Mr. Hughes) referred to a tragedy of which I am aware, and emphasised the need to improve the system. He gave a qualified welcome to the Bill, and said that it does not address all of the problems. That is a perfectly fair comment: the Bill does not seek to achieve everything. It is a narrow, measured Bill and only one part of the Government's strategy.

The hon. Gentleman is quite right to refer to the need for better community services. The Government preach that constantly to health and social services and to community health services, and we have made the money available to ensure that there can be improvements. However, we must ensure that those resources are targeted, and are used wisely.

My hon. Friend the Member for Bournemouth, East (Mr. Atkinson)—I hope that I have the geography right in this case—rightly paid tribute to the National Schizophrenia Fellowship. Tributes have been paid on both sides of the Chamber to the NSF and other voluntary organisations such as MIND and the Jewish Association for the mentally ill. I join in those tributes.

My hon. Friend the Member for Bournemouth, East rightly paid special tribute—as others have—to carers. We have done much to support carers in the House in recent months, and nowhere is that more important than where carers of people with severe mental illness are concerned. They have a tremendous burden to carry for people in their families whom they love, and we should do what we can to support them. The best way to support those carers is to ensure that they have the assurance that the services are there—the range of services, encompassing provision of beds and community services. I believe that those carers would welcome the measure.

The number of beds was mentioned several times. I can best respond to that by drawing attention to the survey of English mental hospitals published in March 1993, which showed that the number of places for people with mental illness had been steady, at about 80,000. The difference is in the new range of provision that exists. That is not to suggest for a moment that I do not accept some of the arguments about beds, but the number of places has been fairly steady in recent years.

There is talk about new funding, and that was reflected in several speeches from both sides of the House about the resources needed to make the Bill work effectively. The specific figures on the face of the Bill refer to the tribunals and those specific additional costs.

We must regard the reference to resources and the references to the cost of the Bill in the context of the greatly increasing resources that have been made available for mental health provision—for the national health service and social services—in recent years. I have no doubt that those resources will continue to increase, because mental health is a priority in the NHS and in social services. The more we are able to make progress—as we will—with our inter-agency purchasing guide and to encourage joint commissioning and so on, the more resources will be made available for those measures, but they will be made available for the whole of provision for mental health.

In connection with the Bill, we have spoken about the numbers of people that we are dealing with. They are quite small numbers in any one district. Nevertheless, although it is unquantifiable, one needs to take account of the cost to the community and to the health and social services if that type of measure is not implemented. There are enormous costs in trying to locate and look after people who have not been adequately supervised, so the Bill could, in some ways, be a cost-saving measure. Certainly it will make for a more efficient service.

Compulsory medication was mentioned. Our line, as I said earlier, is that, where medication has to be compulsory, that should be decided in the setting of a clinical decision by psychiatrists in a hospital, not out in the community, but I know the opinions about that.

The hon. Member for Roxburgh and Berwickshire mentioned titles, and no doubt he will return to that in Committee. I do not believe that the title "community care order" is misleading to professionals. Perhaps I have a greater faith in their ability to understand guidance and titles than he has, but I am sure that we can consider that in Committee.

The hon. Member for Roxburgh and Berwickshire referred to the Scottish Select Committee. That has been considering the closure of psychiatric hospitals in Scotland, and when that report is published, it will be useful background to some of our discussions. However, as I said, we have an overall policy of ensuring that beds are provided. I shall return later to the argument of my hon. Friend the Member for Sevenoaks (Mr. Wolfson) about the range that we need, and I absolutely agree with what has been said.

The hon. Member for Roxburgh and Berwickshire spoke about the pressures on community psychiatric nurses. I understand the anxieties, but we need to get close to CPNs to talk them through the role because, as I said, we would regard them as being the supervisors and carrying out that role, just as we regard them on the whole as doing the key worker role under the care programme approach. The new role only formalises in law what they would have done under the old, and reflects the well-established principle that a patient's care plan should be the responsibility of a named person.

[Mr. Bowis]

CPNs will work as a team, with joint responsibilities for decision making. Numerically, that should not make a great difference to their case load. However, those are fair arguments to make.

My hon. Friend the Member for Taunton (Mr. Nicholson) rightly referred to the fact that suicide is the great threat to the people we are discussing, and one of our targets is to reduce the number of suicides. It is one of our "The Health of the Nation" strategies. The Somerset progress is encouraging. My hon. Friend rightly referred to the way in which Somerset got ahead of the game in care in the community.

My hon. Friend the Member for Taunton also mentioned homelessness. That is outside the scope of the Bill, but I would draw his attention to two things. One is the homeless mentally ill initiative, which has been remarkably successful in the streets of London. Various hon. Members mentioned central London and its needs. That initiative has helped to take people out of the boxes and blankets and into hostels and long-term accommodation. I believe that it can build on that.

Yesterday—it seems a long time ago now—I took part in the third of the seminars that we have been holding jointly with the Department of the Environment, considering the way in which housing can play its part in community care as a whole, and especially the care of those with mental health problems. Much joint work is going on between Departments and between agencies.

The hon. Member for Stockport (Ms Coffey) mentioned the number of CPNs, which is important. They have quadrupled in our time, but we shall obviously need to continue planning the manpower and womanpower needed in that regard.

I pay tribute to the work of the hon. Member for Motherwell, South (Dr. Bray) as chairman of the all-party group, which has got off the ground again and has been very helpful to us. He emphasised the need to involve users, and I wholly agree with that. The Bill does that, and we shall ensure that they are consulted on any revision of the codes of practice that follows from the Bill.

Some of the most valuable times that I have spent have been with conferences of users and purchasers, at which they come together to consider local needs. Users are involved in the care programme approach to planning. We can build on that. Everyone seems to want a charter nowadays, and that is a tribute to the initiatives of my right hon. Friend the Prime Minister. Charters are obviously regarded as guarantees of good-quality service—guarantees of people being involved in planning the services they need—and we shall certainly consider those in mental health. I believe that much of what the hon. Member for Motherwell, South said will be covered in guidance.

My hon. Friend the Member for Hendon, South (Mr. Marshall) made what has already been described as an excellent speech, supporting the Bill. He also mentioned some of the issues, not least concerning London. As he will know, the mental health task force has carried out its survey of London and followed it up. I believe that progress is already visible on that, but we need to do much more work, and work much harder, on London's problems to begin to solve them for the longer term. My hon. Friend is also right to mention families and their civil liberties, which we should remember.

I said that I would return to my hon. Friend the Member for Sevenoaks on hospital closures. I understand his argument. We have said clearly that we are not closing hospitals until and unless we are sure that the services are there in the community. However, I go much further. I say that we need to ensure that there are hospital places for different categories of need for people with mental illness. That goes for medium-term needs, with hospital hostel-type concepts, it goes for secure accommodation, for acute beds, for 24-hour crisis beds, for long-term beds and for asylum. We need all that. We need the package of beds, just as we want the package in the community.

I know that I have not mentioned one or two hon. Members. I wanted briefly to mention the hon. Members who spoke from the Opposition Front Bench, to thank them for their broad support, if I may call it that, even if they will divide the House on their amendment.

The Opposition acknowledged that we are trying to fill a gap that needed filling and which has been identified, as both Opposition Front Benchers said, by reports and inquiries. We have discussed the medium-secure beds, and their provision. We have talked about resources, too. I did not hear much from the Labour party as to what additional resources it will pledge over and above what we have provided. We have come to accept that; the Opposition talk about the general need for more resources but do not give any specific pledges. I am therefore not surprised that they changed the terms of their amendment tonight.

Several hon. Members raised the issue of guardianship. I remind them that we want to encourage guardianship. It is not used a great deal; when it is, it is generally used for people with social functioning problems. We believe that it should be a medically led regime. Baroness Jay sought to promote guardianship by adding to it the power to convey. We do not think that is the way forward; we think that this Bill is.

We shall also examine the role of the Mental Health Act Commission when reviewing the Bill generally.

Black mental health is an issue that I take very seriously. I appreciate the way in which the hon. Member for Newcastle upon Tyne, East (Mr. Brown) raised it. The first initiative that I took as a Minister was to launch an inquiry into the reasons for the apparent variations in treatment and diagnosis and in the type of accommodation for black mentally ill people. We are going to look carefully and objectively—without too much emotion—at this subject, without ducking any of the questions. I shall go on doing that, but it is separate from this Bill, and I hope that it will not be seen as a threat to these people.

The Bill seeks to protect some very vulnerable people, whose illness can cause harm to themselves or others. Tragedies are rare, but that is no reason not to try to avoid them by strengthening supervision. We must reassure the public and the families who have people with severe mental illnesses living among them. I have listened carefully to everything said this evening. I shall listen again in Committee.

Everything that I have heard confirms what I said earlier: that this Bill is but one measure in the overall strategy, together with the CPA, registers, key workers, discharge procedures and a range of bed and community services. The resources are important; their effective use even more so. Resources have risen and will no doubt go on doing so.

Everyone has mentioned the revision of the Mental Health Act, but nobody has really told me what they want changing in it. In due course, we shall certainly look at the Act; in the meantime, a lot of people need not changes in the law, but a tightening of performance. The few who do need a change in the law are those whom we have dealt with in this Bill.

I hope that the House will reject the amendment, and give the Bill a Second Reading.

Question put, That the amendment be made:—

The House divided: Ayes 224, Noes 236.

Division No. 167] **[7.02 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Harvey, Nick
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Molyneaux, Rt Hon James
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
Orme, Rt Hon Stanley
Parry, Robert
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Simpson, Alan
Skinner, Dennis
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trimble, David
Tyler, Paul
Vaz, Keith
Walley, Joan
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Clarke and
Mr. Dennis Turner.

NOES

Alison, Rt Hon Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Sir Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Bruce, Ian *(Dorset)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carrington, Matthew
Carttiss, Michael
Channon, Rt Hon Paul
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey

Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence
Horam, John
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Wheeler, Rt Hon Sir John
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. David Willetts.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 60 (Amendment on Second or Third Reading), and agreed to.

Bill read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

Mr. George Robertson (Hamilton): On a point of order, Madam Deputy Speaker. Given the developments in regard to Brent Spar since Prime Minister's Question Time, when the Prime Minister made an explicit statement on the matter, and given the change of mind by Shell in the interim, have you been given notice that a Minister will make a fresh statement to the House this evening? As the issue is of crucial importance and there has been a major change of policy by the Government and Shell since Prime Minister's Question Time, will you ensure that the House is briefed before anybody else?

Madam Deputy Speaker (Dame Janet Fookes): The answer to the first question is that I have received no such notification. The other matters are really the responsibility of the Government and I cannot ensure anything from the Chair, but I am sure that those points will have been noted by those on the Treasury Bench.

Mr. Matthew Taylor (Truro): Further to that point of order, Madam Deputy Speaker. Today's events are not only a triumph for the environment movement and the general public, but a total humiliation for the Prime Minister. Although it may appear that matters are resolved, Government policy apparently has not changed. They have made no statement and, potentially, another 50 installations could be buried under the North sea. Surely the Government must explain to the House whether Government policy has changed or whether the decision was taken by Shell.

Mr. Calum Macdonald (Western Isles): Further to that point of order, Madam Deputy Speaker. As the Prime Minister repeatedly affirmed the Government's policy to dump at sea, would it not be appropriate for him to come to the House to explain the latest developments and

apologise to those hon. Members he disparaged during Prime Minister's Question Time who tried to put forward just this policy?

Mr. Patrick McLoughlin (West Derbyshire): Further to that point of order, Madam Deputy Speaker. Surely that is absolute nonsense. There is no Government responsibility whatsoever. The company made a commercial decision which was for that company to make, and the Prime Minister has no responsibility whatever in the matter.

Mr. Alex Salmond (Banff and Buchan): Further to that point of order, Madam Deputy Speaker. As you are well aware, there is direct Government responsibility. Yesterday, the Prime Minister himself described the proposal for onshore decommissioning as "incredible". As the Prime Minister put his personal authority behind that policy yesterday and today, is not he the appropriate Minister to make a statement to the House? Usually, when the Prime Minister backs people to the hilt, they end up sinking. In this case they have ended up not sinking. Are we not due an explanation?

Several hon. Members *rose—*

Madam Deputy Speaker: Order. I must make it clear to the House, as the representative of the Chair, that these matters do not lie within my control.

Dr. Godman: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Is it a different point of order?

Dr. Godman: No. I wish to make a point concerning the announcement of the change in direction. As the hon. Member who first demanded in the House that the installation be brought ashore, may I point out by way of clarification that the Government have every responsibility for such decisions under part I of the Petroleum Act 1987? The Government allowed Shell to go ahead with its plans until they lost their collective nerve.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. We must beware of this turning into a mini-debate. The point of order for the Chair is clear. I can only draw the matter to the attention of the members of the Treasury Bench. Apart from that, it is not my responsibility.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Madam Deputy Speaker. Since the points of order began, two Scottish Office Ministers have appeared on the Treasury Bench. Would it be appropriate for one of those to come to the Dispatch Box to make a statement, and would you agree to that, or would it be better if the President of the Board of Trade came to the House to make such a statement, because it is he who now acts on behalf of the Prime Minister to mop everything up?

Madam Deputy Speaker: Those are all very interesting suggestions, but they are not matters for me. We must move on to the next business.

MENTAL HEALTH (PATIENTS IN THE COMMUNITY) BILL [*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Order [19 December],

That, for the purposes of any Act resulting from the Mental Health (Patients in the Community) Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable out of such money under any other Act.—*[Mr. Kirkhope.]*

Question agreed to.

Town and Country Planning (Costs of Enquiries etc.) Bill

Not amended (in the Standing Committee), considered.

Clause 1

COSTS OF HOLDING CERTAIN INQUIRIES ETC.

7.20 pm

Mr. Keith Vaz (Leicester, East): I beg to move amendment No. 1, in page 3, line 2, at end insert—

'(5A) Any regulations made by the Secretary of State under the provisions of subsection (5) above shall provide for the application of a service level agreement governing the administration of a qualifying inquiry and the performance of any person appointed to hold it.'.

The amendment would incorporate the concept of service level agreements between the Planning Inspectorate and local authorities in the Bill.

As the Minister knows, the local authority associations are concerned that, as the requirement for inquiries into development plans is established in legislation, local planning authorities are being required to use a service that is offered by only one agency for a function that they are statutorily required to fulfil.

In those circumstances, the Opposition consider it essential that the level of service required of the inspectorate is formally set out with some means of redress for the planning authority if the inspectorate fails to perform adequately.

That issue was raised jointly in Committee with an amendment that would have introduced a contractual relationship between the inspectorate and the local planning authority. The Minister will recall—if I may draw his attention away from his discussions with the deputy Chief Whip to the amendment—that in his response the Government accepted

"the need implied for a more satisfactory footing for the arrangements between the planning inspectorate and the individual planning authority on whose behalf the planning inspector holds a development plan inquiry. We appreciate that the planning authorities want to have more say in inquiry arrangements in which they are required to pay what in some cases will be comparatively large sums."

I am sure that the Minister will recall saying that. He went on to argue that the arrangements should not be included in the Bill. He continued:

"Many of the factors that influence the practical operation of development plan inquiries such as the number of objections are outside the Planning Inspectorate's control . . . that is why there are no targets and penalties for the Planning Inspectorate. The difficulty is that there are numerous other parties in the local plan inquiry process, which is not a simple matter of discussion between the planning authority and the Planning Inspectorate."—[*Official Report, Standing Committee E*, 17 May 1995; c. 19.]

I am sure that the Minister recalls saying that too.

In response to other amendments in Committee, the Minister referred to the fact that the inspectorate had proposed a draft service level agreement with local authorities. He has sent a copy of that draft agreement to my hon. Friends and me. He also told us that he had placed a copy in the Library of the House.

The Minister mounted an argument of sorts against a strictly contractual relationship between the inspectorate and planning authorities, but his argument does not justify making no reference in the Bill to the introduction of a more formal relationship between the inspectorate and local planning authorities.

The local authority associations have been in discussion with the Department for some time and I believe that some progress has been made in trying to resolve the outstanding issues. The amendment would simply include the principle of such an agreement in the Bill without specifying precisely what its contents should be.

It is important, however, that the service level agreement should address the fact that local planning authorities do not have the usual redress of seeking an alternative supplier should the service provided by the inspectorate prove not to be of adequate quality or to provide value for money.

The Opposition believe that the service level agreement should be explicit about the level of service to be provided; measures to be used in assessing the quality of that service; provisions for receiving feedback on quality from the consumers of the service—the local authorities and others who are involved in the planning process—mechanisms by which significant difficulties may be tackled; methods for redress should either party fail to deliver its agreed performance; methods for the resolution of disputes, such as circumstances in which the local planning authority may wish to query matters of factual veracity or reasoning, or to clarify the inspector's recommendation; and, finally, the approach to be taken in the event of a significant disruption such as the illness of an inspector.

It may not be necessary for the universal service level agreement to contain administrative arrangements such as those for making documents publicly available, for the referencing of documents, for the hours and days of the week for sittings, for timing and for exchanging written evidence, for the procedure for giving evidence and for cross-examination, and for round-table discussions. Some of those matters may depend on the circumstances of the inquiry and the nature of the issues raised. Some may also need to be agreed at the pre-inquiry meeting.

Equity between different inquiries demands that the procedures followed are as universal as possible. The service level agreement could play an important role in establishing a common approach. Matters that are specific to an inquiry should be dealt with in a local supplement to the agreement to be prepared after the pre-inquiry meeting.

This simple amendment would formalise discussions and agreements that are currently proceeding. There is nothing controversial about it and I hope that the Minister will accept it.

Mr. David Rendel (Newbury): I support the hon. Member for Leicester, East (Mr. Vaz), because I too believe that the introduction of the service agreement is welcome but that it needs to be formalised.

Inquiries are becoming more complex and important because so much now depends on them. It is difficult to get a development proposal agreed once the local structure plans have been finalised.

We should, therefore, look hard at the procedures that we are using for inquiries and inspectors. On Second Reading, I said:

"We need some form of guidance about what to expect from our inspectors. The Government are keen on charters at the moment. Perhaps there should be an inspectors charter, which would lay down some ground rules on how they would work and what local authorities could expect from them."—[*Official Report*, 12 January 1995; Vol. 252, c. 312.]

It was therefore very welcome when, shortly thereafter, the Government made proposals very much along those lines. I welcomed that in Committee and I welcome it tonight, but it is right that the procedure should be formalised. We do not want the proposals to go ahead merely as proposals and not to be properly implemented as they will be if the amendment is agreed tonight. Therefore, I hope that the House will agree it.

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): Only a lawyer could think out amendment No. 1. The route suggested by the amendment is likely to end in a legally binding contract that would remove the administrative flexibility that the planning authority and Planning Inspectorate need to operate inquiries efficiently.

The need of the hon. Member for Leicester, East (Mr. Vaz) to regulate everything is part of the difficulty of his whole thinking. We desperately need administrative flexibility, which is what we seek. Under the amendment, the contract would have to be enforceable by either party. It would almost certainly increase the scope of disputes. It would not improve the local planning process and only lawyers would improve their income.

We prefer the approach of proceeding by agreement between those responsible for managing the development and the planning inquiry process. Officials in my Department and in the Planning Inspectorate are consulting officers of the local authority associations and the Royal Town Planning Institute on the draft of a service agreement.

7.30 pm

Dr. Lynne Jones (Birmingham, Selly Oak): Will the Minister give way?

Sir Paul Beresford: I shall not give way. We have been through this time and again, and it is a waste of time continuing with it. The aim is to finalise an agreement that the associations could commend to their members as soon as practicable. The Planning Inspectorate's aim is to offer the agreement to individual planning authorities, where the terms have been finalised, following the current consultation. We do not need the amendment. It would be counter-productive.

Dr. Jones: Will the Minister confirm a comment that he made in Committee—that he would consider establishing a working party with local authority bodies to consider the draft service level agreement? Is that still a proposal or has he withdrawn it?

Sir Paul Beresford: I repeat that a useful meeting was held on 2 June and that a further meeting, to discuss a revised text of the draft service agreement, is planned in the near future.

Question put, That the amendment be made:—

The House divided: Ayes 168, Noes 197.

Division No. 168] **[7.30 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Anderson, Donald *(Swansea E)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Bayley, Hugh
Beith, Rt Hon A J
Bennett, Andrew F
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bruce, Malcolm *(Gordon)*
Burden, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Davidson, Ian
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Ingram, Adam
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Nigel *(Cheltenham)*
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
Maclennan, Robert
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Parry, Robert
Pickthall, Colin
Pike, Peter L
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Reid, Dr John
Rendel, David
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Simpson, Alan
Skinner, Dennis
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tipping, Paddy
Touhig, Don
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walley, Joan
Wareing, Robert N

Watson, Mike
Wicks, Malcolm
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Stephen Byers and
Mr. Joe Benton.

NOES

Alison, Rt Hon Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Bowden, Sir Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carrington, Matthew
Cartiss, Michael
Channon, Rt Hon Paul
Chapman, Sydney
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gardiner, Sir George
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Horam, John
Hughes, Robert G *(Harrow W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Sir Cranley
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Powell, William *(Corby)*
Richards, Rod
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Wheeler, Rt Hon Sir John
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. David Willetts.

Question accordingly negatived.

Mr. Vaz: I beg to move amendment No. 2, in page 3, line 2, at end insert—

'(5A) The prescribed standard amount referred to in subsection 5(b) above shall not be changed more than once in each calendar year; and any change shall be subject to consultation with such organisations as the Secretary of State considers to be representative of local authorities.'.

As drafted, the Bill enables the Secretary of State to recover from local planning authorities the costs of appointing inspectors to hold local public inquiries. Central to that is a power to make regulations setting out the detail of the costs to be charged. The regulations will, in particular, set out a prescribed standard amount for the cost of an inspector.

The subject of the charging provisions was probed in Committee. Replying to questions, the Minister argued:

"The way in which the Bill is constructed will be an inducement to both local authorities and the Government to reduce costs. Given that the standard spending assessment includes a payment from the Government to local government through the planning portion of the SSA, the hon. Gentleman will realise that both sides will wish, if for no other reason than their economies, to improve and streamline the cost of inquiries."

The Minister confirmed that an increase in the standard daily amount would require the introduction of regulations in the House, subject to the negative resolution procedure. He added:

"The Planning Inspectorate has proposed a draft service agreement with local authorities that aims to give them a minimum of 28 days notice of an increase in the standard daily amount. In practice, however, local authorities would expect to be given considerably longer notice because of the need for regulations that would spring from such an increase. That approach is therefore reasonable, particularly given the opportunity of the negative resolution procedure."

In response to an amendment that would have required the Government to consult local authority associations on the regulations, the Minister indicated that he accepted the principle of the amendment and undertook to abide by the contents of a statement of guidelines for central Government and local government regulations. He confirmed that

"consultations about the regulations will take place when the Bill is enacted."—[*Official Report, Standing Committee E*, 17 May 1995; c. 10-15.]

7.45 pm

In defending the Bill, the Government have repeatedly argued that the costs that local planning authorities will face as a result of the inquiries are fully reflected in the local government funding mechanism, through the SSAs. In Committee, however, my hon. Friend the Member for Normanton (Mr. O'Brien) made the important point that this particular amount was not quantified in the SSAs. Given the way in which SSAs are constructed, it is not possible to prove whether individual items are reflected in them. That is particularly so with costs such as these, which are small in relation to local government expenditure as a whole and do not arise regularly in the case of individual authorities, but can pose a significant burden when they do.

As we know from both Second Reading and Committee, a large amount is currently being demanded from local government. That means that authorities need to be in a position to plan for the likely costs as far in advance as possible, and that any changes in the level of costs need to be linked with changes in the level of resources made available to local government through the SSAs and the revenue support grant regime. Specific consultation between Government and planning authorities on any increase is essential.

The amendment seeks to address those issues by limiting any increase in costs to no more than once a year, and requiring specific consultation on such an increase. We consider that, first, increases occurring more often than annually would not be acceptable; secondly, specific consultations with local authority associations should take place on any increase; and, thirdly, any increase should be no more than any increase in the real level of resources available to local authorities.

Mr. Bill Michie (Sheffield, Heeley): Having spent many years in local government and having chaired a large Sheffield planning authority, I am acquainted with the problems that may arise long before a planning application is submitted or an inquiry begins. I know of the demands made on officers' and politicians' time, and I know that the public feel that they should have more say in the matter. We have always had such problems, and I suppose that we always will—unless we tidy up our act.

The amendment deals with the likely increases in the costs of public inquiries relating to, for instance, Sheffield's unitary development plan. Local authorities are, of course, instruments of government, and as such they do not make the rules or prepare the ground for such inquiries. In fact, unitary development plans are an idea of the Government's with which I do not disagree—I think they are a marvellous idea—but I hope that UDPs can be dealt with more sensibly in future. Changing the plans every three or five years is extraordinarily costly for taxpayers.

Local authority planning departments have a statutory obligation to carry out UDPs and public inquiries. That takes a long time, certainly in Sheffield—although most of the public are happy with the way in which the inquiry there has been conducted. Nevertheless the cost is astronomical. The ground rules on planning and inquiries are set by the Government and they should foot the bill. I hope that there is some agreement in the House on that.

Many people think that planning is boring but I find it fascinating. *[Interruption.]* I said planning: not family planning. It is a fascinating subject, but unless we get the system right, in two or three years' time someone will ask, "How did we get ourselves into this mess? Why was this built there? Why was it not built here?" The whole idea of unitary development plans is to try to make sure that that does not happen, but it costs local authorities an arm and a leg to embark on such exercises.

My hon. Friend the Member for Leicester, East (Mr. Vaz) spoke about the standard spending assessment, but that still leaves a shortfall for local authorities. Their planning departments are Cinderellas and are not looked upon as providing front-line services. I understand why much more emotion attaches to education and social services and care, but the correct implementation of planning regulations has a profound effect on the citizens whom we represent. Like all authorities, Sheffield city council is currently meeting the cost of the staff involvement although there is an element in the SSA to deal with that cost. Most people, however, would be surprised to hear the actual costs.

I have a note from my local authority in Sheffield that the accrued cost of the public inquiry for Sheffield's unitary development plan could be about £200,000. I am sure that the Minister will have something to say about that. That includes the cost of two inspectors—it is a large inquiry—which could total between £80,000 and £100,000. Obviously, a local authority has to take advice because of the importance of such an inquiry, and that involves barristers' costs of £90,000 plus. Is the Minister prepared to say how much barristers' fees have cost ratepayers or taxpayers for such inquiries nationally? I think that the figure would be horrific. For such projects there is also the programme officer's salary, office expenses and other inquiry running costs. I take a simple view.

I have no objection to inquiries. They are crucial, but I object to the fact that the Government do not fully understand the importance of having in planning authorities competent, highly skilled people who can deal with the democratic right of people to express their opinion. Obviously, the Government would have an influence, but local authorities should not be left with bills that they cannot afford. Like many local authorities Sheffield is still bound by its statutory duties, and is trying to do the best that it can with such inquiries even though it is under the Government's financial constraint. I hope that the Government will look more seriously at the cost to local authorities. They should be given the wherewithal to do a competent job and they should be allowed to do it without the fear that they may have to scrimp and save and not be able to do the job that they would like because of the costs that would have to be passed to their ratepayers.

Mr. William O'Brien (Normanton): The Minister should consider carefully the amendment's principles and background. It asks that inquiry charges be increased no

[Mr. William O'Brien]

more than once a year, and that any increase should be in line with the expenditure that is set by the Secretary of State for local authorities to provide services. If the Minister does not accept the principle of the amendment he should explain why he thinks the increase in inquiry charges should occur more than once a year.

On Thursday the Secretary of State for the Environment made it perfectly clear to the House that he accepted that local authorities were working on stringent budgets because of capping and that the standard spending assessments set by the Government are such that local authorities cannot provide for increases other than those that are set out in their budgets. That is, basically, the principle that lies behind the amendment. It is right that local authorities should have some assurances.

When we debated costs in Committee we challenged the Minister to deny that the Bill would impose a charge on local authorities for retrospective Government charges for planning inquiries. I said that that was totally unfair and unjust, but the Minister said that any payments that local authorities might be called upon to make for retrospective planning inquiries would be met or that the SSA would contain an element to meet that extra Government charge.

I wrote to the Minister asking him to outline how much he anticipates will be included in the SSA to cover the costs that will be charged to local authorities. He replied, which I appreciate, by saying that the SSAs for the coming year will be approximately £38,743 million and that 0.03 per cent. of that will be for planning costs. He said that that was included in a budget provision for other services. It is easy for the Minister to say that part of the other services element of the SSA will cover those costs, but in view of the make-up of the other services we must ask the Minister to explain further.

In the Minister's reply to me dated 20 June—yesterday—he highlighted the fact that the services in annexe H of an enclosed document included a number that were covered by the SSA. He listed them in the document, and planning implementation and control are included in that list. The only problem is that while non-metropolitan district councils and metropolitan county councils are covered, metropolitan district councils are not.

The Bill is a result of what happened in Birmingham, which has a metropolitan district council. Although the Minister addressed the points that I raised with him, his answer did not apply to the authorities about which I questioned him in Committee. Although the Minister gave some information about how he believes the SSA should be apportioned according to the formula, not all authorities are covered.

The Minister owes members of the Committee in particular, but the House in general, some explanation as to why he refers only to non-metropolitan district authorities and not to metropolitan district councils. Wakefield, the region where I am from, is involved. An account will be sent to it for retrospective payments for planning inquiries.

8 pm

If the Minister does not accept the amendment, the revised planning guidance that the Government are contemplating will mean further cuts in the consultation period that takes place when a unitary development plan is offered for consultation to people in the communities. In Wakefield, the planning authority conducted an extensive consultation exercise. Its chairman and officers called public meetings in towns and villages and explained in full the purpose of the unitary development plan. If we decide to reduce the resources, they can be taken only in respect of the consultation period that planning authorities undertake to acquaint their communities with their plans for the next five or 10 years.

That is the course that the Department is embarking on with the revision of the planning guidance on statutory plans. It is wrong, and the Government would have to explain why they intend to take from communities their right to have planning procedures made clear and understood. If amendments are suggested by the public and communities, that is their right. It would be wrong for the Government to take that right away.

The cost element is attached to inspectors and inspectors' services that apply to local authorities. The Wakefield authority carried out its exercise in accordance with the Government's directives. The problem with the unitary development procedure in relation to Wakefield was the length of time that it took for the inspector to present the report and the fact that there was the unexpected element of the inquiry. In Committee, the Minister said that he agreed with Opposition Members that the procedure of the inspector carrying out his exercise in the community and presenting the report would have to be speeded up. Will we be given the additional assurance that the waiting time for an inspector's report will be reduced and that the inspector will be more specific about when he will attend the public inquiry and invite people to present their observations and comments? Will the Minister give an assurance that, if people promise to attend a public inquiry and fail to do so, any charge on the local authority should be met by those people if the reason for not attending was not justified?

Tonight, the Minister will have to answer a number of questions. This is the last opportunity that we have to press the Minister to do something to ensure that local authorities will not again be charged for services other than those included in the SSA or the capping criteria that are set by the Secretary of State for the Environment. If the Minister believes that planning is important, if he considers that communities have the right to examine proposals that affect, in many instances, their destiny in the form of development of industrial and residential estates, if he believes that communities and local authorities have the right to examine those plans, to choose and to make representations on proposals in a unitary development plan, and that people have a universal right to make representations, the only way that he can be fair and offer any real assurances is to accept the amendment. That would give local authorities the comfort of knowing that, when their budgets are set and provision is made in the planning budget for a public inquiry, that charge will not increase.

We want to have—last time we argued that this was possible—a service agreement, but such an agreement is not there. We want some assurances from the Minister, as outlined in the amendment, that charges will be made no more than once a year and that they will be in line with a local authority's budget provisions.

Dr. Lynne Jones: The amendment is designed to exert some constraints over the Planning Inspectorate and the frequency with which it demands an increase in its

charges and the level of those increases. I am not sure why it refers only to subsection (5A), but it is an example of what needs to be done.

That this amendment is necessary is demonstrated by the behaviour of the Planning Inspectorate, presumably acting with the agreement of the Secretary of State for the Environment. Between June 1989 and September 1991, the charges for development plan inquiries increased by more than 170 per cent. In Committee, the Minister had an opportunity to comment on and justify that scale of increase in charges, but he declined to do so; perhaps tonight he will take the opportunity to comment, particularly as I understand that it is proposed to increase the current charge of £285 a day for planning inspector services by 19 per cent.

The fact that the charges are not based on any rational assessment of actual costs is demonstrated by the fact that charges for development plan inquiries differ substantially. At one time, there was a difference of between £350 a day and £285 a day. That has never been justified. The Minister declined to comment on that discrepancy or to give any assurances about how the Department's administrative overheads, which can be charged, would be justified.

It is thanks to Birmingham city council that this legislation is before us. Under the proposals in the service level agreement, which is a step forward, there will at least be 28-day notification of an increase in charges. That is an improvement. Last time they were increased, notification went out on 12 September for charges that were to be increased on 1 September. Birmingham city council is to be congratulated on its final decision to consider such charges when its original estimate of £28,000 for its development plan ended with a demand for a £63,000 payment—almost three times the original assessment.

I hope that the Minister will respond to those arguments. What is being proposed is a step forward, and Birmingham city council should be congratulated on that. I welcome the fact that the negative resolution procedure may delay the 28 days even longer. However, we still need to hear a justification for charges being increased more frequently than once a year. I cannot understand why the Government will not accept our reasonable amendment.

Mrs. Helen Jackson (Sheffield, Hillsborough): I shall ask one question in support of the amendment. Money is finite in the local authority sector, as I am sure the Minister will agree. The Select Committee on the Environment heard only last week that, if community care costs are taken out of the local government equation, the Department envisages a reduction of 6.3 per cent. in real terms over the next three years.

As money is finite, I must ask the Minister a question that the Sheffield city solicitor raised with me. Is not such an increase in costs, and such uncertainty over the planning budget for financing planning appeals, likely to make an authority even more wary about taking important enforcement action over serious environmental issues?

As the Minister will know from the deliberations on the Environment Bill that have been taking place over the past few months, local authorities are being asked to take on many more responsibilities in connection with important matters of which there is a growing public awareness, and to take enforcement action on environmental issues. Such increases in costs will create more pressure, especially on local authorities that develop a careful budget plan to allow for them, and they will therefore have no room left for unexpected, although possibly very important, legal action that may be necessary when there are serious violations of environmental standards in their areas.

For those reasons, I look forward to hearing what the Minister says in response to our important amendment.

Mr. George Stevenson (Stoke-on-Trent, South): As my hon. Friends have said, the amendment seeks to restrict the Government's undoubted ability and intention to increase the standard daily amount so that that can be done only once a year. I could not help wondering what the Government's attitude would be if the roles were reversed. If local authorities sought to impose charges on the Government as and when they wanted, what would the Government's reaction be? If a local authority said, "We want to change the cost of collecting your business rate every month or so," the Government's reaction would be—

Mr. Bill Michie: Shock, horror.

Mr. Stevenson:—as my hon. Friend suggests, shock, horror.

I suspect, in fact I know, that the Government would say, "You can't do that." If local authorities were legally entitled to do it we would see a phalanx of Ministers on the Government Front Bench pressing us to change the law to stop those awful authorities. That would undoubtedly happen if the roles were reversed, so why do the Government find our reasonable amendment, which is consistent with their philosophy of effectiveness, efficiency and controlling costs, so horrid? Why do they recoil from it?

Mr. Michie: They had not thought of it.

Mr. Stevenson: They have not thought about any of this.

8.15 pm

We must dig deeper, and consider what the standard daily amounts are. They represent all the administrative costs, both direct and indirect, of the public inquiry. When we pressed the Under-Secretary of State in Committee about what the costs might be, we were all impressed by his silence—because silence was what we got. All that we could interpret from that silence was that he did not know, and I suspect that that is his motive for rejecting the amendment. Not only has he no faith in his ability to control costs, but he does not know what the costs would be even if he had. He could not tell us in Committee, and I suspect that he cannot tell us now.

What did the Minister tell us in Committee about the costs? He told us that they included "general overhead costs", whatever they might be—that phrase covers a multitude of sins. He said, "Don't worry, trust us. We are okay; we are a good bunch of people." Then he said:

"There will, however, be a daily charge that will be notified to the planning authority before the inquiry begins."

That is an interesting statement. When will that notification take place—a day in advance, two days, a week, a month, six months, or even 28 days? I do not know. I have looked through the *Hansard* report of the Committee sitting and I cannot find any trace of any information.

The Minister continued:

"That will mean that the council will be able to budget for the anticipated costs of the inquiry and of the report by reference to the numbers of inquiry days, plus the number of subsequent reporting

[Mr. Stevenson]

days. Thus, the total anticipated charge can be known and calculated in advance by the planning authority."—[*Official Report, Standing Committee E*, 17 May 1995; c. 10.]

The unfortunate fact is that the planning authority may be engaged in several planning inquiries in one year. Are we to accept the underlying philosophy and logic behind what the Minister says—that the planning authority will be engaged in only one planning inquiry in a year? We all know that that is nonsense, and that authorities are often engaged in several inquiries in the same year.

The Under-Secretary told us that the costs would be identified and contained in standard spending assessments. But how can we reconcile the fact that standard spending assessments are compiled only once a year with the fact that planning authorities will know what costs are to be imposed on them as standard daily amounts and other general costs at some unidentified unspecified date before each planning inquiry? That is what the hon. Gentleman said.

If the hon. Gentleman continues that alarming logic this evening we are entitled to ask him for an assurance that he will not increase those charges between planning inquiries, so that planning authorities have to jump through the hoop every time there is a planning inquiry and compile another budget. If the Under-Secretary continues to insist that the Minister will have the authority to change the standard daily charge almost at will, without consulting local authorities, the danger is that that charge will be amended—that is, increased—more than once a year. Unless he can assure us that that will not happen, he cannot duck the logic behind his own statement.

If local planning authorities are going to be advised what their charges will be before every local inquiry, when will they be advised? What will those charges be and will the Minister assure us that those charges will not be changed between one inquiry and another? If he will not give that assurance, it will make nonsense of the assurances that he tried to give in Committee and of the proposition—already a weak one in respect of this Government—that we should trust him and the Government.

We are seeking to get a working relationship in the light of court cases and everything else that has led to the changes that the Government are proposing. I put it to the Minister: is it reasonable, given his days as a local authority member, that local authorities will like the prospect of some Minister cloistered in Whitehall telling them what their costs are going to be every time there is a planning inquiry and that they may be changed every time there is an inquiry? Is that the sort of basis on which Government and local authorities should operate in a very important aspect of Government and local authority activity?

As my hon. Friends have said, planning inquiries affect everyone's life in some way, shape or form. Are the Government's proposals a reasonable basis for those activities? I put it to the Government, as we did in Committee, that they are not. They have no logic and simply say that the Government will hold all the aces and that local authorities will have to like it or lump it. That is not the basis on which such activities should be conducted.

Mr. Bill Michie: My hon. Friend touches on a theme with which I totally agree. It seems to me that the Government, for some arbitrary reason, put a value on what they think each planning inquiry is worth. That could be a bit of a problem because if the Government of the day do not like a particular inquiry or are not bothered about whether the local authority wins, loses or whatever, they can make sure that there is not adequate finance to deal with that inquiry. It is a bit dodgy if, before the inquiry starts, there is a judgment of the value of it being done properly.

Mr. Stevenson: I agree with my hon. Friend. In the light of the Government's intransigence in the matter, the amendment seeks to find a middle way. They will not tell us in any detail what the costs are likely to be. They have extended the scope of the costs because the Town and Country Planning Act 1990, which the Bill seeks to amend, referred only to recoverable costs covering remuneration and allowances. The Bill covers the entire administration costs of and incidental to the qualifying inquiry. There is a world of difference. Despite our arguments, the Minister did not seem to understand that. My hon. Friend the Member for Sheffield, Heeley (Mr. Michie) made an extremely valid point.

In conclusion, the Minister and, indeed, the whole army of Government Ministers, continually claim that their intention is to make local and national government speedier, more efficient and more effective. Apart from the mechanisms used to achieve them, most of us would concur with such goals as being consistent with good government. The Government have always claimed that they give higher levels of service. We have citizens charters coming out of our earholes. We seem to get one every day. We have more citizens charters than crises, which is saying something.

In the circumstances that the amendment seeks to address, we are asking the Government to demonstrate their commitments. We are asking the Government to restrict their ability to change the charges to once a year. I do not know any hon. Member who would find that unreasonable. Rejection by the Government of the amendment would clearly imply that they are not confident of their ability to control costs and that they are not in charge of their civil servants or Departments. It is the same logic that has been applied year in, year out, to local authorities by the Government. It is an easy way out for the Government simply to pass the costs on to local authorities and, under the Bill, to do so almost willy-nilly. For those reasons, hon. Members should accept the amendment.

Sir Paul Beresford: Of all hon. Members with local government experience, I should have thought that I would be the one who wants to squeeze local government expenditure and to understand the point that Opposition Members are making about that. I appreciate and understand that Labour Members want to limit the frequency with which the prescribed standard daily amount can be changed. That is plainly sensible from the point of view of the local authority budgetary process and the annual local government financial settlement.

If I may pause for a moment, I shall answer the hon. Member for Normanton (Mr. O'Brien), who, I am sorry to say, obviously did not understand. He says that the planning provisions of standard spending assessments do not relate to metropolitan districts such as Birmingham. He has misunderstood the annexe that I sent to him. Planning control and planning implementation are taken into account for shire districts, metropolitan districts and

London boroughs. The reference in the annexe to the non-metropolitan districts was merely to classify the services provided by counties in shire areas and those provided by districts in shire areas. Outside the shire areas, the metropolitan districts and London boroughs provide both county and shire district services. Their SSAs therefore cover all the other services in annexe H.

Mr. William O'Brien: Is the Minister dealing with annexe H, which he sent me, or using details given to him since I raised the matter by civil servants in the Box? If he is not dealing with annexe H, he is not being fair with the House.

Sir Paul Beresford: I am explaining something that I should have thought that someone who has, in the past, taken part in local government, would have understood. I am explaining, effectively, annexe H.

If the Bill is enacted, the calculation of the standard daily amount will be my Department's responsibility. In practice, the amount of the charge will depend on the Planning Inspectorate's year-on-year cost in providing inspectors to hold development plan inquiries. The inspectorate also budgets on an annual basis, although its budgets relate to the financial year, not the calendar year. We do not expect the charges to be reassessed more than once in any particular annual period.

It is probably worth reminding hon. Members that the cost and figures given sound large, but, put as a proportion, they are not; the proportion of council expenditure is only 0.03 per cent. I shall give one specific example—one of the favourite boroughs of Labour Members. Wandsworth borough's unitary development plan inquiry opened on 2 March 1993, lasted 23 days and had an additional four site visit days. It closed on 13 March 1993. The total bill was just under £52,000. That is in a total gross budget, if I remember correctly, of nearly £500 million. The balances that the local authorities are required to set aside by the auditor would more than cover the charges that Labour Members are trying to exaggerate.

Of course, my Department and the local authorities have a common interest in minimising the frequency with which charges are altered. In any event, there will be the additional discipline of having to justify any proposed increase to Parliament when the necessary subordinate legislation is introduced.

We also had a proposal for a consultation requirement. I explained in Standing Committee that my right hon. Friend the Prime Minister agreed last November with representatives of the local authority associations a statement of guidelines for central and local government relations. Paragraph (d)(4) of the guidelines includes provision for consultation about relevant financial issues. My Department will follow those guidelines in consulting about proposed increases in charges to be introduced in future by these regulations. The amendment is unnecessary.

Mr. Vaz: We have had an extraordinary reply from the Minister. If he believes that it is reasonable that local authorities should be consulted and if he thinks that it is unnecessary to increase charges more than once annually, there is no reason why he cannot accept the amendment so that such provisions are written into the Bill. The reason why my hon. Friends will not accept assurances given by Ministers is, frankly, that they are not worth the *Hansards* they are written in simply because so many of the assurances given by Ministers are changed by subsequent Ministers.

8.30 pm

We believe that the amendment represents a reasonable way out for the Government. It provides for consultation with local authorities; the Minister says that he is in favour of consultation. A meeting took place with the Prime Minister last year. There is no reason why that consultation should not be written into the Bill. There is also no reason why we should not be clear about the matter at this stage.

The Bill was introduced to make matters concerning the cost of inquiries as clear and precise as possible. Here is an opportunity to ensure that the Bill is clear and precise. We will, therefore, press the amendment to a vote.

Question put, That the amendment be made:—

The House divided: Ayes 155, Noes 194.

Division No. 169] **[8.30 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Bayley, Hugh
Beith, Rt Hon A J
Bennett, Andrew F
Benton, Joe
Betts, Clive
Boateng, Paul
Bradley, Keith
Burden, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Connarty, Michael
Corston, Jean
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Davidson, Ian
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Fatchett, Derek
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Harvey, Nick
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Ingram, Adam
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S O)*
Jones, Nigel *(Cheltenham)*
Keen, Alan
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McWilliam, John
Madden, Max

Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
Parry, Robert
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Quin, Ms Joyce
Radice, Giles
Reid, Dr John
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tipping, Paddy
Touhig, Don
Turner, Dennis
Tyler, Paul
Vaz, Keith
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Stephen Byers and
Mr. Jon Owen Jones.

NOES

Alison, Rt Hon Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Bowden, Sir Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carrington, Matthew
Carttiss, Michael
Channon, Rt Hon Paul
Chapman, Sydney
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gallie, Phil
Gardiner, Sir George
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Horam, John
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Sir Cranley
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Powell, William *(Corby)*
Richards, Rod
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Ryder, Rt Hon Richard
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spink, Dr Robert
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Wheeler, Rt Hon Sir John
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Young, Rt Hon Sir George

Tellers for the Noes:
Dr. Liam Fox and
Mr. David Willetts.

Question accordingly negatived.

Clause 5

SHORT TITLE, INTERPRETATION, FINANCIAL PROVISION, AND EXTENT

Mr. Vaz: I beg to move amendment No. 3, in page 12, line 20, at end insert—

'(1A) This Act, except for sections 2 and 4, shall come into force at the end of the period of six months beginning with the day on which it is passed, or on such earlier day as the Secretary of State may by order specify.

(1B) Sections 2 and 4 of this Act shall come into force on such day as the Secretary of State may by order specify.

(1C) Any power to make an order under this section shall be exercisable by statutory instrument; and no order shall be made under subsection (1B) above unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament.'.

Before I speak to the amendment, may I congratulate you, Mr. Deputy Speaker, on receiving a knighthood from Her Majesty the Queen? Not only did that bring a great deal of joy to hon. Members of all parties, but I am quite certain that the citizens of Pontefract and Castleford were equally delighted at the honour.

The amendment would delay the coming into force of clauses 2 and 4 of the Bill, which deal with retrospection, until they have been approved through the affirmative resolution procedure of the House. The matter of retrospection has been addressed during the passage of the Bill, but the Minister has yet to give a satisfactory answer to the grave concerns raised not only by members of the Committee but by other hon. Members on Second Reading.

In Committee, the Minister argued that the Bill's provisions would not lead to true retrospection, for three reasons: first, because the clause would

"simply validate past payments that authorities made in good faith at the time of payment, believing that they had been sought and paid for lawfully since 1968."

Secondly, he said:

"provision has been made in past annual local government finance settlements for the estimated expenditure that planning authorities expected to incur by way of charges for inspector's services at planning inquiries."

Thirdly, he added:

"Without retrospection, the other provisions in the Bill would be unfair to those planning authorities that, through no fault of their own, have not yet reached the stage of holding an inquiry as part of their development plan process."

The Minister also advanced those three reasons on Second Reading.

One major concern for local planning authorities is a conviction that the Government would not have been as flexible in dealing with them in similar circumstances had the change occurred in relation to local government's execution of its own powers. One can imagine what would happen if a local authority acted unlawfully, in exactly the same way that the Government have acted over the past 20 years in dealing with the costs of inquiries. Ministers would be up in arms, and they would be rushing to the Dispatch Box and going on to "News at Ten" demanding to know why local authorities had acted in such a way.

When Birmingham city council decided that there was a loophole in the law, no apology was given by Ministers. Indeed, the chief executive and members of Birmingham city council were not thanked. I pay tribute to my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) and her colleagues who represent the city of Birmingham for having encouraged the local authority to do what it has done. Had it not been for Birmingham city council probing the legality of what the Government had been doing over the past few years, we would not have this Bill or, indeed, be discussing it at this stage.

The point that the deletion of retrospective provisions would be unfair to local authorities was raised at length by the Minister in Committee. The logic behind the Minister's argument was that it would be unfair to local authorities in the second tranche—those holding inquiries after the matter was raised by Birmingham city council and after the consultation procedure began. I have written, as have other Opposition Members, to local authorities. We have consulted various organisations, including the Association of District Councils, the Association of Metropolitan Authorities and the Association of County Councils, and not one of the constituent parts of those local authority associations would—

Sir Paul Beresford: They are Labour-controlled.

Mr. Vaz: I am glad that the Minister raises the point that they are Labour-controlled. Indeed, one of them has become Labour-controlled during the passage of the Bill simply because of the attitude expressed by the Government. It is no wonder that they all want to vote Labour. The Government are prepared to act unlawfully and to charge local authorities for doing something for which the Government have no power to charge them, as the Bill proposes. That is why the associations, representing Conservative, Liberal Democrat and Labour authorities as part of their constituent membership, have written unanimously to condemn what the Government propose.

8.45 pm

There is also concern about the wide-ranging nature of the retrospection proposed. Subsections (4) and (5) of clause 2 apply the concept of standard daily amounts to inquiries covered by retrospective powers. Subsection (6), however, goes one stage further by providing that if no standard daily rate was applicable to the inquiry in question, whatever charge the Minister considered reasonable would be levied. The provision goes beyond the original intention of the Bill, which was to provide merely for validating payments that have already been made.

Justifying this extraordinary provision in Committee, the Minister said:

"The inspectors' charges that can be recovered retrospectively will, like current charges, normally be based on a standard daily amount. Nevertheless, to ensure that every possible eventuality is catered for, subsection (6) is included, in case it is found that no standard daily rate amount was applicable at the time of a particular inquiry. If, most unexpectedly, the Planning Inspectorate had to use the powers of subsection (6) to decide what amount it was reasonable in all circumstances to recover from the planning authority, inspectorate officials would provide that authority with a complete analysis of the sum due and an explanation of why it was considered reasonable to recover it."—[*Official Report, Standing Committee E*, 17 May 1995; c. 26-27.]

Surely the Minister must accept that that is taking the principle of retrospection to its absolute limits. He is asking the House to grant him the power to decide what amount to recover in any possible eventuality, which he does not even expect will arise. Given his view that the clause is unlikely to be required, he is seeking the House's agreement to stretch retrospection to a limit never intended by any other piece of legislation that I have studied during the passage of the Bill.

If the Minister proceeds with the Bill without the amendment, I hope that he will at some stage table an amendment setting out his commitment to ensuring that if the clause were used, the planning authority concerned would be supplied with a complete analysis of the sum due and an explanation of why it was considered reasonable, together with an opportunity to challenge the figure arrived at.

[Mr. Vaz]

In other amendments, the Opposition have pressed for full consideration of the regulations to be made under the Bill and for the introduction of a service level agreement. As we know from the previous debate, the Minister has been as positive as he can, given the circumstances. At the very least, this amendment would provide the opportunity for the House to satisfy itself that the commitments were fulfilled and that, crucially, before any steps were taken, the provisions of the Bill would not apply retrospectively.

The Minister has said that he has gone out to consultation and that meetings have taken place with the Prime Minister. Indeed, that consultation started more than a year ago. The Minister must understand from my hon. Friends' contributions that retrospection is crucial to the future progress of good relations between the Government and local authorities. If, as a result of the McCarthy and Stone Developments case and the probing nature of the inquiry conducted by Birmingham city council, we accept that a mistake was made, the Minister should stand at the Dispatch Box and say that a mistake was made, apologise for it and say that, in future, any inquiries would be the subject of charging. Everyone in local government would accept that. That is what local authorities would be expected to do in the same circumstances.

If the Minister is not prepared to accept the amendment, the Opposition will certainly push it to a Division.

Mr. William O'Brien: I must remind the Minister that when we discussed retrospection in Committee, he defended it, but when we were considering retrospective legislation in Committee on another Bill on which the Minister was leading, he defended the right not to introduce such retrospective legislation. If there is a political weathercock in the House, it is the Minister, because whichever way the wind blows, that is the way he faces.

The fact that the Minister's own Back Benchers criticised proposals for retrospective legislation in the Committee on that other Bill prompts me to remind those Tory Back Benchers and the Minister that, today, the Minister is arguing the contrary to his previously stated opinion by arguing in favour of retrospective legislation.

Everyone knows that retrospective legislation is dangerous. It leaves open the opportunity for Ministers to introduce legislation that can create penalties for something that happened in the past. That is the dangerous purpose of the Bill. The Minister should consider carefully before he proceeds with the Bill.

The amendment would at least give local authorities the opportunity to offer an input to the representations to the Secretary of State regarding the level of retrospective payments. If the Minister pursues the line of thought that he exposed in Committee—as he has done so far tonight—he should press the Secretary of State to lift the cap from local authorities. If those authorities are to be charged for payments over and above their budget provisions, those charges could best be met by lifting that cap. The Minister may shake his head at that suggestion, but many of his hon. Friends on the Back Benches are saying exactly the same thing—unfortunately, not tonight. In fact, there are more civil servants in the Box than there are Tory Members on the Back Benches. That is glaringly obvious. It is true, nevertheless, that many Tory Members are now arguing that the capping mechanism on the expenditure of local authorities, which has operated for so long, should be lifted by the Government. If that happened, local authorities would obviously be more able to meet the demands that the Minister is making of them.

The amendment would ensure that any future charges would have to be subject to the affirmative resolution of the House before they were imposed. That would enable hon. Members to question the Minister and offer their views on his proposals to charge local authorities retrospective payments for matters that were not those authorities' responsibility in the first place. The initial mistake was made by the Government, whose charges on authorities were illegal from the start. That is why the Bill is before the House.

In Committee, the Minister reminded us that he had served in local government. If he wants to gain any credit from local government and wants to demonstrate his affiliation to it, he should show some respect for the pleas from the Opposition to help local government. Our amendment would return to local government some of the credibility that the Government have taken away from it and will continue to take from it through the Bill.

The amendment is constructive and would benefit local authorities that will be charged for retrospective payments. If the Minister has any affiliation to local government, he should accept the amendment.

Mr. Rendel: I join the hon. Member for Leicester, East (Mr. Vaz) in congratulating you, Mr. Deputy Speaker, on your recent success in the birthday honours list.

There is a difference between retrospective legislation about which people are warned in advance—that might sound like a rather strange concept, but it applies to an extent in this case—and genuine retrospective legislation, which applies to people who could not have known what was happening.

It is sometimes admissible, although not necessarily in this case, for a Government to announce that they are about to legislate and that that will apply from the date of announcement forward. That can happen, of course, during the Budget debates. But it is quite wrong for the Government to attempt to legislate, as they have done in this case, where authorities whose inquiries had taken place had the right to believe that the Government did not have any legislation in place, which allowed them to be charged for the cost of those inquiries.

The fact that there are authorities that will have to pay if the Bill goes through as it stands—at a time when they have every right to assume that they will not have to pay—shows what is clearly wrong with the retrospective aspects of the Bill. That is why I, and I hope the members of my party, will support the amendment.

9 pm

Mr. Stevenson: May I add my congratulations to you, Mr. Deputy Speaker?

Of all the concerns that we have about the Government's proposals, this part of the Bill is the one that causes us the most concern. It is potentially the most dangerous part of the Bill, because it concerns the whole aspect of retrospection. By introducing the legislation in this way, the Government have acknowledged per se that

they were acting illegally and that they have had no statutory authority to operate the scheme which has been in place for the past two or three years.

We are now faced with retrospective legislation, which is dangerous and puts us on a slippery slope. My hon. Friends have made that point both here and in Committee, and it is worth underlining this evening. We were unable to convince the Minister in Committee, and perhaps we will not be able to convince him now. But I am sure that he would not want to go down in history as the Minister who started us down this slippery slope.

It is interesting to note the Government's attitude towards retrospection in the Bill, an issue that the amendment seeks to address. If a private sector firm with which the Government were in some way involved—a privatised industry, for example—had made mistakes, Ministers would come to the Dispatch Box to admit that mistakes had been made, but would say that the Government had catered for those mistakes and, in some cases, had written them off.

If a local authority makes mistakes, heaven help it. It will have a phalanx of Ministers dropping on it from a great height. Minister after Minister—and, no doubt, Conservative Members—would be standing in line to condemn the local authority for its mistakes, and the Government would make the authority pay for those mistakes. But when the Government made mistakes—as was clearly established in the court action—what happened?

Sir Paul Beresford: The private Member's Bill which preceded the Local Government (Overseas Assistance) Act 1993 and which was supported by the Government had a retrospective aspect. The Act deals with local authorities which have paid moneys which are later suspected to be illegal. That matter was covered in the Bill by a retrospective measure.

Mr. Stevenson: I am glad that, after three minutes of my speech, I have apparently converted the Minister to the point that we want to make. I am extremely grateful for that intervention, because I cannot remember such a reaction from the Minister during all the hours we spent in Committee on this important point. I am extremely grateful for that intervention, as it encourages me to make some further points.

The Government made mistakes—I do not want to make a great song and dance about it, but they were acting illegally. What do the Government intend to do about that? They have made mistakes, and they had no statutory basis for operating the scheme. But they will now use their retrospective powers to load the financial responsibility on to the local authorities, which have been completely innocent. The justification for the Government's intentions to put the burden of costs on others as a result of their own mistakes is very interesting.

I should like to get the Minister to clarify what he means by retrospection. In Committee, he said that we did not have to worry, as this was not true retrospection. If it is not true retrospection, it is presumably untrue retrospection. If it is not full-blown, both-barrelled retrospection, it is presumably half-cocked and single-barrelled. Which is it? The Minister later tried to explain what he meant, but what he said does not stand up to scrutiny.

In 1992, the Government were challenged successfully on the basis of charging. The Minister is now basing the need for retrospection on two basic precepts. The first is that planning authorities will have no new financial burdens as a result of retrospection. I do not believe that that is the case, and I do not believe that the Minister really accepts it, either. The Bill seeks to amend the Town and Country Planning Act 1990, which laid down local authority charges. It extends the scope of those charges, and I argue strongly that a Bill which extends the scope of charging is bound to increase charges for local authorities.

Unless the Minister is prepared to state categorically this evening that the Government do not intend to extend the scope of charges beyond those laid down in the Town and Country Planning Act 1990, his claim that retrospection is not a problem because it will not amount to an additional financial burden cannot be sustained. It will not stand up to scrutiny.

The Minister's second justification for retrospection would be greeted, if the House were full, with a mixture of laughter and amazement.

Sir Paul Beresford: They would not believe you.

Mr. Stevenson: In reply to the Minister's sedentary intervention, hon. Members would not need to believe me, because they are the Minister's words, not mine. He said that the Government are seeking retrospection because they do not want to be unfair to local authorities. The Minister is unique among his colleagues in holding that view. Of the army of Ministers who are masquerading under the collective term "Government", you are the only Minister who does not want to be unfair to local authorities, and I congratulate you.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. The hon. Member for Stoke-on-Trent, South (Mr. Stevenson) has already congratulated me once; I think that he is referring to the Minister.

Mr. Stevenson: Thank you, Mr. Deputy Speaker. The Minister is the only Minister who does not want to be unfair to local authorities, and I agree with him.

The local authorities are telling the Minister that they do not want retrospection. When my hon. Friend the Member for Leicester, East (Mr. Vaz) spoke earlier about local government organisations, such as the Association of Metropolitan Authorities, I heard the Minister say from a sedentary position, "Labour-controlled." I hope that that was a throwaway remark, and that the Minister is not arguing—even from a sedentary position—that sound and reasonable views expressed by Labour-controlled authorities will be discounted simply because they come from authorities which have a majority of Labour members. If that is the case, retrospection will be even more dangerous. I am sure that it was only a throwaway line, but it is concerning.

Local authorities, such as the AMA and other associations, have said that they do not want retrospection; but now they are okay. Everyone accepts that action must be taken to clarify the position, but, as my hon. Friend the Member for Leicester, East said, we must start with a clean sheet. We can then move forward from there.

That is an extremely reasonable suggestion. Our amendment is trying at the very least to delay retrospection, so that it can be given further thought and

[Mr. Stevenson]

so that any action taken on retrospective legislation will be subject to the affirmative resolution of the House. That is exactly the right thing to do. I can see now the queue of local authorities outside the Minister's office, banging on his door and shouting, "We want retrospection."

Sir Paul Beresford *indicated dissent.*

Mr. Stevenson: It is no good the Minister shaking his head, because those are the very words that he used. He said that local authorities do not want it. Now he says that they are okay and tells us not to worry; but where is the queue?

I should like to know where my own local authority, Stoke-on-Trent city council, is in the queue. Is it second, third, hundredth or fiftieth? Where is it? I have checked: it is not in the queue. It does not want retrospection, and I have been unable to find a local authority that does.

I believe that, when the Minister gives as a justification for retrospection—a dangerous thing to do—the fact that local authorities are queueing up, banging on his door, saying that they want it because they do not want to be treated unfairly, it is right and proper for the House to say to the Minister, "Prove it!" He did not prove it in Committee, because he was silent on the matter. I hope that he will prove it this evening. I believe that it is not happening—and that the Minister knows that it is not happening.

Two planks support the Minister's justification for retrospection. The first plank, that there will be no additional financial burden, is simply not true. The legislation extends the scope of the 1990 Act, and there will be an additional financial burden unless we can obtain a commitment from the Minister this evening. The second plank that holds up that very wonky proposal for retrospection is that local authorities do not want to be treated unfairly.

In Committee, the Minister did not justify those two arguments. It is fair that he should take the opportunity to justify them this evening. If he cannot, all right hon. and hon. Members should support the amendment.

Dr. Lynne Jones: I shall be brief. I do not wish to repeat comments about retrospection. However, I wish to continue the argument about being fair to local authorities. The reason why we are here today, the reason why the Government have been forced to introduce the legislation, is that the Government were being precisely that—unfair to local authorities.

When Birmingham city council received a bill for £63,000 in charges for the Planning Inspectorate carrying out the development inquiry, it was not happy. Originally, the budget for that purpose was £28,000. The council, being realistic, had realised that the inquiry had sat for a few days longer and had slightly upped its estimate, but it was a shock to receive a bill for more than twice the original estimate.

The Minister dismisses that by saying, "It is such a small proportion of total local government expenditure." However, expenditure of that magnitude on other items has never prevented Conservative Members from unjustifiably smearing local authorities such as Birmingham. That money is important to local government. It should take its own decision on the way in which it spends its money, and should not be subjected to unreasonable demands for costs from central Government—which I note, even at this late stage, the Government have yet to justify.

The Minister is silent on the reason for increases of that enormous order of magnitude—170 per cent., in slightly more than two years. That is completely unreasonable, yet the Government smear local authorities such as Birmingham city council, which has shown, in this instance, that it is there to protect the interests of its citizens.

It is about time the Government apologised for the way in which they smear councils such as Birmingham. The Prime Minister did it today. It is about time the Government congratulated Birmingham city council on the work it did to draw that issue out.

As we know, the issue also rests on the legal case of McCarthy and Stone Developments Ltd. *v.* Richmond upon Thames London borough council, but we note that the Government have not rushed out to protect that local authority or other local authorities which were unable to make what they considered to be realistic charges for costs that they have incurred.

This is yet another example of the Government expecting local authorities to behave in one way and behaving themselves in a completely different way. The Government say that the amounts are not important in relation to the totality of local government expenditure; the costs that the Government intend to recoup from the retrospective nature of this legislation are also small in relation to the totality of Government expenditure. The Government should be consistent.

It is about time the Minister congratulated Birmingham council. It would be good if he recognised the work that was done; it would also be good if, instead of relying on their majority to beat through whatever legislation they want, retrospective or otherwise, the Government listened to the arguments and realised that they were behaving unreasonably.

It is laughable to suggest that the Government are doing this to be fair to local government. I urge the Minister to consider the points made tonight, and to think again.

9.15 pm

Sir Paul Beresford: I add my congratulations to you, Mr. Deputy Speaker, on your knighthood. It is a considerable honour—may we join the party afterwards? [HON. MEMBERS: "The Labour party?"] No, I have made some subtle mistakes in my time, but that would be a fatal one.

We need to re-emphasise, apparently, the fact that these provisions validate past payments that local authorities made in good faith to my Department. The payments were made under legislation based on legislation enacted under the Labour Government—that is when the error was made. It was believed by all concerned and by the local authorities that the payments were lawfully sought and lawfully paid at the time.

This is not a case of imposing an additional burden on any authority, or of expecting authorities to find the sums involved without having had warning of what they would be required to pay. There are no surprises—

Mr. Stevenson: The Minister says that no additional burden is proposed for local authorities. Does he accept that the scope of charges under the Bill is far wider than

the scope contained in the Town and Country Planning Act 1990? If he confirms that, how can he argue that there is no additional financial burden?

Sir Paul Beresford: The powers that will be used by the planning inspector will involve only payments that have already been made by the planning authorities or which they have been notified are due from them—we are not asking for other payments. As I said, there are no surprises. We do not expect local authorities to find additional sums that they have not been warned about. They understand that, and they have not gone to any lengths to seek repayments which they anticipated having to repay later to the Planning Inspectorate. If the Bill were not retrospective, my Department and local authorities would be faced with a minor bureaucratic nightmare.

Mr. Vaz: No.

Sir Paul Beresford: Perhaps the hon. Gentleman should think again and delve into his knowledge of local authorities and planning law—

Mr. Vaz *rose—*

Sir Paul Beresford: I want to finish. If he thinks about it, the hon. Gentleman will realise that it would indeed be a minor bureaucratic nightmare. Authorities would have to establish what was owed in repayments—

Mr. Vaz: Will the Minister give way?

Sir Paul Beresford: No. Moreover, there would have to be a retrospective readjustment in the SSA provision paid through the revenue support grant to local authorities over the past few years.

This is a short Bill. It has a clearly defined and limited purpose for England, Wales and Scotland. All the provisions in clauses 1 to 4 have been thoroughly considered at each stage of the Bill's progress. Consequently, I see no need to interpose a further delaying parliamentary process before any of the provisions in clauses 1 to 4 come into force. That would introduce an additional element of uncertainty into the timetable for resumption of the charging arrangements for inspectors' and reporters' services.

In Committee, the hon. Member for Stoke-on-Trent, South (Mr. Stevenson) asked about the timetable for reintroducing charges. We intend to introduce regulations after consultation with local authority associations and as soon as practicable after the Bill is enacted. It may, therefore, be completely unnecessary to use the transitional charges as outlined in subsections (2) and (3) of clause 1. Even if it proves necessary to use the powers, no charge will be levied on planning authorities without giving them advance warning.

Mr. William O'Brien: Will the Minister give way on that point?

Sir Paul Beresford: I shall not give way as we have spent enough time on the matter.

The amendment is merely another delaying tactic. It would introduce uncertainty, which local authorities do not need, and I ask the House to reject it.

Mr. John McAllion (Dundee, East): It is now time to put a kilt on proceedings with a speech from a Scottish Member of Parliament. May I extend a Scottish welcome to your elevation to the knighthood, Mr. Deputy Speaker?

The Minister referred to fatal mistakes. He appeared to believe that it was a fatal mistake to give way to Labour Members because it put him completely off his stroke and he could not read the briefing that the civil servants had passed to him. That was the level of his contribution to tonight's debate.

I was surprised that the Under-Secretary of State for Scotland, the hon. Member for Kincardine and Deeside (Mr. Kynoch), who is here tonight, chose not to take part in the debate, as clauses 3 and 4 apply to Scotland. It is insulting to the Scottish people that a Scottish Office Minister should be present in the House while we are discussing the issue, but choose not to take part in such an important debate.

Mr. Stevenson: I am sure that his predecessor would have done so.

Mr. McAllion: As my hon. Friend the Member for Stoke-on-Trent, South (Mr. Stevenson) says, his predecessor, the hon. Member for Eastwood (Mr. Stewart), who is in the Chamber tonight, would have taken part in the debate had he still been a Scottish Office Minister, but certain circumstances led to his resignation.

On Second Reading, the hon. Member for Eastwood, who was in charge of the Bill, put an argument in defence of retrospection that we did not hear tonight. He argued that for the past 25 years everyone—successive Ministers, local authorities and inquiry reporters—had been working on the assumption that the Government had the statutory power to charge local authorities for the costs incurred in appointing inquiry reporters on planning issues. We now know that the assumption was wrong and they had no such power or legal authority to make those charges and that they were acting unlawfully. Had councillors acted in such a way for the past 25 years, they would have been surcharged by the Government, yet I suspect that the Government will not surcharge anyone for illegal action in the past 25 years.

The hon. Member for Eastwood went on to argue that the Government acted in perfectly good faith because they did not know that they were acting unlawfully when they took the money from the councils. Pleading ignorance is not much of a defence in law, or anywhere else, although increasingly we hear that the Conservative Government did not know what was going on—whether it was arms for Iraq, arms for Iran or cash for questions. It is not a good legal defence, and it is less of a defence for councillors.

The Government instituted the practice in local government whereby council officers are instructed to warn councillors if they believe that councillors are about to act illegally. If the Government are prepared to do that for local government, why cannot they do it for central Government? Why cannot civil servants or judges—who are very popular among Conservative Members—be appointed to warn Ministers when they are acting unlawfully and beyond their legal powers? If they had introduced the same set-up in central Government that exists in local government, the problem might not have arisen.

The Parliamentary Under-Secretary of State for Scotland (Mr. George Kynoch): Does the hon. Gentleman accept that when his party was in power it charged on exactly the same basis and had the same

[Mr. George Kynoch]

understanding with local government that it was legal to do so? Does he accept, therefore, that the assumption existed on both sides of the House?

Mr. McAllion: I accept entirely that the situation existed under Labour Governments as well as under Conservative Governments. I am certain, however, that a Labour Government would not now be seeking retrospectively to put right what was wrong. A Labour Government would accept that an error had been made and that they had to live with the costs of that error. Central Government would be responsible for making the payments as local government was working under the conditions that central Government had created for it.

Sir Paul Beresford: Would they not want returned the balance paid through the rate support grant and the SSA assessment to the local authorities over many years?

Mr. McAllion: The Government gave green dowries to water companies when they had already paid for them over the years through council tax support—

Mr. Deputy Speaker: Order. The hon. Gentleman is going rather wide of the amendment.

Mr. McAllion: I was merely trying to respond to the poor point made by the Minister.

Mr. Kynoch *rose—*

Mr. McAllion: Another poor Minister is trying to intervene.

Mr. Kynoch: I have not participated in the debate because the arguments were covered fully in Committee and previously. Does the hon. Gentleman accept that this retrospection will bring no extra charge to any local authority in his area in Scotland?

Mr. McAllion: I thought for a moment that the Minister was about to say that the arguments had been covered fully by his hon. Friend the Under-Secretary of State for the Environment, but he noticeably failed to say that. He said that they had been fully covered in Committee and elsewhere. I agree that his hon. Friend has not covered the arguments tonight. That became increasingly obvious as the debate went on. I have now forgotten what the point was.

Mr. Kynoch: I shall repeat it for the benefit of the hon. Gentleman, who obviously has a short memory. Does he accept that retrospection means no extra payment for local authorities, and that if retrospection is not in place there will be chaos because local authorities will be able to ask for funds back which they have already been given by the Government?

Mr. McAllion: I accept that the position in Scotland is different from in England and Wales, but clause 2 applies to England and Wales and money is involved. Money has been given back to local authorities that will need to be repaid as a result of clause 2. It will still have to be paid back to central Government if the clause is applied retrospectively. The Minister must understand that.

I shall come to what local authorities have to say about the clause in a minute, but before I do I want to say that the argument that local authorities have been acting under the same assumption over the last 25 years does not pass muster. If the Minister thinks for a moment, he will realise that local authorities are simply the creatures of statute passed by the House under the advice of Ministers. Their powers, responsibilities and competencies are defined for them. The sovereign authority lies with the House and it is the House that got it wrong during the past 25 years and it is the House that must put it right and accept responsibility for paying the costs of putting it right. That is the simple point that has to be made.

The Minister asked about the position of local authorities in Scotland. COSLA—for the benefit of English Members, that is the Convention of Scottish Local Authorities—has made its position clear. It accepts that, under the kind of 19th century constitution that we have, Parliament has the power to pass retrospective legislation. But it goes on to point out that, as a matter of good law and practice, Parliament should do that only in exceptional circumstances. In COSLA's view, this is not one of those exceptional circumstances.

COSLA goes on to point out that the small sums involved in Scotland—about £320,000 a year—do not justify the use of retrospective legislation in Scotland. Scottish local authorities are telling the Minister not to do it. I am telling the Minister not to do it and the Opposition are telling the Minister not to do it. If he was wise, he would not do it. It is as simple as that.

In Committee, the Minister also argued that this is not true retrospection. He said that the law is simply being put back to what it has universally been seen as being for the past 25 years. However, I will remind the Minister that the law is the law. It is not what it is seen to be but what it is. There was no express or implied legal power for the Government or any other Government to make the charges on local authorities, which they have been doing during the last 25 years. They have been acting beyond their powers, and in a parliamentary democracy that is not acceptable.

If the Government choose to act retrospectively to put right what has been wrong, I can only warn them that they are setting a dangerous precedent. Future Parliaments may apply the law retrospectively in circumstances that will not be to their liking. The Government are setting the precedent with which they will have to live.

Mr. Kynoch: Does the hon. Gentleman accept that no money will be transferred and that the Bill simply legalises what Governments of both complexions and local authorities believed to be the position?

Mr. McAllion: It is not legalising what they believed to be the position. Labour Members who have been responsible in the past are no longer in the House. Labour Members now are a very different group from previous Labour Members.

Labour councils made it clear that they do not believe that the Bill should be applied retrospectively. It is as simple as that, and if the Minister does not understand that as a Scottish Office Minister, he really should listen to what Scottish local authorities have to say.

9.30 pm

My hon. Friend the Member for Normanton (Mr. O'Brien) made a good point when he said that the Minister is sometimes in favour of retrospective legislation and is sometimes against it. What he really

meant is that when it suits him, the Minister is in favour of retrospective legislation. That is hardly a principled decision, because democratic principles are not matters of convenience. A true democrat is somebody who sticks to his principles even when they do not suit him. According to that test, the Government have shown that they are not true democrats.

Question put, That the amendment be made:—

The House divided: Ayes 154, Noes 190.

Division No. 170] **[9.30 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Bayley, Hugh
Beith, Rt Hon A J
Bennett, Andrew F
Betts, Clive
Boateng, Paul
Bradley, Keith
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corston, Jean
Cunningham, Jim *(Covy SE)*
Davidson, Ian
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Fatchett, Derek
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Harvey, Nick
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hughes, Kevin *(Doncaster N)*
Hughes, Robert G *(Harrow W)*
Hughes, Roy *(Newport E)*
Ingram, Adam
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
Maclennan, Robert
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
Parry, Robert
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Quin, Ms Joyce
Radice, Giles
Reid, Dr John
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tipping, Paddy
Touhig, Don
Turner, Dennis
Tyler, Paul
Vaz, Keith
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Joe Benton, and
Ms Estelle Morris.

NOES

Alison, Rt Hon Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Bowden, Sir Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Burt, Alistair
Butcher, John
Butler, Peter
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gallie, Phil
Gardiner, Sir George
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Horam, John
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter

MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Sir Cranley
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Powell, William *(Corby)*
Richards, Rod
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Ryder, Rt Hon Richard
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spink, Dr Robert
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Wheeler, Rt Hon Sir John
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Wolfson, Mark
Wood, Timothy
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Simon Burns and
Dr. Liam Fox.

Question accordingly negatived.
Order for Third Reading read.

9.41 pm

Sir Paul Beresford: I beg to move, That the Bill be now read the Third time.

I did not believe that we could hear so much verbiage in such a small event. On Report, the hon. Member for Leicester, East (Mr. Vaz) desperately tried to justify his position. I remind hon. Members that the Royal Town Planning Institute's independent opinion is that the Bill simply puts the law back to what it was universally seen to be for the past 25 years until last year.

9.42 pm

Mr. Vaz: I assure the Minister that if I were seeking to justify my position I certainly would not have called four votes on Report on the night that the beer club was sailing down the Thames. On Second Reading I promised a bare-knuckle fight with the Government if Ministers failed to compromise on a number of important points in the Bill. In that spirit the Opposition tabled a number of reasonable amendments in Committee and on Report that we hoped would improve the Bill.

Town and country planning legislation should not be controversial, and I regret that I had to call so many votes on Report. But that was necessary because of the Bill's contents. I thank my hon. Friends the Members for Coventry, South-East (Mr. Cunningham), for Lewisham, West (Mr. Dowd), for Birmingham, Selly Oak (Dr. Jones), for Dundee, East (Mr. McAllion), for Normanton (Mr. O'Brien), for Nuneaton (Mr. Olner) and for Stoke-on-Trent, South (Mr. Stevenson) for their excellent contributions in Committee and on Report.

We shall vote against Third Reading for three reasons. The first is that the Bill imposes greater burdens on local authorities. Secondly, we shall vote against it because the Government did not keep their promise about full consultation with the local authority associations. Thirdly, we shall oppose Third Reading because of the most dangerous precedent of all in the Bill—that of retrospective legislation. For that third reason more than any other we oppose the Bill.

Judge Chase, speaking in the case of Calder *v.* Bull, said that every law that takes away or impairs rights vested agreeably to existing laws is retrospective, generally unjust and may be oppressive, and it is a good general rule that a law should have no retrospective effect. The Government seek to break that precedent. Ministers will regret that decision, which will be reluctantly forced on reluctant councils. The legislation will come back to haunt the Minister and the Government.

9.44 pm

Mr. Rendel: At the grave risk of being accused by Ministers of standing here merely to justify my position, I shall add a few points. Obviously, the main points that can be made against Third Reading are simply that the amendments that should have been passed tonight have not been, and that the Bill is unacceptable without them. It is also important, however, to point out that the Bill is a great missed opportunity. It deals with planning law and there is a lot wrong with planning law. It is a great pity that the Government have not included in the Bill the proposals that should have been included to rectify those faults.

In particular, it is clear that there is a great disparity between the opportunities given to the big boys in planning—the local authorities, the Government and the major developers—and the much smaller opportunities given to the small man—the individual objector to a planning development proposal. That should and could have been rectified in the Bill. I too will oppose it and I hope that my party will do so.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 190, Noes 155.

Division No. 171] **[9.45 pm**

AYES

Alison, Rt Hon Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, David *(Bour'mouth E)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Bowden, Sir Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Burt, Alistair
Butcher, John
Butler, Peter
Carrington, Matthew
Cartiss, Michael
Chapman, Sydney

Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre Forest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gallie, Phil
Gardiner, Sir George
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Horam, John
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Powell, William *(Corby)*
Richards, Rod
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spink, Dr Robert
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Wheeler, Rt Hon Sir John
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Wolfson, Mark
Wood, Timothy
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. David Willetts and
Mr. Simon Burns.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Bayley, Hugh
Beith, Rt Hon A J
Bennett, Andrew F
Benton, Joe
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corston, Jean
Cunningham, Jim *(Covy SE)*
Davidson, Ian
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Fatchett, Derek
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Harvey, Nick
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Ingram, Adam
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
Maclennan, Robert
McWilliam, John
Madden, Max
Maddock, Diana
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
Parry, Robert
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Quin, Ms Joyce
Radice, Giles
Reid, Dr John
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*

Taylor, Matthew *(Truro)*
Tipping, Paddy
Touhig, Don
Turner, Dennis
Tyler, Paul
Vaz, Keith
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. George Mudie and Mr. Jim Dowd.

Question accordingly agreed to.
Bill read the Third time, and passed.

Drugs (Glasgow)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Andrew Mitchell.]*

9.58 pm

Mr. Mike Watson (Glasgow, Central): I am sure that in responding to the debate, the Minister will, as is traditional, congratulate me on securing a debate on this subject. I am sure, however, that he will understand when I say that it gives me no pleasure this evening to discuss drugs in Glasgow. The subject brings misery, chaos and pain to so many people in Glasgow and increasingly, even more sadly, it brings death.

In common with most cities throughout the world, the misuse of drugs is widespread throughout the city of Glasgow. Over the past 15 years, the range of drugs used and the number of people using them appear to have increased dramatically; that is particularly true of teenagers and young adults. Last year, the Greater Glasgow health board prepared a report on the scale and pattern of drug misuse in the city. The report shows widespread use of cannabis; Ecstasy and amphetamines are popular recreational drugs on the dance scene. LSD and cocaine, although less widely used, are found to be quite prominent. The misuse of pharmaceutical drugs is common. These include potentially addictive tranquillisers such as Temazepam and Valium, and opiate painkillers such as Temgesic. Some of these drugs originate from local NHS prescriptions, but many are illicitly obtained.

It was estimated that there were between 7,000 and 9,000 drug injectors in Glasgow—the figure has now been uprated—most of whom were in their twenties and lived in socially deprived—

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Andrew Mitchell.]*

Mr. Watson: It was estimated that there were between 7,000 and 9,000 drug injectors in Glasgow, most of whom were in their twenties and lived in socially deprived areas of the city. That is an important aspect of drug addiction. Of those who died an often painful death in the city last year, few were categorised as being young trainee chartered accountants, student lawyers or chartered surveyors. It is increasingly people from the most socially deprived areas of the city who are caught up in the drug culture. Typically, heroin or Temgesic is injected daily by many of these people, and the drug is often taken in combination with Temazepam or a variety of other drugs, producing all too often a lethal cocktail.

As a spin-off from the culture of injection, at least 300 people in the city require care as a result of HIV infections. That places an additional burden on the medical services. Fatal overdose among drug injectors is the most important single cause of death among young adults in Glasgow. Although the prevalence of HIV infection among drug injectors remains relatively low, other dangerous blood-borne viral infections, such as hepatitis B and C, are widespread and could yet have long-term consequences.

In the face of those frightening statistics, Greater Glasgow health board has taken significant steps to deal with drug misuse, including the establishment of a

successful needle exchange service and a range of community drug services funded by the health board and managed by Strathclyde region's social work department. I pay tribute at this stage to the Glasgow drug problem service, which was introduced in 1993 and which provides specialist treatment for drug users, and to the Glasgow drug crisis centre, which was opened in 1994 and is run by Turning Point, the largest UK charity helping people with drink, drug and mental health problems. That centre consists of a 24-hour, one-stop help and assessment service, together with a 12-bed emergency, short-stay facility. In the short time in which it has been in operation, it has been inundated by demands for its unique services, such is the scale of the drug problem in Glasgow today.

In 1994, official figures showed that 95 people died throughout Strathclyde from drugs or drug-related causes. Many of those deaths occurred within the city and this year, including the tragic deaths last weekend of 26-year-old Roger Gallagher in Clydebank and 27-year-old James Edgar in Bridgeton in my constituency, the figure already stands at 47. At that rate, it will comfortably reach three figures by the end of the year.

One of the organisations that regularly has to deal with the effects, as they affect families and friends of those who have died, is the Glasgow Association of Family Support Groups. It is under no illusions; it knows that the official figures represent a considerable understatement. It has joined me in calling on the Scottish Office to hold a wide-ranging, public inquiry into the causes of drug-related deaths in the city. I have to report, with dismay, that Lord Fraser, the Minister with responsibility, has turned down that request. He maintains that the fatal accident inquiry held in 1993 dealt with the matter, but the Glasgow Association of Family Support Groups maintains emphatically that it did not, and I support that view.

The inquiry left many questions unanswered and failed to consider various areas of concern. First, there is the likely under-reporting of deaths if the cause is given simply as a physical organ failure or inhalation of vomit, or other similar reasons. Secondly, there is the frequency of deaths involving people on prescription drugs, such as methadone and other medically prescribed medication. Thirdly, there are the different policies of health boards in respect of prescribing substitutes, which might also include the issue of differing approaches to harm reduction policies. Fourthly, there is the question of how and in what circumstances autopsies are carried out on people who die from an overdose. There appears to be a particular issue in this respect related to deaths in prison. Fifthly, a number of people commit suicide while undergoing detoxification programmes or die immediately after leaving residential detox centres.

Lord Fraser has agreed to meet the Glasgow Association of Family Support Groups and me. While that will enable us to highlight to the Minister the points that I have mentioned and others, it will not bring them into the open in the full glare of public inquiry. That is what is needed and I shall continue to press for it.

In the meantime, the drug trade carries on, bringing untold misery to thousands and untold riches to a select few. Only last week it was reported that a Robert Maxwell—that does not seem to be a very lucky name—was gaoled for 12 years for trafficking in heroin. By his mid-30s, he was comfortably a millionaire. Although he now languishes—thankfully—behind bars, no one doubts that his place has been quickly and most effectively filled.

There is hope, however, that some more people may follow Maxwell's journey to gaol. That is largely a result of an anti-drugs campaign launched by the *Evening Times* two weeks ago, for which the paper is due great credit, not least because it shows that the art of campaigning journalism is not lost—as has appeared from the recent antics of other tabloid newspapers that used to carry out that function.

The main thrust of the *Evening Times* campaign is to encourage people in the communities throughout the city to use a special hot line telephone number to report names and addresses of suppliers and pushers who bring daily misery and often death to thousands of mainly young people throughout Glasgow. The hot line has been such a success that more than 700 calls have been received in the two weeks since it was opened. The police have already acted on the names supplied by the *Evening Times* and, indeed, the first arrests have been made.

For a long time it has been obvious to me that many people in the city know who the pushers and suppliers are, where their houses are and which cars to look for at any particular time of the week. People come to my surgeries in the various communities in my constituency such as Calton, Gorbals, Bridgeton and Royston and say, "We know that so and so is dealing in drugs", "We know that she operates a safe house," and "We know that he is on a street corner at 11 o'clock any morning and that he will give this, this and this drug." They have reported that information to the police and, too often, it has been impossible for the police to act on it because they do not have firm evidence.

The *Evening Times* hot line has reported that a surprising number of women are involved in supplying drugs. Indeed, it has also said that families are dealing. It seems that the drugs culture is so endemic that people are quite prepared to operate openly in the streets. I have seen it myself, as have many other people in the city. Graphic pictures in the newspapers have shown such activity occurring quite openly and—apparently—with impunity.

That is not to blame the police. I have been in regular contact with the Strathclyde police drug squad and I commend it for its job. If its resources were significantly increased, it would enable it to target certain areas, to which I shall return. My comments are not meant as a criticism of the police. Often it is simply impossible for them to catch the people who are known to be dealing because of an intricate system of signals and tip-offs. Often, shortwave radios are used to intercept police raids.

Certain names are given regularly to the hot line. I believe that those evil people have no right to anonymity, which the *Evening Times* is obliged, for legal reasons, to provide. I have a list of those people most regularly named by callers to the hot line. That the people named are guilty of dealing in death is not seriously in doubt. It is my sincere wish that they should be exposed and I now have the opportunity of doing so.

Before preparing this speech, I felt obliged to contact Strathclyde police for their view on what I intended to do. I believe that the people named should have no hiding place. Strathclyde police considered my views and the names which I was about to announce and urged caution on me. Their view was that my reading out a list of names would not be helpful to bringing prosecutions. Having taken their advice, it seems to make little sense to cast it aside.

[Mr. Watson]

The aim is, of course, to lock up as many of those people as possible, as quickly as possible, to get them off the streets and to ensure that they can no longer ply their evil trade. It is with considerable reluctance, therefore, that I will not name names at this stage, although I intend to do so on a future date in the House, if given the opportunity, should those people not be brought to trial. I want to do everything I can to assist Strathclyde police in bringing those people before the law. I am anxious that, were I to name names, that might prejudice any proceedings that might be brought against them. I obviously see no benefit from that course of action.

The *Evening Times* campaign will continue and I am proud to do what I can to support it. Action is needed and I hope that the Minister will provide some positive proposals in his response.

I joined many agencies, statutory and non-statutory, in welcoming the report of the Scottish drugs task force, which was published in October. It contained 60 recommendations, many of potential value. The first steps are now being taken to introduce some of those proposals; meanwhile I must draw the Minister's attention to the fact that the number of drug-related deaths has continued to rise in Glasgow. This year's total so far is greater even than that reached in 1994. An effective response to try to reduce that death rate requires an input from a range of agencies in a multi-agency approach.

Recommendation 25 of the task force report stated:

"The community Drug Problem Service model for providing services to drug misusers should be further developed with a view to achieving more referrals from and to generic social work services".

It has been argued that prescribing services can be effective only if they work in tandem with the social care agencies, particularly community-based drug services. I certainly support that view. Many of the community-based agencies still feel that the prescribing model operating in Glasgow could improve its links with other agencies to provide a more effective service.

Statistics from the Glasgow drug crisis centre, to which I referred earlier, show that 80 per cent. of its clients did not have secure accommodation and 25 per cent. were roofless. That makes access to primary health care and prescribing services difficult, if not impossible. The clients of the Glasgow drug crisis centre are the most at risk drug users. It is the subject of concern that they find it impossible to access the prescribing service even though they are likely to be in greatest need. That supports the need for an effective multi-agency approach, which was outlined in recommendation 37 of the task force report.

I am pleased to note that drug action teams have been established in the various health board areas, including Glasgow, and will produce strategies by the end of September. That is, however, some time off and I want to see effective implementation of recommendation 21 of the task force report, which stated:

"Future service development must be based on a systematic and comprehensive assessment of the nature, extent and distribution of need".

Action is needed in some specific areas. I am well aware that throwing money at any problem, not least the problem of drugs, is not the answer. I am not advocating that, but additional funding is needed for some specific provisions, particularly detoxification and rehabilitation centres. Two centres are operating in the Greater Glasgow health board area—Red towers at Helensburgh and the recently opened Phoenix house in Keppochill, Glasgow. They provide a service the success of which is beyond question, as does the Calton Athletic recovery group. That group has a rather unorthodox means of dealing with drug users, but one which has, by its record, shown itself to be effective. The success of those centres is not in question, but they could do more with greater funding. For instance, the Phoenix house rehabilitation centre at Keppochill is running at only 60 per cent. of capacity, a year after opening. With greater funding it could be running at 100 per cent. capacity and helping more people accordingly.

I believe that the police need more dedicated drug squad officers to combat the ever-growing army of pushers and suppliers. In my experience drug-related offences are too often simply the responsibility of officers who are also dealing with car crime, assaults, house breaking and such crime. The police should be able to concentrate on drugs. I would like some form of rapid response group to be formed with responsibility for dealing with the suppliers identified by the public as well as drug-related crime. I have had discussions with Strathclyde police about the proposal, which I intend to continue, and I should be interested to hear the Minister's view on it. If the Minister has not prepared a response, perhaps he could let me know his view at a later date.

I believe that we must discuss whether the law needs to be re-examined with regard to the penalties for pushers and suppliers. I firmly believe that there should be a greater use of the charge of culpable homicide for those found to have supplied users who have subsequently died. That is particularly relevant in relation to some of the deaths that have occurred recently at raves and other dance clubs, where it is quite clear that some of the drugs offered for sale quite knowingly were lethal weapons.

Temazepam is a major factor in many of the drug deaths in the city. It is widely available, and it should be re-categorised from schedule 4 to 3 to allow prison sentences on conviction of possession. One of the points made to me by the Glasgow Association of Family Support Groups was that, if possible, Temazepam should be taken off the streets of Glasgow, and should certainly no longer be a prescribed drug.

I accept that the use of drugs is now so widespread that only containment is possible. It is not possible to eradicate drug abuse, and we must look at the problem in that setting. In the long term, some answers will flow from an economy that is more vibrant and gives people the opportunity for jobs, training and perhaps having a house and raising a family. There is a feeling of hopelessness among the young people I meet in Glasgow. I ask them why they get involved in the drugs scene, and their answer is, "Why not? What else do I have to look forward to?"

While it is a cliché, it is also a truism that people who have nothing, have nothing to lose. We must give people some reason not to get sucked into the drug culture. For too many young people in and around Glasgow, their hopes for a family and a job are non-existent. I am not trying to make party political points, because even with a change of Government we will remain a long way short of changing that bleak outlook. I hope that the Minister will offer some hope to the young people of Glasgow in his response.

10.16 pm

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): The hon. Member for Glasgow, Central (Mr. Watson) has spoken about the misery, chaos and death caused by this evil trade, and I agree that it must be combated in an effective manner and in the best way possible. I would be hesitant about naming the names of those whom the hon. Gentleman believes to be involved because, as he said, that could easily prejudice proceedings. But if he or any of his friends or acquaintances has evidence readily available, I would strongly recommend that it is handed to the police.

The hon. Gentleman spoke about a rapid response force. The police would argue that they have in place arrangements to that effect, but I shall follow up the hon. Gentleman's point. The hon. Gentleman will be aware of the Operation Eagle initiative, which will operate for a period of six months with two main phases, each of which will run for a period of 90 days. Strathclyde police have strengthened their force, and the number of front-line officers has risen by nearly 250 in recent times, and that makes a considerable difference.

The hon. Gentleman also raised the issue of Temazepam, and I can assure him that that is a matter of deep concern to the Government. My right hon. Friend the Lord President of the Council set out on 10 May immediate steps to be taken to reduce its misuse. That has been done by imposing safe custody controls on manufacturers and wholesalers under the Misuse of Drugs Act 1971, and by a proposal to ban the prescription of gel-filled capsules by general practitioners under the NHS. My right hon. Friend also confirmed that we are carefully considering the recommendation of the advisory council to reschedule Temazepam under the 1971 Act.

I can also confirm that consultation is now under way with a view to banning the prescribing of the gel-filled Temazepam capsules under the NHS. The consultation process will have two parts. The first stage was the issue of letters on 12 May to all manufacturers possessing product licences to supply Temazepam capsules, seeking comments on the proposal within 30 days. The next stage will begin shortly, with a more general public consultation.

Action has also been taken under section 11 of the Misuse of Drugs Act 1971. I am glad to say that my noble and learned Friend the Minister of State will be meeting the hon. Gentleman and the Glasgow Association of Family Support Groups to discuss their concerns. We remain of the view that a public inquiry would add little to the information and knowledge currently available and is therefore not required.

Drug misuse is of immense concern to us all, be it central or local government, the health service, schools, local communities or indeed each one of us as individuals. It brings in its wake misery and despair, it devastates families, and it threatens communities. All too often it ends in death. In 1994 alone, drug misuse claimed the lives of 139 young people in Scotland who were known or suspected to be dependent upon drugs. That is an appalling statistic which graphically underlines why we regard drug misuse as one of the greatest challenges facing us today.

That is why public expenditure on drug misuse across a whole range of services—including the police, social work, education, urban aid, health and prisons—exceeds £40 million every year. It is why, as I shall touch on later, we are absolutely determined to mount a fully integrated, co-ordinated and properly resourced assault on this evil scourge. The improved data now available and the new structures now in place at local and national levels will inform and facilitate the development of policy and the delivery of services.

The hon. Gentleman has properly focused on Glasgow from his constituency perspective, and I will respond to the detailed points that he has raised. But first I must mention that, conscious of the threat of drug misuse, in 1993 my right hon. Friend the Secretary of State set up a drugs task force under the chairmanship of my noble and learned Friend the Minister of State. We have also had the benefit of a comprehensive report from the Select Committee on Scottish Affairs. Taken together, the two reports provide a catalyst and a framework for a revitalised and informed response to the scourge of drug misuse to the end of the century and beyond.

The task force report emphasised the absolute importance of fully co-ordinated action against drug misuse; action which welded together the activities of all the agencies—statutory and non-statutory—into a synchronised and fully concerted approach, with common aims and objectives. Drug action teams—drawing together key personnel from the statutory and non-statutory bodies—have been set up in every health board area in Scotland. The teams are charged with organising and overseeing a corporate response to drug misuse in their areas. The teams began their work on 1 April and their first task will be to produce strategic plans for their areas by 1 October. We are funding the appointment of drug development officers to assist the teams in their work. They will be key figures, facilitating the implementation of the strategic plan and energising and co-ordinating drug-related work in their areas.

A crucial function of the teams will be to mobilise local action to confront drug misuse. I am increasingly impressed by the enormous reservoir of talent, energy and determination in the community which is willing to support action to turn the tide of drug misuse. We must tap that resource and harness community energy so that we deliver a powerful answer at local level to the threat of drug misuse. I commend the work of the local groups involved. To help stimulate local action, we are making available some £300,000 this year to fund innovative community-based schemes which respond to local circumstances, and I look to the drug action teams to submit imaginative proposals.

It is, of course, essential that resources are made available to facilitate the dynamic local response we are seeking to engender. In consequence, this year we are making available record resources of nearly £24 million to health boards to tackle drug misuse and HIV/AIDS. That is an enormous sum by any standards and it is evidence of our absolute commitment to meet drug misuse head on.

Schools have a vital role to play in the prevention effort. A sickening feature of the drugs scene is that increasingly younger age groups are being targeted by the dealers. We must respond to that by ensuring that, from an early age, our children are alerted to the dangers of drug misuse and that that awareness is maintained throughout their school careers. The task force identified a gap in the availability of materials for younger and older pupils and accordingly recommended that drug packages,

[Lord James Douglas-Hamilton]

to complement Drugwise Too, should be developed, focusing on pupils under 10 and over 14 years. They will be ready shortly and will augment the range of materials available to teachers. All that will be complemented by public education campaigns, aimed at maintaining the dangers of drug misuse and HIV/AIDS in the public consciousness.

Prevention will not by itself check drug misuse. We need effective services capable of tackling the whole spectrum of need. Encouraging progress is being made. I cite, for example, the crisis intervention centres in Glasgow and Edinburgh, which are invaluable assets in the panoply of services in those cities.

Substitute prescribing is an important ingredient of any range of service provision, but it is not a panacea and we have to create a framework in which it is delivered as part of a package of services tailored to the total needs of misusers and, where relevant, their families. We shall issue more specific guidance on substitute prescribing in due course, after consulting experts in the field.

In addition, the urban programme is very important. About 39 projects in Scotland dealing directly with drug misuse and representing funding of £3.7 million are currently being resourced in that way.

In Glasgow itself, 11 projects are at present being funded, at a cost of £1.4 million. Two further projects have been successful this year, completed at a cost of £250,000. I am glad to say that one of those was in Glasgow, with funding of £158,000, which is a welcome addition.

I should also say to the hon. Gentleman that it is worth noting for the future that detailed project selection will be done locally by authorities and their partners, in the framework of a regeneration strategy or programmes submitted to the Scottish Office. We are consulting local authorities and others about the way in which those changes will be implemented, for next year.

I now turn to Glasgow because all those measures are of relevance to Glasgow. The tragic consequences of drug misuse have time and again been demonstrated in the city. In 1994 alone, drug misuse claimed the lives of 72 young drug misusers in Greater Glasgow. That is an appalling waste, bringing grief and desolation to so many families, and I sympathise deeply with the families and friends who have been bereaved. Drugs can and do kill. The only safe answer is to avoid them at all costs.

The drug action team in Glasgow is now vigorously pressing ahead with the development of a strategic plan under the expert leadership of the Rev. Roderick Campbell. I have no doubt that the team will bring a dynamic, innovative and strategic approach to the problems in Glasgow.

There is encouraging evidence of real progress, and I cite two examples. First, the Glasgow drug problem service, with its combination of counselling and treatment, is already making a substantial contribution. We are also giving Greater Glasgow health board almost £6 million this year specifically for drug misuse and for HIV/AIDS which, among a range of other initiatives, has enabled an expansion of the Glasgow drug problem service.

Secondly, the Glasgow drug crisis centre, which opened last October, is another valuable addition to the range of services available in the area, providing respite and care for misusers in crisis and in need of urgent attention. That is an excellent example of co-operation between the statutory and non-statutory sectors.

Injecting remains a serious problem, bringing with it, not only the risk of AIDS where needle sharing occurs, but death through overdosing. We have provided resources for nine needle and syringe schemes to be established in Glasgow, reducing the pressure to share needles and the risk of infection.

We stand ready to authorise further schemes where recommended. We are also considering recommendations by the task force and the Select Committee of how best the range of outlets for needles and syringes might be extended.

It is very important that we do everything possible to encourage young people to kick the habit of drug taking, as the only risk-free solution. Material communicating that message is being piloted by about 20 drug agencies in Glasgow, and an evaluation is under way. I am glad to say that the results so far are positive.

I hope that, by what I have said tonight, I can assure the hon. Gentleman that we are totally committed to turning the tide of drug misuse in Glasgow and throughout Scotland. Central Government will play their full part and more, but that alone will not suffice. What is required is a concerted, strategic yet targeted approach, which brings together the efforts of all the agencies, statutory and non-statutory. I believe that we now have the mechanisms in place, and that the drug action team will provide the catalyst for a sustained and committed response to drug misuse in Glasgow.

I cannot emphasise too strongly that we regard this as an evil trade, and we will stop at nothing to ensure that it is brought to an end. Young people should have a full and fulfilled life. Nothing should be allowed to stand in the way of that.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Ten o'clock.

House of Commons

Wednesday 21 June 1995

The House met at Ten o'clock

PRAYERS

[MR. DEPUTY SPEAKER *in the Chair*]

Population Programmes

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

10.4 am

Mr. Richard Ottaway (Croydon, South): In this debate, I want to make two fundamental points. First, I acknowledge that coercive practices take place in international population programmes and I join all those who condemn those practices. No family planning programme will ever be successful unless it is run on a voluntary basis with full respect for human and reproductive rights.

Secondly, at the heart of international population programmes are two organisations: the UNFPA, which is not the United Nations Family Planning Association, but the United Nations Population Fund—why it is called the UNFPA, I have no idea—and the International Planned Parenthood Federation. While those organisations give aid to population programmes in countries where coercion takes place, they do not assist or condone coercion and we should not withdraw their funding.

I fundamentally believe that the root cause of many of the world's problems is excessive population growth. I was born at the end of the second world war and my life has coincided with Europe's post-war experience. Many things have happened and there have been many shifting patterns of history and mankind, yet as we reach the end of the 20th century, the global issue which stands out more than anything else is world population growth. Since I was born, the world's population has doubled. By 2000, it will reach 6 billion. The impact of that is huge, with environmental consequences, resource shortage and immigration tensions. Population growth affects the globe's economic prosperity and its quality of life.

Against that background, the international conference on population development, organised by the UNFPA, was set. It took place in Cairo in September. A year earlier, the G7 summit in Tokyo had recognised the increasing importance of world population growth and called on the Cairo conference to put forward a solution. At Cairo, politicians from such diverse cultures as President Mubarak of Egypt, Gro Brundtland of Norway, Benazir Bhutto of Pakistan and Al Gore, the Vice-President of America, all rose to argue that whatever one's backgrounds and beliefs, the situation could no longer be ignored.

The breakthrough at that conference was that almost every country in the world—including China—was present and almost every country in the world agreed. As a result, it produced a programme of action, with recommendations to the international community. The recommendations are a set of important population and development objectives for universal reproductive health rights in the next two decades in a framework of poverty reduction, women's empowerment, economic growth and changing lifestyles—obviously without the threat of coercion.

The conference received a great deal of publicity, mainly due to the Vatican's attempts to resist the inevitable. People may not have been sure of precisely what had happened in that conference and the conclusions that it had reached, but at least they knew that it had happened. The Cairo conference was not just about abortion—I regretted the singling out of that controversial issue—but much more. Its main objective was to place the individual at the centre of the population debate and to acknowledge that reproductive rights are recognised by Governments as international human rights.

That acknowledgement of the role of the individual must be set firmly in the context of the stark reality that population growth is at an all-time high: a rate of about 90 million people annually or 10,000 an hour. At that rate of growth, it will take only 11 years to add the next 1 billion individuals to our world.

It is inevitable that with such huge numbers involved, the globe's population programmes will be extensive. It is equally inevitable that when sensitive issues such as sterilisation and abortion are involved there will be abuses. Those abuses must be condemned.

As is well documented, many coercive practices take place in China. I do not seek to defend China's population programmes, but the demographic challenge for that country is undeniable. It has 21 per cent. of the world's population—1.2 billion people—but only 7 to 10 per cent. of the land suitable for cultivation. With growth at 1.5 per cent., 160 million more people will be added to its population within a decade.

In response to that challenge, the Chinese Government began the vigorous promotion of family planning in 1971. In 1979 it announced the controversial "one child" campaign, introducing rewards and penalties to induce couples to limit their families to one child. Not surprisingly that campaign was unpopular, especially in rural areas. In the early 1980s intensive family planning campaigns aimed at meeting strict demographic targets led to at least some instances of forced abortions and other abuses, although there is no consensus on how widespread those were.

By 1984 the programme had reached another turning point. Since by then party officials, perhaps recognising that the one child goal was unpopular and unrealistic, have gradually increased exceptions to it. Outside China the one child policy is widely perceived to be universally and strictly implemented, whereas in fact official regulations relative to family size vary substantially within that country. It may be more correct to say that nationally, China has something like a 1.6 child policy. However, official policy notwithstanding, on average Chinese couples have had 2.5 children, compared with the 2.1 child average required to achieve an eventual stable population.

All over the world our experience shows us that family planning programmes should be voluntary if they are to succeed. Countries that have succeeded in stabilising and lowering the rate of growth of their populations have done so almost exclusively by voluntary methods. I always hold out our own family planning programme as a model—free contraception, available on demand at a source of the client's choice.

[Mr. Richard Ottaway]

It follows that if a country engages on a one-child programme it is bound to cause tensions and concerns. However, that should not be grounds for picking up our bat and ball and walking away in protest at practices that we find unacceptable. Our attitude should be to try to persuade, influence and assist wherever possible.

Mrs. Ann Winterton (Congleton): Can my hon. Friend give the House any evidence that in the 10 or more years that those organisations have been involved—in China and the third world, for example—they have been able to persuade or cajole, or in any way to change the policies of Governments on coercive sterilisation and abortion?

Mr. Ottaway: If my hon. Friend will allow me, that is the point that I intend to deal with next. I shall describe what the organisations have done and explain why the abuses are not grounds for picking up our bat and ball and walking away. Those organisations have influenced and assisted. Indeed, one of them has done much to stop coercive practices.

Family planning programmes in different parts of the world are run in two ways—first, through the country's own family planning association and, secondly, through non-governmental organisations that run their own population programmes. External funding for the FPAs and NGOs comes from third-party governmental bilateral and multilateral aid. It also comes from the UNFPA and the IPPF. The UNFPA is unequivocally committed to the principles of voluntarism in its programme of assistance throughout the world. It categorically condemns the use of coercion in any form or manner in any population programme.

The right to plan and regulate family size is widely accepted as a basic human right. The executive director of the UNFPA, Dr. Nafis Sadik, who has shown outstanding leadership on the issue, said in her speech at the preparatory committee for the Cairo conference:

"The principle of free choice is essential to the success of such programmes. Coercion whether physical or moral, has no part to play. Coercion is a breach of human rights; it is also unsuccessful from a practical point of view".

The UNFPA is supported entirely by voluntary contributions, not by the United Nations' regular budget. It directly manages a quarter of the world's population assistance to developing countries, and in 1994 provided support to 150 countries, including China.

Many countries believe that by providing assistance to China the UNFPA is uniquely positioned positively to influence China's population policies and to promote human rights. It has dialogue with China's officials at every level, and its projects require observance of human rights. It insists on approaches to service delivery grounded in informed consent, free choice and quality care, and its programme introduces China's officials to international standards through international training in foreign institutions.

Over the past 15 years the UNFPA has supported the development of 23 contraceptive production facilities, and China is now totally self-sufficient in the production of modern contraceptives and can offer a wide variety. The fund has also provided counselling that focuses on individual choice and informed consent and—this is particularly relevant to the question asked by my hon. Friend the Member for Congleton (Mrs. Winterton)—it has helped to establish population science curricula in 22 Chinese universities.

Working with the World Health Organisation and with UNICEF, the UNFPA has supported massive training of physicians and health care workers in 300 poor rural Chinese counties to increase their skills in the provision of quality maternal, child health and family planning care. It has also initiated projects in 11 provinces in China to promote women's status in a culture in which women are traditionally held in much lower esteem than men. Its role in China and its commitment to that country has been effective and influential.

The IPPF is a different type of organisation altogether. After the Red Cross it is the largest international voluntary organisation in the world. It has 112 member associations and 136 individual country associations. It gives technical and financial assistance to the work of national family planning associations in more than 160 countries throughout the world. Like the UNFPA, the IPPF entirely rejects coercive practices. I am proud to say that its headquarters are here in London.

The important feature of the IPPF is that it works through its member country family planning associations and has no direct involvement itself. It has many aims and objectives. In simple terms its goal is to meet the unmet demand for quality family planning services and to promote sexual and reproductive health through its strategic plan, Vision 2000.

The IPPF's involvement in China is carried on through the China Family Planning Association—the CFPA—which was founded in the 1980s as a nationwide NGO. The federation's assistance to the CFPA takes the form of technical and financial support—that amounted to about $1 million last year—the bulk of which is used for audio-visual equipment, education materials and administrative support.

The CFPA became a full member of the IPPF in 1986, confirming agreement to the IPPF's standards and responsibilities of membership, which explicitly state that family planning services must be voluntary and non-coercive. It was founded to promote the cause of voluntary family planning using information and education throughout China, and it has never been involved in any way in the distribution of contraceptives or other clinical services.

It is important to remember that China's family planning programme is run not by the CFPA but by the state. In 1991, at the request of the Chinese Government, the CFPA, whose only source of funding was the IPPF, started to observe the state of family planning programmes to identify and report on reproductive rights abuses. That supervision role is new for the association, and represents an important step in the recognition of the safeguarding role of an NGO, affording a crucial point of leverage for modifying over-zealous efforts that cause allegations of abuse. That role continues.

Personally, I would like the Chinese Government to allow couples greater choice over the number and timing of births, while continuing to advocate small families. I believe that China could start to achieve its demographic targets by promoting the two child family, with special emphasis on delaying the first birth and spacing the second.

However, the role of the UNFPA and the IPPF is genuine and sincere. Both organisations are firmly opposed to coercion and are committed to implementing

non-coercive practices. The IPPF's main role in China is the funding of programmes preventing abuses, and I hope that I have demonstrated that its funding is closely monitored and is not used in the manner set out in early-day motion 1251.

Withdrawing funding to those organisations would be counter-productive. In the 1970s, the withdrawal of US aid to Pakistan as a protest at human rights abuses achieved nothing, and it was left to the rest of the world to pick up the pieces of Pakistan's family planning programme. We have seen the good work of the UNFPA and the great successes it has achieved, but withdrawing funding from the IPPF would be the most ridiculous. There are numerous examples where the IPPF's monitoring of abuses of state programmes have achieved success and lowered tensions. By education, it has shown that it is in the population's interests to have a small family.

What would we gain by withdrawing aid? We would lose our influence. Our view should be to offer constructive help. It is easy to be critical and condemnatory, but it is less easy to offer a positive way ahead which would take account both of a nation's cultural heritage and of the economic and social restraints. Horror stories, such as the documentary on television the other day, "The Dying Rooms", grip the headlines, but practical help is difficult to offer and is less likely to attract attention. Yes, there are abuses, but we should seek to minimise them and influence the perpetrators. We should make every effort to impose the standards for which we have become an example to the rest of the world.

10.21 am

Mr. Tony Worthington (Clydebank and Milngavie): I congratulate the hon. Member for Croydon, South (Mr. Ottaway) on his speech and on raising the topic today. It is extremely valuable that we should have an opportunity to discuss the role of the family planning programmes of the United Nations Population Fund and the International Planned Parenthood Federation, and the role of the British Government in assisting people to control their fertility.

There are oddities about the debate. No one in the House would be in favour of coercion, but, as I shall demonstrate, there are different forms of coercion. There is the coercion that we all deplore which was revealed in the television programme to which the hon. Gentleman has just referred. But there is also the coercion caused by ignorance. There are people who would deny access to modern family planning methods to millions of the poorest people in the world.

I hope that some of the Members who catch your eye during the debate, Mr. Deputy Speaker, will make it clear whether they are in favour of giving voluntary choice about methods of family planning to every woman, man and couple in the world. Or will they continue to deny human rights to people by denying them access to the facilities which we treasure in this country? That is an absolutely fundamental question.

Mr. David Alton (Liverpool, Mossley Hill): The hon. Gentleman said that no people in the House advocate coercion, and he must therefore assume that no people in the House oppose the voluntary principle. The hon. Gentleman must tell the House whether he supports funding programmes which have cost the British taxpayer £100 million in the past 10 years and which have allowed forced abortion, forced sterilisation and the forcible fitting of inter-uterine contraceptive devices to women. Those are abuses of human rights.

Mr. Worthington: I am glad that the hon. Gentleman has risen so early in my speech, as it gives us a chance to have a genuine debate. Where there is no question of coercion, does he advocate organisations such as the Overseas Development Administration, the IPPF and the UNFPA providing the means for poor people in all parts of the world to use the pill, condoms, spermicides and the other contraceptive methods used at present in this country? Is the hon. Gentleman in favour of that voluntary principle?

Mr. Alton: These are not legislative matters, but relate to a personal code of morality. The issue is whether we should continue to fund forced abortion and sterilisation and the forcible fitting of IUCDs.

Mr. Worthington: Rarely have I heard such evasiveness. It is a simple question. Where there is no question of enforcement or coercion, is the hon. Gentleman in favour of public resources being used for such schemes? He must acknowledge that it can only be done with public resources, and that the projects cannot succeed on a wish and a prayer. Resources are needed to fund pills, condoms, spermicides and vasectomies. Is the hon. Gentleman in favour of the world's public resources being used to aid such voluntary programmes?

Mr. Alton: The hon. Gentleman knows that I am in favour of the alleviation of poverty, but not the subjection of populations. If the hon. Gentleman studied the history of Ireland, he would see how those arguments were used by British economists and politicians during the 19th century to achieve precisely the objective he is outlining today. The issue is not about voluntary decisions made by individuals, but coercion. That is the issue that he and the House must address today.

Mr. Worthington: I have struck gold there. The hon. Gentleman has not found himself able to say that resources should be made available, despite the fact that the projects cannot be operated effectively without financial resources.

In this country, in Italy and in other countries of the west, people who have been given the resources and choices have voluntarily chosen to restrict the size of their families. To do that, they had to have access to modern methods of family planning. An old saying about natural methods of family planning is "Show me natural methods of family planning, and I'll show you a parent."

It is a fundamental human right that the women of the world in particular should have access to the methods of family planning which have done more than anything else to transform the lives of women in Britain and in Europe. It is fundamental that that same technology and choice is available to people in other parts of the world. But because of their poverty, it cannot be made available to them without the intervention of the aid programmes of the western world, such as the UNFPA and the IPPF. Until the hon. Gentleman stands up and says that he is in favour—

Mr. Deputy Speaker: Order. It is not appropriate to pillory an hon. Member when we are dealing with overseas programmes this morning.

Mr. Worthington: I accept your judgment, Mr. Deputy Speaker, but it will be interesting to see whether the hon. Gentleman and other hon. Members are willing to accept the voluntary principle. All I ask of them is to accept that choice should be provided, and that one cannot have a choice when one is ignorant. There can be no choice when there are no resources.

When abuses in human rights are occurring in China and in many other countries, it is absurd that one should deny resources to the organisations which are most likely to be able to bring a cessation of those abuses.

It is quite clear from my contacts with the UNFPA and the IPPF that their work is founded on voluntarism, choice and women's empowerment. To argue that they should stop working in China, where their programmes are a seed-corn, in order to introduce voluntary methods of family planning in that country is simply absurd. One would simply be shooting oneself in the foot.

I am sure that the debate will make it clear that those who argue for change in China are not arguing about coercion there or elsewhere. China is a bad example of what can happen, but it is just one country. Those who pick on it do so in an attempt to remove voluntary choice from other parts of the world. They are seizing upon the weaknesses in the Chinese programme to put forward a hidden agenda, as we shall see, to deny Chinese people the choice of access to the very contraceptive means that are available to us.

As the hon. Member for Croydon, South said, population control is an issue of fundamental importance to the world, because 95 per cent. of population growth is occurring in the poorest countries. It is estimated that their populations will double in 25 years. It would concentrate our minds if the population of Britain was expected to double from about 55 million to 110 million by the early years of the next century.

What gives ground for hope is that, in country after country, men, women and politicians want access to resources to enable them to control their own fertility. The request for contraception is demand-driven. They understand that the empowerment, enfranchisement and liberation of women is possible only if they can have control of their own bodies. When they are given that choice, they use it. What is sick about China is that, in the long run, there is no need for coercion. If the Chinese women were given proper choice, as must happen, they would seek to control their own fertility. In that movement, based on education and health, they would turn their backs on the repulsive aspect of their own culture which does not treasure women. Female infanticide was common long before mountain methods of family planning were followed by the Chinese. We must deplore that appalling practice.

We must aid organisations such as the IPPF and the UNFPA to introduce the voluntary principle to China. I am sure that all hon. Members would agree that that is the number one target. Once that principle is established, every child born will be equally valued whether it is male or female.

10.32 am

Mrs. Ann Winterton (Congleton): When I first took my seat in the House way back in 1983 I accepted, like many other people, almost without question the doomsday propaganda of the population control lobby. I thought of the IPPF and the UNFPA—to assist my hon. Friend the Member for Croydon, South (Mr. Ottaway), that stands for the United Nations Fund for Population Activities—as good, altruistic organisations, interested in the betterment of the poorer peoples of the world.

I then came across papers written by a leading black American social worker, Erma Clardy Craven, who was chairman of the Minneapolis Commission of Human Rights. She reported the grim story of the Kaw indians of Oklahoma, whose tribe would be virtually extinct by the end of the century because virtually every woman full-blood had been sterilised by groups affiliated to the IPPF and, more indirectly, the UNFPA. She also produced figures to show that three times as many black, Indian and Puerto Rican women than white women were being sterilised in the United States. Far from family planning or voluntary population control, that practice was, to use a term more widely understood these days, "ethnic cleansing".

Any reference to those disconcerting activities was glibly dismissed by apologists for the UNFPA and the IPPF. They justified the statistics by observing that there was a greater statistical representation of such ethnic groups among the poorer sections of society—as though social status was any more justifiable than ethnic origin as a basis for sterilisation.

It was then, too, that I heard about the ruthless manner in which the one-child policy was being implemented in China. Although reports of that policy had been made for some considerable time, it was first given widespread publicity through the work of an American, Dr. Stephen Mosher, a China scholar. In 1979, he was one of the first western scholars to be allowed to visit the People's Republic of China. He was the only one allowed to conduct a village study, when he lived for more than a year in a country area, where he got to know the people and their way of life.

During his stay, Dr. Masher witnessed at first hand how women who were five months, six months, or even eight and nine months pregnant were rounded up if they refused to have abortions. They had their pregnancies terminated forcibly, in the most bloody conditions. Sometimes they were compulsorily sterilised as well. He was appalled by what he saw and determined that, on his return to the United States, he would expose what was happening. He found that he was subject to considerable pressure from the population control lobby to stay silent. He refused and succeeded in gaining coverage in the *Washington Post* and *Time* for what he had seen. He finally published a book exposing the brutality of the population control regime.

Although that happened in the 1980s, it is important for the House to be aware that the IPPF and the UNFPA went into China together in 1979 and were involved on the ground through their programmes throughout the time in question. There can be no doubt that both organisations were fully aware of what was happening, not least because, in 1983, the UNFPA made the head of the Chinese Family Planning Association joint winner of its population award.

I support the right of couples to plan or space their children in accordance with their wishes and beliefs. I have no ethical objection to the practice of contraception, but such voluntary activities bear no resemblance to what is happening in China, as the film, "The Dying Rooms", broadcast last week on Channel 4, has unequivocally shown. That documentary, produced by Brian Woods and

Kate Blewett, records how they travelled throughout China amassing first-hand evidence of the brutal results of the state population control programme, which restricts families to one child. It confirmed that that programme includes compulsory abortion and sterilisation. The cultural bias has resulted in girl babies and those who are disabled being abandoned in orphanages. It highlighted the plight of children in state asylums, with their arms and legs tied to seatless chairs with potties underneath, who were left to die from absolute neglect. That is a grim indictment, as horrifying in its content as any atrocity ever captured on film. It left me in no doubt that the IPPF and the UNFPA, and indeed our Government—in the first two cases through their involvement and in the latter by turning a blind eye—must bear the responsibility for the impact of those draconian policies upon the women of China and their dead and abandoned children.

Mr. Ottaway: Does my hon. Friend have any evidence that funds from the IPPF or the UNFPA have been directly used for coercive practices, as she alleges?

Mrs. Winterton: The very fact that both organisations are involved in family planning in China props up the regime of the Chinese Government; my hon. Friend must be naive if he believes otherwise. The coercive programme will be changed only if the British Government stand up to the Chinese Government, for the simple reason that the Chinese bow only to strength. Unless we show strength, they will merely use the funding in whatever way they can, and indirectly it will prop up the coercive practices that are being used at present. My hon. Friend should remember that, and perhaps think a little more deeply about those matters before he merely offers 100 per cent. support for what is being done in China.

Mr. Worthington: Will the hon. Lady give way?

Mrs. Winterton: No. I have just given way to my hon. Friend, and I intend to continue with my speech. *[Interruption.]* I have given a full explanation to my hon. Friend.

Mr. Ottaway: My hon. Friend has no evidence.

Mrs. Winterton: Perhaps the evidence could be provided at a later date; I could not give it now.

The attitude of my hon. Friend and the apologists whom he represents will ensure that those coercive practices will continue for the next 10, 20 or 30 years, because the position has not improved while those programmes have been in place in China and other third world countries.

The plight of unwanted girl babies in China does not result purely from cultural bias in favour of boys, as some people have naively sought to suggest. It is not as simple as that. For thousands of years in rural China, when a girl married she left home to live with her husband's family. Even today, old couples have no state benefit in the country districts of China, with the result that, if couples are allowed to have only one child and that child is a girl or is disabled, they will be entirely alone in old age and virtually left to starve. That is the brutal truth.

Speaking as recently as last month, on 26 May 1995, my hon. Friend the Member for Croydon, South, who introduced the debate, addressed the inaugural meeting of the European Parliamentary Forum on Population in his capacity as its founding chairman. He told the meeting that in the year 2000 the programme of action that had been agreed at the United Nations conference in Cairo in September 1994 would cost an estimated £17 billion for the implementation of reproductive health programmes in developing countries and in countries with economies in transition. He said that, by the year 2015, that will have increased to a staggering $21.7 billion.

The conference in Cairo was supposed to be the international conference on population and development, yet the entire sum allocated was—as my hon. Friend the Member for Croydon, South told his meeting in Brussels—$17 billion for population control, with not one dollar for development.

The answer to the intervention of the hon. Member for Clydebank and Milngavie (Mr. Worthington) is that we shall reduce the number of children being born by aid for economic development. That has been the result of economic development in the western world and elsewhere. Security of employment, pension arrangements and so on reduce the numbers of people who are so fearful.

Mr. Ottaway: Will my hon. Friend give way?

Mrs. Winterton: No, I will not.

My hon. Friend the Member for Croydon, South is chairman of the all-party parliamentary group on population and development, which published a report in March 1994, arguing that non-governmental organisations seeking overseas aid funding should expect such funding to be reduced unless they agreed to a commitment to population control.

Not only are poor countries to receive nothing from the programme agreed last year at the Cairo conference, but even charities that rely on help to develop their vital work are to be deprived of any assistance at all if my hon. Friend has his way.

Mr. Worthington: On a point of order, Mr. Deputy Speaker. I am sure that the hon. Lady has not deliberately misled the House, but I do know the hon. Member for Croydon, South (Mr. Ottaway) very well, and he is not associated with any population control—

Mr. Deputy Speaker: Order. I am the judge of whether an hon. Member has misled the House, not the hon. Gentleman or Back Benchers.

Mrs. Winterton: Some people have sought to portray the anxieties raised about Cairo as being exclusive to the Roman Catholic Church. That is not a Church to which I belong, and although the Vatican certainly has been outspoken in its condemnation of that diversion of resources from aid programmes to population control, its anxieties are widely shared by many people in the third world and by the Muslim community.

Commenting on the Cairo conference, 50 eminent Muslim scholars wrote to every Member of the House, observing that it was stage-managed by the wealthy western nations, who were seeking to manipulate the people of the third world. They urged us strongly to support the making of legal international agreements to bring to an end coercive population control programmes.

After watching "The Dying Rooms", I endorse such an opinion. We should not rest until we witness the end of any type of coercive or manipulative population control, whether it be the tying of the development of a village

[Mrs. Winterton]

well to limits on family size, or the cutting by our Government of grants to charities that refuse to conspire with the population control lobbyists.

I invite the Minister to assure the House that, pending a full and exhaustive investigation, he will suspend the funding of the IPPF and the UNFPA and, as my early-day motion 1251 suggests, urge the United Nations to transfer from Beijing the proposed Fourth World Conference on Women and hold it instead in a country with a more civilised policy towards women and girl babies.

10.45 am

Mr. David Alton (Liverpool, Mossley Hill): I support the hon. Member for Congleton (Mrs. Winterton), especially her remarks about the unsuitability of Beijing, of all places, as a centre for the holding of a conference discussing women's rights. I urge right hon. and hon. Members to sign the early-day motion that the hon. Lady has tabled, which I believe describes the true position in China.

It has been extraordinary to listen to the speeches, especially those of the hon. Members for Croydon, South (Mr. Ottaway) and for Clydebank and Milngavie (Mr. Worthington), in defence of practices in China. Implicitly, whether they like it or not, they are defending those practices if they accept that the programmes that are being used in China to fund forced abortion and forced sterilisation should continue to receive resources from this country.

The hon. Members for Croydon, South and for Clydebank and Milngavie have adumbrated the voluntary principle, and they have said that they oppose coercion. Of course everyone in the House would share those opinions; they sound wonderful, but that is not the issue. The issue is what is happening on the ground. Are we financing it? Are we prepared to aid and abet it? If not, what will we do about that?

The approach of the hon. Member for Croydon, South is revealingly illustrated in his book, which is curiously titled, "Less People, Less Pollution". That is an extraordinary way of regarding the population question—fewer people equals less pollution. The issue for the House is not the pollution that people may cause but the respect that we place on the very right to life itself. It is about the respect that we place on human rights; it is about the position of women in society; it is about the voluntary principle; and it is about poverty.

I will not listen to the speeches that have been made, implying that those of us who share the opinions that will be expressed on the Floor of the House today are reactionary or oppose development. I strongly support the increase of our overseas aid programme and the principle that we should attack poverty at every possible level, but there are ways of doing that. It is never, and surely should never be, part of our approach to defend the discredited policies of a regime that uses such unacceptable methods against its own population.

Hon. Members have intervened to ask, where is the evidence? I intend to discuss that later, but I would especially draw people's attention to the congressional debate that took place on May 24 1995 and the evidence that led Congress again to decide that it did not want to fund those programmes—evidence that led the previous American Administration not to fund the programmes.

Anyone who saw on their television screen the events in Tiananmen square hardly needs to be convinced that evidence is required about the brutality of the Chinese regime. The Human Rights Law Review provides evidence, if that is what hon. Members are looking for. I shall refer to that later in my remarks.

I have followed the issue for several years. I have been to see Ministers, presented petitions and tabled motions and questions about what I believe constitutes the most pernicious and evil abuse of women and human rights anywhere in the world today. I am utterly mystified as to how anyone could watch the programme, "The Dying Rooms", to which the hon. Member for Congleton referred, or last year's BBC programme, "Women of the Yellow Earth", and still offer a defence of the payment of £100 million of blood money over the past decade.

In 1994, the United Kingdom Government gave £8.5 million to the UNFPA and £7.5 million to the IPPF. British taxpayers have been underwriting forced abortion, forced sterilisation, the forcible fitting of IUCDs and even infanticide for more than 20 years. Successive Ministers have defended one of the greatest scandals in the use of overseas aid that I have ever come across. They have used a succession of arguments.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): I have one simple question. The hon. Gentleman is speaking from the Bench of the leader of the Liberal party. Will he make it clear whether he is speaking in a personal capacity or on behalf of the Liberal Democrats?

Mr. Alton: In 1992 my party had quite a divisive argument about whether abortion should be party policy. I am glad to say that, unlike the Labour party, we ultimately decided that it should be a matter for personal conscience. I speak today on my own behalf from this Bench. I should be interested to know whether, when the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) speaks today, he will do so on behalf of the official Opposition. I should be interested to know whether he will state that the Labour party will continue that policy. The hon. Gentleman is confirming to the House on behalf of the Labour party—it is important to have it on the record—that if the Labour party forms the next Government, they will continue to fund such programmes in China.

Mr. Foulkes: I am confirming that if I have a chance to speak in today's debate, I shall be doing so on behalf of the official Opposition. As to what I shall say, the hon. Gentleman will find out then. He should not try to anticipate it.

Mr. Alton: The hon. Gentleman sought clarification from me and I am simply seeking clarification from him. I am trying to clarify whether he will be speaking on behalf of the official Opposition in such a way that we can assume that the Labour party will maintain the present Government's policies and offer the same arguments advanced by Ministers over the past two decades.

The first of those arguments was expressed by Lady Chalker: funding such programmes enables us to influence them. There is no supporting evidence to show that funding leads to influence over policies.

The second argument that has been advanced by Ministers is that there is insufficient evidence—even though, naturally, they did not approve of coercion. Ministers' next argument was the rural aberration

argument. They argued that such policies might be pursued, but they were only the work of a few over-zealous officials in some backwoods area of China.

I have received a succession of identical replies to the parliamentary questions that I have tabled. The Government say that they are "deeply concerned". However, they are not concerned enough to do anything to stop the systematic abuse of women and children. The greatest deceit of all that they commit is to trot out the platitude that we are all opposed to the principle of coercion, while continuing to fund those who perpetuate the crimes against humanity, which is precisely what they are. The Nuremberg war trials tribunal rightly judged the forced abortion of Polish women to have been a crime against humanity. The shocking thing is that it has taken something as horrific as "The Dying Rooms" to shake us out of our complacency.

At the height of the mass sterilisation campaign in the 1970s the UNFPA gave China the first ever UN population award for its success in curbing population. The UNFPA provided training for central Government officials responsible for the policy. It provided computer systems that monitor the effectiveness of the programmes in reaching their targets. It funded the building of two facilities that have made China self-sufficient in IUD production. Some 41 per cent. of Chinese women now have IUDs, which, once inserted—often against their will—they can do little about. X-ray machines are used to ensure that women have not removed them.

The UNFPA is a United Nations agency. The UN purports to guarantee the

"right to freely found a family and decide on the number and spacing of the children".

Yet, in direct contradiction of that, the communist Chinese Minister for family planning, Qian Zinzhong, has said:

"The size of the family is far too important to be left to the couple. Births are a matter of state planning."

China's one-child policy uniquely marks it out as a country where it is illegal to have a brother or a sister; where little girls are eliminated in favour of their brothers and where eugenics laws—like those so favoured by the eugenicists who founded the IPPF—now permit the killing of disabled children.

In October 1994 the People's Republic of China passed a law on maternal and infant health care that came into force just a couple of weeks ago. It allows the Government to force newly married couples to be sterilised and unborn babies to be aborted, where there is disability, illness or "relevant mental disorders". Poor people from ethnic minorities and disabled people have always been the target of racists and eugenicists everywhere. The simple test is whether we would permit such procedures here and, if not, what in the world are we doing funding them in China?

The latest reports from Feng Jia Zhuang and Long Tian Gou reveal a combination of religious repression and political coercion. Using their slogan, "It is better to have more graves than one more child", the local authorities repeatedly raid people's homes, confiscate the family's property, round up the people and beat those who escape into nearby fields. Forced abortions have been performed on women in their last weeks of pregnancy. Several women have been forcibly sterilised against their will. Monstrous fines—bigger than an annual average income—are imposed on couples who do not comply. One villager had his legs so badly broken that he nearly died. When concerned relatives enquired about him they were arrested, abused and forced to pay a huge fine. Another villager unsuccessfully tried to sell his two children in an effort to have his wife freed from gaol.

People are subjected to terrible torture. Men and women have been hung upside down; some have been squeezed into tiny spaces, such as under chairs; some have been exposed to the elements during extreme weather conditions for sustained periods. Some people have had their tongues burnt with electric batons to prevent them from invoking the help of God. Through our funding, we are collaborating in those crimes against humanity.

The systematic killing of little girls is now beginning to reveal itself in the population shift in China and in slave trade in women. At least 114 boys are now born in China for every 100 girls. The plight of women beyond birth is equally harrowing. The Human Rights Law Review details instances of women being taken from bed late at night and brought to 24-hour sterilisation clinics. It records examples of women being inserted with IUDs without their knowledge or consent immediately after giving birth and newborn babies being killed while still partly in the womb. Local officials who violate women's rights are promoted for their ruthless cold-blooded efficiency.

Far from condemning such practices, the executive director of the UNFPA, Nafis Sadiq, said:

"China has every reason to feel proud and pleased with its remarkable achievements in its family planning policy and control of its population growth over the past 10 years. Now China could offer its experiences and special experts to other countries."

Britain should have no part in the programmes. We should use our overseas budget to help those 800 million people who are racked by starvation or despair and who live below any rational definition of human decency. We should not use resources to fund such evil practices.

Wilberforce said in this Chamber nearly 200 years ago that we should

"Disclaim that dangerous sophistry that out of doing evil some good may come."

I hope that it will not be long before we end the evil practice of funding forced abortions, forced sterilisation and oppression of women's rights in China.

10.58 am

Mrs. Jacqui Lait (Hastings and Rye): I appreciate the opportunity to participate in the debate, but I shall not become involved in the subject of China for two reasons: first, it has already been clearly aired and, secondly, there are other issues in the world relating to population problems that we need to consider. I should prefer to look at the African continent, where poverty has increased markedly over the past 10 years.

I do not want to follow the route taken by my hon. Friend the Member for Congleton (Mrs. Winterton) and condemn the UNFPA, but I support her call for the conference for women not to take place in Beijing. However, I do so for a completely different reason. Apparently the non-governmental organisations—which my hon. Friend and I both support—will be located some 30 miles from Beijing and there is no way of travelling to Beijing except by bicycle. As some hon. Members may know, the eminent members of NGOs are perhaps not capable of travelling 30 miles by bicycle, so the conference may not be of great help to women.

[Mrs. Jacqui Lait]

I turn to the issue of population problems in Africa. As in China, cultural and religious differences in Africa have led to the prevalence of large families, if only to ensure that there is someone to look after aged relatives and younger children. We in the west have solved that problem by increasing our prosperity, which is also the best way of solving the problem throughout the world.

In dealing with the population problem, we must move in two directions. First, we must alleviate poverty; and, secondly, we must work within third-world societies to help women—who, as the child bearers, are the key—to control their own fertility. The best way to control population growth is to improve medical services and to ensure that women are empowered to control their own lives. In many cases, that means that we must ensure that they have access to farm implements, water and grain so that they can produce food for their families. If their children survive infancy, they will realise that they do not need to have so many children and, with that realisation, will come the reproductive control that is so crucial to solving the problem of overpopulation.

We must also address questions such as why water is not readily available, why medical services are difficult to access and why poverty is prevalent in so many countries. Those problems are often the result of governmental mistakes. Many foreign politicians were educated as socialists in this country. They then returned to their own countries and tried to impose socialism on their culture. Those cultures were simply not ready for socialism and were often very anti-democratic.

The Overseas Development Administration can best assist population programmes by building up a belief in democracy in such countries. The people must remove from the control of the centralised state the levers of economic power which it has signally failed to use effectively. Governments must ensure that they release the energies of their people so as to produce the wealth that is crucial to the delivery of medical care and roads and farming infrastructure. That is vital if women are to feel that they do not need to produce a child every nine months and if men are to recognise that they do not need to prove their virility by fathering large families.

11.3 am

Mr. David Amess (Basildon): I am very grateful that my hon. Friend the Member for Croydon, South (Mr. Ottaway) has given the House the opportunity to debate coercive practices in population programmes overseas. I suspect that the debate—I shall speak directly to it—might have been triggered by the ten-minute Bill that I introduced last month. On that occasion, the House agreed that coercive practices should be condemned.

My hon. Friend used a cricketing metaphor in his speech and I also rather liked the cricketing metaphor used by the previous Prime Minister, Lady Thatcher. Earlier in the debate it was said that the House condemns coercive practices in population programmes overseas. I was very pleased to hear that and I am sure that hon. Members are united in their desire to do good—even though our approaches may differ.

Two years ago when I attempted to introduce a ten-minute Bill outlawing the practice of determining the sex of a child, the House voted in favour of that practice by a majority of 18 votes. One would have thought it extraordinary that the House of Commons should approve the practice of sex selection, but that is what it did. Therefore, I think that it is wonderful that today hon. Members have made their points with passion, vigour and conviction. If the House is to remain relevant, we must continue to argue about such matters in that way.

This morning I received a letter from a constituent who viewed the television programme to which hon. Members have referred this morning. Life may be cheap in China, but it is completely worthless if one is female. More than 6 million Chinese women are called Lai-Di or Zheo-Di, both of which mean "next time bring a boy". Female infanticide is rife, as is the abandonment of female children. The growing gender imbalance in the Chinese population—currently there are 60 million more men than women—has resulted in the kidnapping of village women who are often raped before being sold.

My hon. Friend the Member for Croydon, South spoke of the size of the world population.

Mr. Piers Merchant (Beckenham): My hon. Friend the Member for Basildon (Mr. Amess) mentioned the appalling gender discrimination in China which is smiled upon by the communist authorities. Will he refer also to the Chinese Government's racist activities in areas such as Tibet, where the Tibetan population is subjected to extreme population controls but the Han Chinese—who have been deliberately settled in Tibet in order to ensure Chinese domination of that previously free country—are allowed to reproduce much more freely?

Mr. Amess: I am grateful to my hon. Friend for drawing that situation to my attention. Last month during my speech on my ten-minute Bill I told the House that I was to visit China with two United States Congressmen. Sadly, the day before we were due to leave the visas of the two Congressmen were withdrawn. I hope that we will make that trip later this year when I shall explore the points that my hon. Friend has raised.

My hon. Friend the Member for Croydon, South referred to the size of the world's population. The world has become smaller with the advent of air travel and I wonder whether we should challenge the premise that the world is overpopulated. According to United Nations figures, only 40 per cent. of agricultural land in China is cultivated—and I am delighted that the Fiat tractor plant in my constituency is exporting more of its small tractors to that country to help with the more efficient production of food. Agricultural land in China is cultivated so inefficiently that, during the past 15 years, the World bank has threatened to withdraw its funds unless practices improve.

Only about 10 per cent. of the world's land area has been developed into cities, towns, roads, villages and farm land. Furthermore, in Europe and America we are urged to set aside land because we are producing too much. In 1975, Mr. Henry Kissinger presented a 250-page document to the then US President, Gerald Ford. It warned that uncurbed population growth in less-developed countries could adversely affect US commercial interests. It stated that more people in poorer countries would mean an increase in demand and a subsequent call for greater economic control. The United States of America had to promote population control in order to safeguard its own interests.

I am a great fan of the United States of America. It is interesting to note that the presidents who most strongly opposed recommendations of the national security study memorandum were both Republican—Ronald Reagan and George Bush. Mr. Reagan and Mr. Bush banned funding to the United Nations Fund for Population Activities and the International Planned Parenthood Federation because of the abortion policies of both those groups.

Finally, I return to my ten-minute Bill because I recognise that the whole House condemns coercive practices. I note that the Government are also concerned, as was demonstrated more than a year ago when the ODA promised action. I am most grateful for that, but we must go further. The House should be prepared to take a stand against the funding of oppression by calling upon the IPPF, the UNFPA and the ODA to withdraw from the Chinese population control programme.

My Bill proposed, in order to avoid inadvertently supporting those programmes or withdrawing funds for legitimate purposes, that we attach clear and unambiguous conditions to all future contributions and exact full accountability. At the same time, we should make it clear that any support for the practices in China that I have described from the spokesmen of any of those organisations would result in the withdrawal of future funding altogether.

11.10 am

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): I join in congratulating the hon. Member for Croydon, South (Mr. Ottaway) on securing a debate on a subject of great concern to the developing world and one which creates great passion among hon. Members on both sides of the argument, as we have seen today. I know of the hon. Gentleman's interest in the subject—and pay tribute to it—from his chairmanship of the all-party group on population development and reproductive health, of which I am also a member.

The Minister and I participated in the first Wednesday morning debate on Pergau, which was a fiery affair. This morning, the two Front Benches are in somewhat greater agreement.

The growth in human numbers that lies ahead is the fastest in history—a growth in population widely recognised as resulting in serious economic, environmental and political problems in the developing countries and posing real problems for the developed world. As hon. Members have said, that was recognised at Cairo.

The balance of the world population over the next decade will switch dramatically. As my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) rightly said, free access to all forms of family planning means that population growth in developed countries has slowed to less than 0.6 per cent. In Europe, it is less than half that. Within 10 years, populations in most European countries will probably start to decline.

In contrast, the population in the developing world will increase dramatically. Some 94 per cent. of the increase over the next decade will be in the developing world and the prospects for some countries are daunting. As hon. Members have said, we are not discussing only China. According to World bank demographers, the population of Nigeria will rise from 100 million at present to an eventual 382 million before stabilising towards the year 2100. The population in Tanzania is predicted to increase five-fold from about 25 million at present to 116 million. It is a major, daunting prospect.

The Government have already been told on many occasions—I took the opportunity to do so again on Monday—that more than 1 billion people in the developing world now live in abject poverty. It is to that end that measures have been sought and many groups throughout the world are seeking, through respected and organised programmes of family planning, to reduce the number of people suffering from poverty.

Family planning, reproductive health and female education are some of the best aid investments available. That was recognised in Cairo, where a programme of action was agreed to improve access to quality reproductive health care, child health care and educational opportunities and to help reduce child and maternal mortality.

The Labour party supports the range of measures agreed at the conference. We recognise the continuing priority that the Government have given to the problems of population growth, notably in their programme

"Children by Choice and not by Chance".

We stress again that it must be considered in the light of an ever-decreasing aid budget and that action should be taken to maintain and continue that support.

It was agreed at Cairo that the implementation of the agreed programme of action

"is the sovereign right of each group consistent with national laws and development priorities with full respect for the various religious and ethical values and cultural backgrounds of its people, and in conformity with universally recognised human rights."

We are aware of the key concerns of some Catholic and Muslim countries expressed at the conference. However, the overwhelming majority of countries support the programme agreed in Cairo.

Criticisms of certain countries' human rights records and their approach to family planning is legitimate. The exposé of methods prevalent in China by the recent Channel 4 documentary was welcome. Abuse has been documented in other countries, but the removal of UN agencies and non-governmental organisations working within those countries would serve only to isolate them from world opinion and would not in any way help to solve the problems.

Since 1979, the Chinese state has recognised the problem. China has one fifth of the world's population and only 10 per cent. of its arable land. However, it has over-aggressively used birth targets to curb its population growth. People in cities are limited to one child and those in the country to two. The Opposition state quite clearly that the methods highlighted by the media are unacceptable and cannot be tolerated.

I agree with the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on one point. It is a tragic irony that the conference on women is to be held in Beijing. There have been calls from hon. Members on both sides of the House for that to be reconsidered.

Any implication that people working in those countries condone or help to facilitate any such programme is completely false. Some people are using allegations of coercion in China's population programme to justify calls on the British Government to withdraw their funding from the UN Population Fund and the International Planned Parenthood Federation. My hon. Friend the Member for Clydebank and Milngavie called it a hidden agenda; it is a different agenda, and that should be made absolutely clear.

[Mr. George Foulkes]

The Opposition support the contributions to the UN population fund and to the IPPF. Both those organisations publicly affirmed their opposition to any coercive methods adopted by the countries in which they operate, with the Chinese family planning association, like all IPPF member associations subscribing to the principles agreed at Cairo.

In practice, as my hon. Friend the Member for Clydebank and Milngavie rightly said, the right of access to effective means of family planning is often denied. An estimated 350 million couples world wide do not have ready access to family planning. UNICEF figures show that the unmet need of women for family planning is nearly half in sub-Saharan Africa.

Reducing the population growth of the developing world should not be seen in isolation. There is no intrinsic benefit in a reduction of the world's population; the primary concern is the alleviation of the appalling, grinding poverty which currently exists, and to that end the consumption of scarce resources has been looked at in terms of population. It should not detract, however, from the duty of the industrialised world to the developing countries and it is incumbent on any population programme to form a wider strategy aimed at tackling poverty.

The rights to family planning and health education are basic human rights. The attitude of certain states and the use of coercive methods cannot be tolerated. The British Government should stress that fact to countries where infringements of human rights take place and I hope that the Minister will repeat it today. I hope that the Minister will also assure us that in the forthcoming UN world conference on women the Government will press for the cessation of such practices, which are clearly intolerable. Equally intolerable, however, is the suggestion from some quarters that such practices should be used as an excuse for withdrawing funding from the vital programmes carried out by non-governmental organisations and by the IPPF. We oppose such suggestions and, for once, we agree with what I hope the Government are about to say.

11.19 am

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tony Baldry): This has been an extremely helpful debate. Contributions from hon. Members on both sides have illustrated the sensitivity of the issues. I know that several hon. Members who wished to contribute, including my hon. Friend the Member for Erewash (Mrs. Knight), have been unable to do so due to lack of time.

I have listened carefully to all the speeches. Those of us who take an interest in population and development policies are deeply concerned about reports of human rights abuses linked with family planning. Human rights are indivisible and sacred, and it is quite proper that wherever we discover abuses of human rights we should protest about them. We shall, of course, thoroughly investigate recent media reports which have understandably created considerable concern in this country about China's population policies. We shall carefully examine links between the Chinese population programme and UNFPA and the IPPF—

Mr. Alton *rose—*

Mr. Baldry: I have very little time in which to reply, and I hope to answer the hon. Gentleman's points in due course.

We shall of course protest whenever we see abuses of human rights. Coercion of people in any regard is unacceptable; coercion to use particular types of contraception, or to be sterilised, or to undergo induced abortion is never and never can be acceptable.

Last September I led the United Kingdom delegation to the international conference on population and development in Cairo. Many people regard that conference as one of the achievements of the United Nations and its member states. In Cairo, we agreed on policies which take as their starting point the need to increase choices for women and men. At the conference, the international community explicitly rejected any idea of coercive population control programmes.

The Cairo programme of action introduced new and more positive concepts—most importantly, reproductive health, which embraces health associated with sexuality, conception and child bearing. The underlying principle is that we should seek to respond to people's needs. We believe that men and women have the right to enjoy good reproductive health, not just access to family planning services.

The conference stated:

"Reproductive health care programmes should provide the widest range of services without any form of coercion. All couples and individuals have the basic right to decide freely and responsibly the number and spacing of their children and to have the information, education and means to do so."

No one in the House could possibly disagree with those principles.

Since Cairo we have continued, as part of the overseas development programme, to help developing countries as well as those in eastern Europe and the former Soviet Union to move towards reproductive health care for all; and many countries in the United Nations are deeply committed to delivering on the promises that were made at Cairo.

Despite all this, there are those who argue—we heard their concerns mentioned today—that the UNFPA, the IPPF, and the British Government, in some way support population control. I want to make it clear again: we wholly and forcefully reject the concept of population control. We believe that individuals should be given good opportunities, information and health care, and the opportunity to have children by choice, not by chance.

The reproductive health programmes that we support are fully consistent with the principles agreed at Cairo. They aim to enable women and men to choose when to have children and to enjoy better reproductive health. We want to enable more women to go through pregnancy and child birth safely, and to prevent and treat sexually transmitted infections. We also want to enable more people to have access to family planning information and services.

As my hon. Friend the Member for Hastings and Rye (Mrs. Lait) reminded us, this is a worldwide debate about men and women's rights and their entitlement to better reproductive health. We believe that all people have a right to these services; they should not be denied them simply because they are poor. Of course, reproductive health for all remains a formidable challenge. That is why, through the aid programme, we continue to help countries to find new ways of responding to the unmet need—ways that make the best use of scarce resources. When we believe that they can make the best use of our funds, we channel some of our aid through the IPPF and the UNFPA.

Anxieties have rightly been raised today about China's population policies. Neither we nor anyone else in the House would endorse China's one child per family policy, but that is not the issue. We do not sponsor family planning programmes in China, and we never have. As part of our multilateral assistance, we contribute to the general funds of the UNFPA and the IPPF, which carry out work throughout the world. We believe that both organisations have helped the Chinese to understand better how their population policies are viewed by other countries and how approaches based on voluntary choice could be introduced, in line with the principles agreed at Cairo.

We have no evidence that the UNFPA or the IPPF is siding with or abetting officials in the denial of reproductive rights in China. If the hon. Member for Liverpool, Mossley Hill (Mr. Alton) or any other hon. Member has any such evidence, I hope that they will forward it to me. I will consider it in great detail and with great care.

We consider that those respected international organisations are best placed to make judgments about the nature of their assistance to China, and we see no need to place restrictions on the use of our funds or to reduce the size of our overall contribution. If we withdrew all our support from the UNFPA and the IPPF, we would remove one of the few channels through which we can seek to influence China's population policies.

The UNFPA's spend in China is around 1 per cent. of total Chinese Government spending on population activity, so its withdrawal would not hurt the Chinese financially. Indeed, I doubt whether it would affect them at all. We believe that these organisations can be an influence for good, as demonstrated by the UNFPA's support in China, which has helped with the production of safer contraceptives. Earlier Chinese-designed and manufactured contraceptives were harming women. The UNFPA's support has also improved mother and child health for vulnerable groups in some of the poorest and most remote regions of the country.

Wherever it works, UNFPA's status as a neutral international voice can be as important as its actual programmes. Both the UNFPA and the IPPF continue to act as advocates of reproductive rights. I very much doubt whether any other organisations in the world can match the record, credibility and impact of those two organisations on population and development policies—seeking to ensure that men and women have choices and enjoy decent reproductive health. Having listened carefully to arguments that we should stop funding the two bodies, I would pose several questions in response.

Would a cessation of donor funding bring about the changes that its proponents claim to want? If we stopped funding those bodies, would it have any effect on the Chinese Government? I doubt it. What of the millions of poor women and men who as a result would be denied access to reproductive health services and who would lose this important means of controlling their own lives? The House must ask itself how many additional abortions and unsafe births would result; how many more women would be maimed or killed and how many people would be infected with a sexually transmitted infection or the HIV virus because they were unable to obtain condoms.

We are talking about the lives of real people. There is broad consensus in the House today that coercion is totally unacceptable, that human rights should be protected, that people should have the opportunity to have children by choice, not chance, and that wherever possible the Government should support responsible organisations which promote responsible reproductive health programmes. Where there are concerns about human rights abuses, we should use our influence—

Madam Deputy Speaker (Dame Janet Fookes): Order. We now move on to the next topic.

Bradford (Community Relations)

11.30 am

Mr. Max Madden (Bradford, West): I am pleased to have this opportunity to introduce a debate on community relations in Bradford, but am very sad at the circumstances that led me to make the application for the debate.

I invited all the hon. Members who represent Bradford to participate and am pleased to see in their places my hon. Friends the Members for Bradford, North (Mr. Rooney) and for Bradford, South (Mr. Sutcliffe), the hon. Member for Keighley (Mr. Waller), and a number of other hon. Members. I am grateful for their attendance and their interest.

The events of 9, 10 and 11 June were, undoubtedly, tragic for the local community, the whole of our city and for the reputation of our district, nationally and internationally. The events of that weekend caused severe damage to race relations, to relations between communities, and between the public and the police. In Bradford, we all share some responsibility for those tragic events and for trying to find a way ahead. The vast majority of Bradfordians—Asian and non-Asian—condemn without reservation the violence and criminal damage that occurred.

The vast majority of Bradfordians do not excuse or condone riots, the throwing of petrol bombs, the looting of shops or the torching of cars. Nor do they excuse or condone the targeting of such violence or criminal damage against cars driven by white people, or against cars or businesses owned by white people. Such attacks are as racist as attacks by white people on Asian people or on Asian homes or mosques, temples, gudwaras or synagogues. Those who oppose and condemn racism cannot be selective or one-sided in their condemnation. All racism is to be condemned, from whatever source it is perpetrated.

Over that tragic weekend, according to the chief constable of West Yorkshire, Mr. Keith Hellawell, to whom I pay tribute for his responsible approach and response to the tragic events that we witnessed that weekend, there were some 115 recorded crimes. There were eight arson attacks—one costing more than £140,000 and another costing more than £500,000. The catalogue of violence and criminal damage is daunting. Some 30 cars and 50 buildings were damaged; six business premises were burgled; five cars were burnt out; there were two reports of assault and wounding; there were four reports of robbery; two cars were stolen; three homes were damaged; and one flat was burgled.

In one incident, according to Mr. Hellawell, a couple driving through the area were surrounded by up to 100 youths who smashed every window in their car before the woman was hit with a house brick. On the first night of violence, 9 June, 12 people were arrested and two officers were injured. The following night, violence erupted when up to 100 youths surrounded Toller Lane police station, and there were further clashes in other parts of the city. Eleven people were arrested and four officers were injured.

Six more people were arrested on the Sunday, and on the Monday, with police back in normal uniforms, there were five arrests. Mr. Hellawell added:

"Events such as these reflect no credit on us as a community or as a society and I am disturbed by the amount of confrontation there has been rather than conciliation."

Over that weekend, I met an enormous number of teenagers—some as young as 13 and 14. It is very depressing when one finds young people of that age who are more cynical than oneself. It is deeply worrying and disturbing when one finds that such young people are angry, alienated and frustrated, and who claim, "No one listens to us," "No one cares about us," and "No one helps us." Those were the grievances that were put to me forcefully by scores of youngsters over that weekend. I must add that they had not in any way participated in the violence or the criminal damage that had been undertaken.

I also urge the House and others to understand that there is nothing unique or unusual about the city of Bradford. Of course, like so many other inner cities and urban areas, we endure high-level unemployment, and have done for years; there is extremely poor housing, little open space and few community facilities. I am pleased that my hon. Friend the Member for Bradford, South will comment more fully on the financial problems that we have faced year on year for decades and the difficulties that we face when the council has to make deep cuts year on year, as it has done again this year, totalling some £18 million.

The same picture can be found in many other urban and inner-city areas. Bradford featured very unhappily in the drama series, "Band of Gold". I watched all of that series. I admired its professionalism and force, but we must all question the criteria that allows such a powerful drama to be filmed and focused on a city. I cannot understand why that drama—I do not in any way oppose its showing, as it was an extremely powerful programme—was presented as everyday life in Bradford.

The consequences were predictable. A large number of people were encouraged to flood into Bradford—some to look at Manningham as a red light district, which had been portrayed so dramatically, and others to participate in prostitution, which has gone on in that area for generations. It is not a recent phenomenon. Clearly, the impact of that series and the enormous number of people who came into the area, including kerb crawlers from all over Britain—some as far away even as continental Europe!—caused considerable resentment among the local community. There has been resentment for decades, but, clearly, the drama caused a heightening of that tension and friction. We have to question the guidelines and the acceptability of such a drama series being focused on particular areas when they are dealing with important social issues.

Again, the consequences were predictable. Over recent months people in the local community who are sick and tired of the nuisance that is caused by prostitution have been forming vigilante groups. They came out on to the streets. Their message was clear: that if the police were unable to reduce the nuisance caused by prostitution, they as members of the local community would undertake the task themselves. That caused friction and tension in sections of the local community and within the police.

Prostitution is undoubtedly a considerable nuisance. Kerb crawlers accost and assault non-prostitute women of every racial origin, colour and background. That presents a real social problem. It is to be found in Bradford and in other areas throughout the country. I urge the Minister and the Home Office seriously to consider that and other issues. It is time for the law on prostitution to be examined and ways found to reduce the nuisance that is caused to many local communities. The matter is not being aired in

the House for the first time. I have attended and participated in previous debates on prostitution. It is an issue of mounting concern in many constituencies and it must be given serious consideration by the Government.

I pay tribute to the extremely responsible coverage of the local and regional media, including the newspaper and broadcasting media within the Bradford area and region. The *Telegraph and Argus* allowed access to its pages by many different people. Some extremely interesting articles have been written since the tragic events to which I have drawn attention. Katrina Dick of the *Telegraph and Argus* interviewed the assistant chief constable of west Yorkshire, Mr. Norman Bettison, who played a key part in all the events of 9 to 11 June. He said:

"There are lots of things that are a matter of frustration for the community there including education, employment, and inter-racial tensions. The police are trying to find their way through that. It would be easy to say the racist police caused the disturbances but there were tensions there anyway that we have to deal with. Loose comments in the press aiming barbs at the police become received wisdom."

The article continues:

"He feared the police could be stereotyped as racist because of one incident which would be wrong. 'The search for a cause and effect relationship of what happened is too simplistic. There was obviously more to it. It's too simple to point to the arrest of two people and blame the disorder on that. The disaffection of youth generates the sort of scenes we've also seen on the streets of Northumberland and Oxford. We all have to try to find an answer, and the police are only partly responsible. We are one of the few agencies in these areas working hard to maintain control and we get caught in the crossfire when the fuse blows.'"

Lucy Ward interviewed a group of Asian girls. These were local young women ranging in age between 16 and 18 years. Rashming Ullah said:

"A lot of Asian youths feel like second-class citizens, missing out on good jobs, good education."

Nageena Altaf said:

"It is horrible and sad to see them go to such extremes. It just shows how resentful they felt."

Razia Saman said:

"Asian boys have a lot of hatred for the police, who were warned beforehand it could get as extreme as it did."

Rehana Khaliq said:

"I think half of the men were there just for the buzz of it, just because the rest were involved."

Kulbinder Kaur Ram said:

"More Asians in the police and talks at school on police careers would be a positive move."

Alam Khan of the *Telegraph and Argus* interviewed a group of young Asian men ranging in age from early to mid twenties. One of them, Arif Khan, said:

"For some people the rioting was the only way they could be heard. They were frustrated at being pushed back all the time."

Amjad Arshad said:

"There are lots of talented young Asian sportsmen but they are not being encouraged and accepted."

Aziz Rehman said:

"We have got many ideas on how to make Manningham a better place, but nobody listens to us."

I welcome the inquiry that is to be supervised by John Cartwright, the deputy chairman of the Police Complaints Authority. We all remember him as a most respected former Member. I trust that his report will be thorough and will be issued as soon as possible. In my view, the inquiry must deal with 10 questions.

What happened when two trained police officers responded to a complaint about teenagers playing football in the street on the night of Friday 9 June? Why did the police take so long to give police bail to those arrested on the Friday night and charged with minor public order offences? We note that the chief constable of west Yorkshire has said that a decision on whether the charges are to be withdrawn will be taken by this Friday. We would all be grateful if the Minister could say whether that decision has yet been taken.

We need to ask whether it is in the best interests of the public or the police for police officers in riot gear, or defensive uniform as I understand the police prefer to call it, not to show clearly their police numbers? It is surely important, especially when allegations are being made, that police numbers are clearly visible and identifiable. We need to ask also whether the training that is given to police officers in West Yorkshire for dealing with complaints over football being played in the street, and in broader terms in policing a multiracial and multifaith community, is adequate.

How successful has the West Yorkshire police been in recruiting ethnic minority community officers, both men and women? How successful has it been in recruiting men and women as special constables? We need to ask whether the community relations budget of the West Yorkshire police is to be cut, and whether community relations officers who leave the force, either for retirement or other reasons, are to be replaced.

We need to ask also if the organisation of the police in Manningham is in need of urgent review. I understand that my hon. Friend the Member for Bradford, North (Mr. Rooney) will be dealing with that matter when he speaks. Do the police community forums, which have operated in the area for a considerable time, need to become more representative? We need to ask how they can relate more effectively to local communities. We need the inquiry—I have referred to this before—to take up the real social problems that are caused by prostitution and to recommend whether further consideration should be given to the current law on prostitution.

Lastly, we need to ask about the brief given to the architect for the building of the expensive new police station in the Toller division. If the brief was to build a fortress or castle to give out the wrong signals—to suggest that there is an army that is sent out from behind high walls to quell local trouble—the architect succeeded. The police station, by its design, gives out entirely the wrong signals to the local community.

There can be no excuse in a democracy for any citizen to resort to violence to be heard. In a mature and confident democracy, leaders should respond sensibly to charges that sections of any community do not feel part of that democracy.

I am extremely disappointed that on Monday the Home Secretary refused a request from an all-party group of Bradford Members of Parliament for an independent public inquiry to be established. I regret that he did not have the confidence or the vision to agree to a short, sharp inquiry to find out why the Bradford tragedy occurred and what needs to be done by all of us to try to prevent similar tragedies from happening either in Bradford or anywhere else in our country.

The Home Secretary told me that there were no precedents for the sort of inquiry that I was suggesting. Perhaps that is the most compelling argument for a

[Mr. Max Madden]

suitable mechanism and format to be devised. I hope even now that he will reconsider our request for an independent public inquiry. Such an inquiry could be a forum for the whole community to voice their hopes and fears, their ideas and their grievances. It would be a vital part of the healing process. It could make recommendations for action by central and local government and a whole range of local public agencies.

As it is, there are now calls for a local, community-led inquiry. If such an inquiry is to succeed, it must enjoy the total confidence of the whole community. It must be led by people who are widely respected by that community and, not least, it must be properly funded so that it can be professionally administered and conducted.

Whatever happens in relation to that matter, the Minister and the Government cannot shirk the charge that, in Bradford and elsewhere, there is a burgeoning sub-culture of people of all ages, all colours, all nationalities, all religions and no religion who feel angry, powerless and exploited, in all cases excluded and in some cases even unwelcome aliens. That alienation is reinforced by immigration laws that separate families and that even make visits from relatives and friends of people who have lived in this country for 20 and 30 years difficult. That is deeply resented.

I urge the Minister, the Home Secretary and the Government to think carefully before they embark on further legislation dealing with immigration or asylum. We all know of media speculation that such a Bill is likely to be introduced in the new Session. I counsel caution on the Government before they adopt such a course as we know that the most unlikely spark can erupt into serious violence and public disorder. In Bradford it was complaints about teenagers playing football in a side street; that was the spark that led to the catalogue of violence and criminal damage to which I have referred.

How to include and embrace all our citizens with clear rights and clear responsibilities is the greatest political challenge facing all political parties not only in this country, but throughout the world. That is the biggest political challenge facing all of us into the next century.

I end with some perceptive words that were written in *The Guardian* on 17 June by Tariq Modood, a senior fellow at the Policy Studies Institute in London. He said:

"Manningham is a situation that Lord Scarman warned against. An expanding and underqualified youth population, a declining labour market, racial discrimination and harassment, drug dealing, conflict with the police. With one important difference. On one side, racism and cultural contempt is mixed with Islamophobia; on the other side, an assertiveness, paralleling forms of black pride, that might be called 'Muslim pride'. An assertiveness that may at times owe as little to religion as political blackness does to the idea of Africa. 'Muslim' solidarity is often criticised, if not in straightforwardly Islamophobic terms, as divisive. But all forms of solidarity involve an 'us' and 'them'. What divides is hardly to be welcomed, but denigrated and powerless groups need to find a focus of pride and political cohesion."

Those words are particularly profound and extremely relevant to the tragic events that took place in our city a few days ago. I hope that they will be addressed seriously and urgently by the Government. I sincerely believe that an independent public inquiry, lasting not two years, but six to nine months, could do an extremely good service to all of us. The voices need to be heard, not only in this place, but throughout our country. I hope that, having heard the voices that will be aired here today, the Government will respond sensibly and sensitively to the voices that need to and must be heard.

11.55 am

Mr. Gary Waller (Keighley): I am delighted that the hon. Member for Bradford, West (Mr. Madden) has secured this debate, which is extremely timely. I agreed with a great deal of what he said. Tribute should be paid to him for the way in which he helped to calm the position in the past fortnight. It is to his credit that he has not exerted too proprietorial an approach to those who have taken an interest in what has happened in the Manningham area. All hon. Members representing the Bradford district have a vital stake in the city.

There is an overwhelming need to look forward and to seek to find how can we can make Bradford a better place. If there is a need to consider the events of the past few days, we should look back to learn lessons for the future. There is a great danger that people who consider what has been happening in Bradford after watching their televisions or reading their newspapers may find that their prejudices and stereotypes are reinforced. It is important to remember that nothing like this has happened in Bradford before. Nothing like it happened when the National Front was driven out of the Lumb lane area in the late 1970s, at the time of the Honeyford affair or when people saw the vivid images on television and in the press of the burning of "The Satanic Verses" at the beginning of the decade.

It is a complex position. One of those who has analysed it well is Philip Lewis, adviser to the Bishop of Bradford on inter-faith issues. A warning should be given to those who want to make absolutist statements about the reasons for what happened in Bradford: the position is complicated and there were many reasons for what occurred. That will help us in the way that we look forward to the future.

What happened? Why did it happen? What do we do in the immediate aftermath? Above all, how do we ensure that these events do not recur? I am pleased that the Police Complaints Authority is to conduct an urgent inquiry and no one should prejudge its conclusions. I have confidence in John Cartwright, who will preside over it, and I look forward to a speedy and authoritative report.

I have my doubts, and have always had doubts, about a statutory public inquiry, although I have listened carefully to those who have argued for it. There is a real danger that a public inquiry, inevitably lasting for many months, would expose the bad things about Bradford to national and international coverage and that more harm than good could result.

There is also a danger that the establishment of such an inquiry could convey the wrong messages—the message, for instance, that the way in which to attract attention to an area's problems is to start a riot. Not only would a dangerous message be conveyed to other ethnic-minority communities, but there would be the danger of a backlash, especially in other deprived areas where there has hitherto been no intention to riot but where the problems may be every bit as great as those in Manningham.

Bradford is, of course, a very different community from Brixton, which featured in the Scarman inquiry, and that should be taken into account in any analysis. I hope that such an analysis will be carried out, and that a forum will be established in Bradford to enable people to discuss the problems and their possible solutions.

As the hon. Member for Bradford, West explained, the catalyst that sparked the riot was—as in so many cases—what most would consider a relatively petty event. Like the hon. Gentleman, I hope that everyone will concur with the view expressed by Ruth Billheimer, chair of West Yorkshire police complaints committee and a local councillor, who said that

"any unacceptable behaviour by the police does not excuse the violence that took place . . . There is no excuse for any section of the community to take the law into their own hands."

That view was echoed by Norman Bettison, the assistant chief constable, who said that

"no incident can be a justification for the petrol bombing, wanton damage, looting and robbery which took place throughout Bradford."

The chief constable, for whom I have the same regard as the hon. Member for Bradford, West, said that the speed with which the riot broke out was surprising. From what I have been able to ascertain, there can be little doubt that the events of the Saturday night involved agitators from outside, who tried to encourage others to go on a wrecking spree; at the end of the day, however, we must condemn violence against people and property.

When I told someone who is closely involved with race relations in the area that I was not very happy with the statement that had been made, he said that the lack of condemnation of the riots must be seen as a compromise. We cannot compromise when it comes to petrol bombs and bricks thrown through car windows; if we did, there would be complaints about dual standards.

This was not a race riot in the strict sense, but the fact remains that hundreds of thousands of pounds of damage was done to businesses—mainly white businesses—along the route into the centre of Bradford. If the situation had been reversed, everyone—including the Commission for Racial Equality—would have condemned it utterly. The overwhelming majority of Asians also condemn such action; a tiny minority was responsible, including people whose attitudes are just as racist as those of members of the British National party. If we are two-faced, the latter could be the beneficiaries. If we do not express unequivocal condemnation, those with an interest in an outbreak of greater disharmony will benefit; but condemnation is not enough.

The national media, in particular, have focused on the possible link between the violence and the recent vigilante action in Lumb lane. Some of those involved in the vigilante action may have been present during the riot, but I do not think that it was a major factor.

The number of complaints about police officers in the Toller lane division is the lowest in the force. I understand that there have been 13 this year, none with racial overtones. I believe that the police are doing a great deal of hard work to rebuild links with the community; there are many bridges to be rebuilt after the events of the weekend before last.

According to West Yorkshire Police Federation secretary, Richard Critchley, the

"underlying problems are not policing problems".

I consider his analysis too simplistic. The police are human beings, subject to the faults and weaknesses that affect other human beings, and I know from constituency experience that in some instances they have acted insensitively. They must aim for the highest standards. Overall, however, the police in the Bradford area and west Yorkshire generally—and, indeed, throughout the country—compare favourably with any force in the world in the way in which they deal with the public, including minorities. We should also bear in mind that, like people in other areas, many Asians want more community officers on the beat. How many times have we heard people express that wish?

We should not underestimate the valuable influence of those who, in the immediate aftermath of the violence, played their part in successfully appealing to the public to remain calm and peaceful: we owe them a great debt. That approach united the majority among all races, male and female, old and young. Several people played a particularly valuable role in ensuring that the situation was brought under control. I pay tribute to the Bishop of Bradford, who spoke to young people on Sunday and played an enormously valuable part in bringing people together, not only in the immediate aftermath but in subsequently talking to people and trying to understand. His combination of good humour, pragmatism and firmness when it is needed has been extremely valuable.

On Monday 12 June, just after the events that have been described, the *Daily Express* published the headline "City Waiting to Explode". I do not think that that was necessarily right; it seemed to suggest that the problems had been caused by basic faults in the people of Bradford or the system there, and that they could easily become considerably worse in the future. Many people say that it will take as long as 20 years to repair the damage that has been done to the community; that, too, need not necessarily be true, but much depends on the way in which we all act now.

Young people in the Manningham area have problems that we must understand, but they too must understand that white people—and, indeed, Asians in other areas—have much in common with them. They should not think that their problems are unique. The problem of having nowhere to go and nothing to do affects many people, not only in Manningham but in Keighley and even Ilkley, which may surprise some. Young people in those areas also want to be listened to, and to receive a positive response.

It has been suggested that part of the problem has been caused by differences between the generations in the Asian community. The issue is sensitive; perhaps it would be more correct to say that many of those young people have values that are similar to those of their parents but their attitudes are different, in that they are more likely to act defiantly to defend those values. They are members of a generation largely born in this country, and they are not prepared to put up with the setbacks that their parents, as immigrants, may have been prepared to endure. As Bradfordians, they often feel that they are being ignored.

Those whose interest is not in harmony have much to gain. We have seen the growth of gangs in the area. It has been easy to play on the fears of those who feel that they are dealing with a society that is hostile to them. There are groups who want to play on the divisions to suit their own agendas. As I have suggested, if a right-wing backlash were provoked, it would benefit only the cause of such groups and reinforce the arguments that they have used in the past.

As the hon. Member for Bradford, West said in quoting a young person from the area, very few of the people are naturally violent but many more perhaps get a buzz from being involved. There is no doubt that many people on the periphery joined in because they were bored. That was perhaps more a factor than anything to do with religion.

[Mr. Gary Waller]

There are problems to deal with. It is going to be harder to attract businesses into the area. Among the many important things that we need in the area are more businesses. We need to rebuild the image of Bradford. Restaurants' trade has certainly been drastically affected and that needs to be addressed.

However, there are encouraging aspects. Many young people in the area have a very positive approach. We regret what happened, but some good may emerge. There has been a need to talk about the problems, and the events of the past fortnight may encourage that process.

Another encouraging development has been the spontaneous multi-racial demonstration for peace by women in Manningham. The grievances to which they have drawn attention need to be heard. We need to talk about them.

Our overall message should be that while we must condemn, in this instance we must also understand a little more. We must ensure that young people have a stake in the community in which they live. It is up to us to enable them to feel that way and then we can ensure beyond peradventure that the kind of events that so appalled us during the past fortnight will not recur.

12.11 pm

Mr. Terry Rooney (Bradford, North): I congratulate my hon. Friend the Member for Bradford, West (Mr. Madden) on being lucky enough to secure this debate. I have no wish to try further to describe the events of that week, which have been brilliantly portrayed already, but I should like to expand the debate slightly. I also thank the Minister for being present and apologise in advance as I may not be able to stay to the end of his winding-up speech, having already had to delay a long-standing engagement.

The community in Manningham is dominated by Lister's mill, which is well known to Bradfordians and to anyone who has visited the city. It is a magnificent building architecturally and at its peak it employed 7,000 textile workers. Today it has less than 200. That is synonymous with, and representative of, the economic decline of the area.

Over the years, there have been very welcome schemes—including the urban programme, task force, safer cities, housing action areas and housing improvement areas—which at the time were all welcome and very successful in pulling together agencies and partnerships. All, however, were time-limited, and each time schemes have ended a feeling of despair has been left behind, with people wondering how to sustain those developments.

Recently a long-running campaign to try to maintain section 11 funding for Bradford has been partly but not wholly successful, once again leaving the feeling that a community was not being fully recognised or regarded as part of the equation.

For eight years from 1983 I was a councillor for a ward which partly covered Manningham. That was a real privilege and an experience. During that time I formed lifelong friendships with people from the many different communities. The area has a long history of settlement of people from abroad. In the mid-19th century there was large-scale Irish settlement. It is interesting that in the 1860s it took three attempts to build what is now St. Patrick's Catholic church—the first Catholic church in Bradford—because the Protestant-dominated population kept burning it down. They did not want to have their faith so disturbed. Perhaps, in some ways, nothing is new.

In the late 19th century, east European Jewish settlements were established. After the second world war many people came to settle from eastern Europe: Poles, Ukrainians, Estonians and Latvians. There is a long and cosmopolitan history people living and working together, trying to form new communities.

Last week, we had what I thought was a well-mannered and constructive debate on the boundary commission report. One might ask what relevance that has to this debate. Until the 1980 boundary revision, the community of Manningham had been in one constituency and represented on the council as a single ward. Since 1980, the community has covered four electoral wards in two parliamentary constituencies with 12 councillors. That in itself makes representation somewhat difficult.

Manningham is covered by three separate police divisions, which means nine different shifts of police officers per day. That leads to tensions, confusion and disagreements. The three divisions have three excellent community affairs police inspectors. However, one is on the point of early retirement; one, as a cost-saving measure, has had community affairs duties taken away from him; and the other is retiring at the end of the year. As I understand it, by early next year those community affairs inspector posts will have disappeared. Between them, those three people have amassed something like 20 years experience of dealing with the community, being aware of what is going on and gaining the respect and confidence of the community. Especially in the light of recent events, we cannot afford to sacrifice such experience, commitment and ability to communicate.

Institutions, not only in Bradford but throughout Britain, should reflect and represent communities. We should not create artificial divisions that no one needs. There is a need for a rapid healing process. We must reinforce the faith of the majority in the community while not trying to silence the minority who have genuine, valid grievances. We need to hear and respond to them. That is a duty on hon. Members as representatives of the community and on those with responsibility for policy and planning future programmes.

I echo the caveat entered my hon. Friend the Member for Bradford, West about any further diminution of rights under the immigration laws. Week after week, I am contacted by people whose relatives have been refused visitors' visas to come for weddings and similar family events. They now have no right of appeal, although some of those cases are heartbreaking. That, too, diminishes people's confidence in the their place in British society.

I know that other hon. Members wish to speak, so I will end there. I hope that the Minister will take those points on board.

12.18 pm

Mr. Michael Stephen (Shoreham): I congratulate the hon. Member for Bradford, West (Mr. Madden) on securing the debate. It would be difficult to find two constituencies more different from each other than his inner city constituency in the north of England and mine, which lies between the south downs and the sea on the south coast. However, ours is a United Kingdom and serious issues which concern him and his constituents also concern me and mine.

The events of 16 to 18 June in Bradford have shocked us all. The message must go out from the House loud and clear that all our citizens are expected to obey the law. What we saw in Bradford was a rampage in which opportunities were taken to engage in criminal activity of the most vile and despicable kind. The hon. Member for Bradford, West rightly condemned that. Some people might suggest, although the hon. Gentleman did not, that poverty is an excuse for such behaviour, but many of the people engaged in that criminal activity were not poor or unemployed, while many of those whose hard-earned property was smashed, destroyed or stolen were among the poorest in the community. Members of Parliament must keep faith with the poorest in our community by making it clear that criminal attacks on them will never be tolerated.

It is suggested that some sections of our society are frustrated. All of us, including Ministers, must listen to all legitimate points of view but there are two sides—at least—to every issue. Those who find themselves on the losing side will, I suspect, always feel dissatisfied and frustrated, but that is no excuse for criminal behaviour. We do not want to live in a society in which those who shout the loudest get what they want while those who go peacefully about their business are ignored.

There are perhaps fewer reasons than ever before for anyone in this country to feel alienated. All adults have the vote. We are not living in the days of the Tolpuddle martyrs or the suffragettes, and almost everyone with a legitimate point of view has access to the media and can communicate their views to millions of fellow citizens. Members of Parliament and councillors are more accessible than ever before, and we are all extremely hard-working representatives of our constituents. That applies as much to Opposition Members as to Conservatives. Many of us start work for our constituents at 7 am and do not stop until midnight. We represent all points of view and I greatly respect those expressed by Opposition Members on behalf of their constituents, although I do not often agree with them. Ministers, too, are more accessible than ever before but they cannot always do what we want, perhaps because there is not enough money available or for some other perfectly valid reason.

We must, of course, manage the economy in such a way that our people have the highest possible standard of living and the greatest opportunity to lead fulfilling lives, but I do not suppose that we shall ever reach the stage when all our people are 100 per cent. satisfied. The relentless advance of technology means that we often have to make painful adjustments in our local economies, and Bradford is no exception.

One thing about young men which must be understood—most of those participating in the criminal activity in Bradford were men—is their need for adventure. They are boisterous and energetic and need some way to release their energy. I felt the same at their age and volunteered to join the Army, in which I served for five years. I got the adventurous spirit out of my system and am now able to enjoy life as a rather sedentary Member of Parliament. Ways must be found for today's young people—especially young men—to get that adventurous spirit out of their systems. They cannot be expected to leave school, go straight into a sedate nine-to-five job and behave themselves all the time.

Another problem that we witnessed in Bradford was the cultural breakdown. For generations, the Asian communities in our country had a strong cultural defence mechanism against criminal and other forms of anti-social behaviour, but I fear that that mechanism is beginning to break down. One of the reasons is television, about which I wish to make a few comments.

On television, young members of the Asian community—indeed, young members of all communities—see western culture of the worst possible kind. They see sexual irresponsibility, disrespect for parents and all forms of authority, violence and bad language. Expectations are raised by television to such a degree that no Government have any possibility of living up to them. As Members of Parliament, we have a duty not to raise expectations beyond the level that Governments can reasonably be expected to fulfil. Television is a powerful instrument for moulding ideas and shaping attitudes. In the wrong hands, however—and I fear that it may be in the wrong hands—it could destroy our society.

12.24 pm

Mr. Gerry Sutcliffe (Bradford, South): I congratulate my hon. Friend the Member for Bradford, West (Mr. Madden) on the excellent way in which he explained to the House the problems in his constituency. Due to the shortage of time, I shall not be able to go into as much detail as I would wish about the problems in Bradford. In any event, we have to hear what the Government have to say and what action they propose. My only sadness about today's debate is that we are discussing a tragic event in the life of a great city.

As has been said, whatever the provocation, there is no and can never be any justification for violence against people or damage to property. During the weekend in question, it was not only property that was damaged but the hearts and minds of Bradford people who were shocked and upset at what happened to our community. Let us make no mistake—Bradford suffered and will continue to suffer until we find solutions to the core problems.

We are witnessing the economics of exclusion. The recent Rowntree report made it clear that, between 1979 and 1992, the poorest 30 per cent. of the country failed to benefit from economic growth. A third of Bradford's population relies on some form of state benefit. I have lived and worked in Bradford all my life, I was educated at Bradford schools, my first job was in the city centre and my partner and I brought up our children there, so it was with genuine pain and sorrow that I became aware of what was happening in Bradford that weekend. There are many conflicting versions of the events that sparked the fury, and I am especially disappointed that the Home Secretary does not agree that an independent inquiry was appropriate. In my view, it would have helped to clear up the myth and the fictions that abound in the area at the moment.

Like my hon. Friend the Member for Bradford, North (Mr. Rooney), I was a councillor for 12 years; I also had the privilege to lead the city council. I am proud of Bradford and its achievements, despite the darker moments when the actions of a few minimise the value of the contribution of the majority. There are many tales about the horrific incidents of that weekend but two particular cases were brought home to me strongly. One involved an elderly white woman who had been resident in the area for a long time. Her windows were broken and she was threatened with being forced out of her home. The second involved a young Asian youth who was

[Mr. Gerry Sutcliffe]

frightened to go to work the following week because he feared the reaction of his work mates. Racism on either side is not acceptable.

Acts of criminal damage and wanton destruction have to be punished, and it is to the credit of the law-abiding people of Bradford that they want to see those responsible caught by the police. It is also to the credit of Bradford people that they recognise that there are underlying problems which need to be tackled. The police were the focus of all that was apparently wrong: there was a notion that the establishment, or society, was not performing according to the aspirations of the disfranchised.

Disfranchised youngsters have no faith in today's Britain. It offers a vision of materialism and wealth, but the reality for many Bradford youngsters, especially among the Asian community, is one of unemployment and poverty. Sadly, the disfranchised group is not confined to the Asian youth of Manningham but includes the rest of Bradford youth and, indeed, Britain's youth.

To disinterested observers, Bradford's problems relate to the breakdown of relationships between the elders of the Asian community and the young people. The Asian community is described in general terms, but that is far from the truth: the Asian community in Bradford is as complex as any other, with geographical, religious and cultural diversities, Muslims, Sikhs and Hindus. It is wrong to generalise and it is important that we do not do so. It is true that there some differences between the generations, but the same is also true of the wider community.

As my hon. Friend the Member for Bradford, North said, Bradford has a proud tradition of welcoming people from all over the world, mainly due to the fact that it was the woollen capital of the world. We therefore enjoy a diversity of communities and have benefited from that fact.

In 1984, the city council published a document entitled "District Trends" which predicted worrying trends of poverty and unemployment. At the time, we were criticised for scaremongering and talking Bradford down, but those predictions are coming true. The Government have responsibilities to Bradford. They cannot take £40 million from the council's budget, as has happened in the past few years, and expect there to be no effect. Discipline in schools is already a problem, and there are fewer classroom assistants and less resources for special needs. It has to be remembered that many of the people involved were children—still learning at school.

The Government have straitjacketed council expenditure so that 85 per cent. of the council spend is predetermined, making it unable to respond to the many needs of the community. There is frustration when a council spends money in one area but not in another which seems more of a priority. The reason is usually because the council is not able to transfer money from pot to pot. When the Government launched the single regeneration budget, Bradford lost its urban programme: £4 million a year, which was spent across the district, was gone at a stroke.

We have pockets of unemployment of more than 50 per cent. in areas such as Manningham and on our council estates; yet the budget for training and enterprise councils has been cut by £2 million this year. Bradford has lost its assisted area status, which means that private companies have lost the opportunity to make millions of pounds. The health authority, too, has had its budget cut. Such cuts cannot and must not continue. So far this year, the police in west Yorkshire have had to deal with more than 23 murders, compared with 17 last year; yet they have not been given any extra resources or manpower. How can they build the stronger community relations that have been called for when they suffer such restraints?

Resources are not the only answer. There needs to be a cultural change in the attitudes and policies towards the problems of young people, so that they do not turn to the extreme right or left. Attitudes need to change in policies on inner cities and long-term employment. Politicians, both locally and nationally, must make politics relevant and meaningful to the lives of ordinary people from all sectors of the British community.

A catalogue of events in Bradford has contributed to the problems that we face. We need effective local government and we need the community to work together, as it does on many occasions in Bradford. Above all, the Government must recognise that what happened in Bradford could happen everywhere in the country if people do not feel their worth in society. I shall stop at this point, but I hope that the Minister will promise that the Government will take some strong action in areas such as ours in Bradford.

12.31 pm

Mr. Simon Hughes (Southwark and Bermondsey): I shall be extremely brief. I am not a Bradfordian, although I have visited the city fairly often in the past few weeks—indeed, just before the events of a fortnight ago. I want to make two points in support of the hon. Member for Bradford, West (Mr. Madden). I pay tribute to him and his colleagues who speak for the city and the surrounding area.

First, it is not surprising that such events happen, as the hon. Member for Bradford, South (Mr. Sutcliffe) said. This year it was Bradford; in previous years it has been Oxford, Brixton, Toxteth or wherever. Such events are not an indictment of the city, place or people. Groups of young people, especially young men, can turn very quickly from being positive and constructive to being angry and aggressive. It can happen to any group and may be triggered by almost nothing. That situation is not helped when such people feel, whatever their racial background, that their prospects, stake and opportunities are being disregarded by those in authority—not by those in authority locally.

I have been on deputations with the hon. Member for Bradford, West and others to argue for more money for section 11 funding for the city of Bradford. Its youth service funding has been cut by a third in three years, the education budget has been cut, its local authority is not allowed to decide how much it needs to spend, and urban funding in Bradford, as elsewhere, has been cut. Unless the Government understand such things and unless they listen to the voices of the locals, who are the experts, they will continue to face crises in urban Britain. Such crises will occur because urban Britain does not get its share of the cake or the opportunities. When unemployment rises by a third in six years, the chances of success are minimal.

The people of Bradford are doing all that they can. The faith communities, the faith leaders and the women of the city are doing their part; they are doing the work and working together. They want to know that they are being listened to from outside. The young people are saying, if

they are saying anything to the Government and the people in power, "Listen to us. We will have a great future if you help us to achieve it." If the Government disregard that future, people are saying that such events might occur—not because they want them to, but because it is built up and brought about by the components of social policy. If the Government listen to young people, young people will give them the answers.

12.33 pm

Dr. Kim Howells (Pontypridd): I also congratulate my hon. Friend the Member for Bradford, West (Mr. Madden) on his good fortune and determination in securing a debate on this very important subject. Over many years, he has been a great crusader for the cause of racial harmony and a great opponent of those who, no matter from which quarter they come, advocate or practise racial discrimination and harassment.

In his speech, my hon. Friend the Member for Bradford, West reminded us that the cocktail of grievances and the sets of circumstances which led a fortnight ago to the disturbances in Bradford are by no means unique to that city. There have been previous examples of public disorder in Asian communities, most notably of course in Burnley, Blackburn and Southall. The problems that my hon. Friend described are found all too frequently in many inner-city areas. If there is something especially worrying about the Bradford disturbances, it is the fact that they occurred despite the strong sense of community and the existence of strong community institutions which the Asian population of that city have developed.

It should be remembered, for example, that three of the four local councillors who went to the police on the weekend of the troubles to negotiate a truce—if the House will excuse my shorthand—were Asian. As a number of commentators have pointed out, Bradford's circumstances were somewhat different in that respect from those which Lord Scarman identified as having contributed to the Brixton riots in 1981.

There are similarities in other respects, however, and, as my hon. Friend the Member for Bradford, West has pointed out, they require special attention. Both riots started—it seems—after minor disturbances involving the police. The early course of events involved protests against the police, but then widened to include looting, burning, and so on. The riots were not what used to be called race riots. In the aftermath, both have been the subject of much commentary about their importance, as we have heard today, to feelings of alienation, discrimination and social disadvantage.

Bradford does not have a unique cocktail of circumstances, but the citizens who live in and around Manningham most certainly suffer some acute and specific problems, as we have heard this morning. Laws governing prostitution, for example, must be addressed urgently and properly. There seems little doubt that the relationship between the police and the Asian community was not helped by the friction which seems to have been generated by the activities of certain vigilante groups of Asian males, who took it upon themselves to persuade—by all kinds of means—prostitutes to move way from Lumb lane and the respectable residential areas which are blighted by their presence.

Reports have emerged of expressions of resentment among the west Yorkshire constabulary at the existence and nature of those groups. Other reports indicate that the police are frustrated that they cannot lay their hands on certain Asian pimps involved in controlling the prostitution in and around Lumb lane. The police argue that evidence against the Asian community's rotten apples is very difficult to obtain and that, in such circumstances, a tight community, which feels threatened and under siege, tightens rank still further.

Similar reports have emerged about drug dealing. It is quite clear that the Government have a duty to make known their plans for tackling problems of interpretation and enforcement if any progress is to be made in the efforts to reduce the numbers of opportunities for incidents to occur and for friction to increase. The Police Complaints Authority inquiry may offer a vehicle for pursuing that question, although, as we have heard, my hon. Friends would rather have had an independent inquiry, with a much wider remit than that of the PCA.

Any inquiry which assumes that the causes of the Bradford riots are limited to the lack of training of certain police officers in their relationship with ethnic communities is bound to fail. There is no doubt that greater resources must be made available to ensure that police officers are better trained and better equipped to deal with fractious incidents. But resources should also be made available to allow us to understand how a proper application of the laws governing prostitution and drug dealing might also help to reduce the opportunities for friction.

I do not believe that a local inquiry—however well-intentioned—conducted by the concerned people of Bradford is sufficient to deal with such problems. I hope that the Minister and the Home Secretary will reconsider their decision to refuse a properly resourced and independent inquiry.

There is no doubt that all respectable elements in Bradford have understood the seriousness of the events that occurred a fortnight ago. We have heard about the welcome efforts made on all sides—by the police and the Asian community as well as by the local authorities—to construct out of those events an atmosphere of trust and reconciliation. I am sure that everyone here wishes them all well in their endeavours, for there can be no excuse for violence and criminal damage such as that witnessed on the streets of Bradford two weeks ago.

My hon. Friends and other hon. Members have condemned that violence and the mentality that perpetrated it. There is no doubt in my mind that the sense of cynicism, alienation and frustration so vividly described by my hon. Friend the Member for Bradford, West will increasingly threaten race relations in this country. My hon. Friend described the dangers of applying any simplistic analysis to that difficult and complicated problem, but begin to analyse them we must, if we are to protect and improve what I believe are the best race relations of any European Union country.

In some quarters that assertion might be regarded as controversial, but I will say it again: race relations in this country generally are among the best in Europe. We must build on that record, and we must not endanger it in any way. That means that the specific issues and problems, including the policing problems highlighted by my hon. Friends, must be investigated and tackled. My hon. Friend the Member for Bradford, West suggested that a mechanism should be constructed whereby we could quickly set up a short, sharp public inquiry capable of

[Dr. Kim Howells]

examining those specific questions and, more importantly, capable of making recommendations that would help in the immediate healing process.

I shall deal briefly with one of the specific problems that has been much commented upon over the past two weeks—the alleged relationship between high unemployment and the incident in question and others like it in ethnic minority communities. I do not believe that there is a mechanistic or automatic link between high unemployment and a propensity to riot or to commit lawless acts. You, Mr. Deputy Speaker, have represented a mining community for many years—like mine, it is now an ex-mining community—and if there was a mechanistic or automatic link between high unemployment and a propensity to riot, the coalfield and dockyard communities would have been ablaze throughout the 1930s. But they were not.

However, it is foolish to think that the cynicism, alienation and frustration that we have heard about is entirely detached from the experience of high unemployment. Unemployment represents an important variable. Whether our constituencies contain ethnic minorities or not, we all know from our experience within them that there is a link. The police know that, too, and we must deal with it as a fact.

If necessary we must get rid of the sociological hogwash that, often in the name of political correctness, prevented us from talking about the link between high unemployment and lawlessness—that tendency to do all kinds of anti-social things that so dragged down our communities. It is time that we addressed that problem, in the inner cities and elsewhere.

Unemployment is an important variable, perhaps as important as any other. Of all the ethnic minorities in this country the Pakistani and Bangladeshi populations are most vulnerable to high unemployment both cyclical and long term. That problem, like prostitution and drug dealing in the inner cities, must be addressed, perhaps by re-examining the application of single regeneration budgets and the way in which the bids for that scheme are drafted.

We must think seriously about strengthening the institutions of communities such as that in and around Manningham by empowering those communities and ensuring that the ordinary people within them have a voice in shaping their lives. If we do not address those issues all of us, whether we represent inner city constituencies or not, will regret it. Our police forces cannot continue to be, in the words of the assistant chief constable of West Yorkshire,

"the anvil on which these youths"—

Asian youths—

"are beating out their frustrations and anger".

Mob rule and collective bargaining by riot can have no place in a modern democracy. It is our duty to ensure that the mechanisms are in place to convince people that there are alternative means of making their voices heard.

12.44 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Nicholas Baker): I am grateful to the hon. Member for Bradford, West (Mr. Madden) for raising the subject of the recent disturbances in Bradford, and to every Member who has contributed to the debate. Obviously it is essential to hear the concerns expressed by the Members who represent that great city, and I assure them that we take what they say very seriously indeed. I also thank the hon. Member for Pontypridd (Dr. Howells) for the way in which he spoke. I cannot agree with every word that he said, but some of it seemed like remarkably new material from the Opposition, if I may say so—constructive, socially responsible and right.

As the hon. Member for Pontypridd said, every decent citizen of this country, regardless of background, must have been appalled by the scenes of senseless violence that presented themselves to us. I am sure that the House will agree that, whatever the underlying causes, the fact remains that there can be no excuse for the criminal activity of those who commit acts of violence and confront the police in the way witnessed in Bradford over those three nights from 9 to 11 June.

Those involved in the disturbances may have genuine grievances and concerns that should be properly addressed. Many have been described in the debate. But violence is not the way to deal with them. I am glad that discussions are now taking place between the police and members of the Asian community in Bradford. That is a far more sensible and positive approach.

The hon. Member for Bradford, West listed 10 questions, and I can tell him that many of those are now being considered by the police and other bodies. For example, as part of the reorganisation within West Yorkshire police, emphasis is being placed on sector policing. That means that sector inspectors will take charge of community affairs matters alongside their operational duties. It does not mean that any division's community involvement will be lessened. The community involvement unit will continue its valuable work among the communities that the force serves.

The hon. Gentleman also mentioned the problems associated with prostitution. Even before the disturbances West Yorkshire police, with the approval of the local community, had agreed to prioritise the reduction of prostitution in residential areas of Bradford. That strategy is now firmly in place, with an increase in the size of the local detachment of the vice squad.

Mention was also made of a possible inquiry by the local community groups, notably the Bradford Congress. The Government will certainly take seriously any report or conclusions produced by such an inquiry. No doubt some of the questions that one would have to consider are being examined already. I say that because I think that the local community is the source of the greatest knowledge of the problems with which we are all concerned.

The police should receive our full support in dealing with public disorder, and no doubt they do. It is the responsibility of chief police officers to decide how to respond, but I have no hesitation in saying that the overall response to what happened in Bradford was justified and professional. I know that the chief constable will do all in his power to prevent any repetition of the incidents, both through constructive dialogue with the community and through a commitment to deal firmly with lawbreaking. I believe that the House should commend the police service for the enormous strides that it has made in recent years in meeting the new challenges presented by our multi-racial society.

We have been working closely with the Association of Chief Police Officers under the quality of service initiative to put into place effective policies and strategies

that will meet the legitimate expectations of all sections of our society and, in particular, the needs of ethnic minority communities.

Naturally the community must be consulted so that the police know what local people need and want. Indeed, under section 106 of the Police and Criminal Evidence Act 1984, police authorities are required to make arrangements for public consultation. In the Toller Lane division of West Yorkshire police, for instance, I understand that police community consultative groups meet regularly. The importance of those groups has been heightened by the events we are discussing today. At the last meeting in May, the discussion included details of the force's policing plans, and the problems posed by prostitutes in the area.

West Yorkshire police, like all police forces, places great emphasis on community involvement. I understand that in the Toller Lane division, the community liaison unit is extensively concerned with local projects, working with young people and local schools. It is involved with the Manningham drugs forum—which has been mentioned in the debate—and recently participated in a youth forum run by the Boys' Brigade to consult local people. These are small local initiatives that are terribly important to the community.

The Police Complaints Authority is currently supervising the investigation of a number of complaints made about police conduct arising from the events in Bradford. The investigation is to be carried out by a chief superintendent, whose appointment has been approved. He will keep a close eye on some of the matters which have been raised in the debate.

As the hon. Member for Pontypridd said, the Police Complaints Authority can look into wider issues surrounding complaints against the police, which might include training, bailing policy or force policy. The PCA is independent of the police, and its job is to see that allegations of misconduct are thoroughly investigated and impartially considered. If the investigation now under way uncovers evidence of police misconduct, the Police Complaints Authority has the power to recommend, and ultimately to direct, that disciplinary charges are brought against the officers involved. Any evidence which suggests that a criminal offence has been committed would, of course, be sent to the Crown Prosecution Service for consideration.

I understand that about 15 complaints against the police have been recorded so far, and I encourage anyone who considers that they have been treated improperly by the police to come forward and make use of the formal complaints procedure. Parliament has laid down an effective procedure for dealing with complaints against the police, and I have every confidence that the Police Complaints Authority will carry out its statutory duty and ensure that there is a thorough and independent investigation of those allegations of police misconduct which have arisen in Bradford.

My right hon. and learned Friend the Home Secretary and I met the hon. Member for Bradford, West and others on 19 June to discuss many of the issues affecting community relations in Bradford as a result of the events in Manningham. We were grateful for the helpful, practical and constructive way in which hon. Members approached the discussion. It was a useful exchange of information and opinion.

The hon. Member for Bradford, West also discussed with us his wish to see work put in hand to identify the issues that led to the disturbances, and he called for a wide-ranging public inquiry to be set up. The Government are satisfied that the inquiry by the Police Complaints Authority will investigate all the circumstances surrounding the complaints against the police over that weekend. We do not feel that any more detailed and lengthy inquiry is the best way to look at the root causes.

Many of the concerns of the community are already matters of public knowledge and are the subject of consultation and action, both locally and nationally. In fact, one of the community relations consultants from the Home Office spent many hours over that weekend talking to the police and members of the community to assess for Ministers what had led to the disturbances and how they might be resolved.

Clearly there are matters connected with these issues which lie within the responsibility of central Government and local government, but it is very important that the community in Bradford itself now be given the opportunity to get on with repairing the damage it has suffered. Experience shows that any community needs to be given a clear role and responsibility to help solve its own difficulties.

We cannot expect, nor do we, that all the responsibility lies within the community itself. But unless the people of Bradford feel that they own some part of the solution to their difficulties, the chances of coming to a conclusion which means anything and can be accepted by all is that much more difficult to achieve. As my hon. Friend the Member for Keighley (Mr. Waller) said, a public inquiry will not help that process. It would concentrate on the negative aspects—such an inquiry would specialise in apportioning blame—rather than seeking to build on the very positive spirit that exists in Bradford. Despite the disturbances, hon. Members representing the city have referred to that positive spirit. I do not feel it would be productive to delay the process of reconciliation and healing until a report was prepared in a year or more's time.

Mr. Madden: Even at this late stage, I would urge the Minister not to close his mind to the suggestion of an independent public inquiry. Many people in Bradford are puzzled that the Government are prepared to give their blessing to a local public inquiry and have assured us that they will co-operate fully with such an inquiry, yet they are rejecting a wholly independent public inquiry which could be conducted speedily because they believe that it would be negative. How can the Minister reject out of hand an unprecedented inquiry which could be a positive, worthwhile and effective step in the healing process, and yet be prepared to support a local inquiry about which many of us have deep reservations?

Mr. Nicholas Baker: I understand what the hon. Gentleman says, but—for the reasons which I have elaborated—I believe that a public inquiry would not be the best way to discover the needs, concerns or solutions that the city has.

It is particularly sad to witness such unrest in a city such as Bradford which actually has a long and successful history of celebrating a rich and diverse community, and which takes the best from all of the backgrounds and cultures of its people. The history of Bradford demonstrates a commendable, effective and above all successful approach to the integration of different

[Mr. Nicholas Baker]

communities. Hon. Members have mentioned that, despite their sadness, in the debate today. It is not the record of a city suffering from major tensions within and between its communities. It would be a great shame if that record was to be in any way challenged by the actions of a few irresponsible and selfish individuals.

As the hon. Member for Bradford, West will know, the number of groups active in Bradford illustrate the city's record. They are working with local and national agencies to tackle issues affecting the community. Those groups include Manningham Asian Residents Association and the Pakistan community centre, and police groups such as the community consultative group in the Toller Lane division. These groups are all working locally, and the knowledge, concern and information needed to produce solutions will come from them.

Many of those groups have made considerable efforts to canvass the views of young people and to encourage them to participate. For example, the last meeting of the police community consultative group in Toller Lane was deliberately held in a venue which would be likely to attract young people to attend, and the Bradford Council of Mosques has an established youth group. The community in Bradford will no doubt wish to consider how it can build upon this good work, and how best it can provide young people with an appropriate platform for their views. Many of those issues will, no doubt, relate to local ones, for example, the relationship with the police; local authority provision; employment, education and housing. I am sure that West Yorkshire police and Bradford city council will also be looking at ways of addressing those concerns to ensure that the views of the community are properly considered.

Reference has been made to the Government's investment in Bradford, which has been remarkable in three respects, the first being the single regeneration budget—

Mr. Deputy Speaker: Order.

Vehicle Excise Duty

1 pm

Mr. Peter Butler (Milton Keynes, North-East): I am grateful to the president of the House of Commons Motor Club, otherwise known as Madam Speaker, for permitting me my first Adjournment debate. I should also like to thank others who have raised with me, and supported, the concerns expressed about changes to the rules on vehicle excise duty, in particular, my hon. Friend the Member for Derby, North (Mr. Knight), whom I thank not only because he is a well-known old car enthusiast but because he is the Conservative deputy Chief Whip. I therefore feel that it is tactful to mention him.

I declare a number of non-pecuniary interests as a member of the Vintage Sports Car Club; honorary legal adviser to the Bentley Drivers Club; a member of the 750 Motor Club and as one of two Members of Parliament who is eligible to hold an international race licence. I also declare a rare victory for Conservatives—the winning of something—in the London to Brighton run last year, which is not, of course, technically a race, when I was the guest of the president of the Veteran Car Club in a 1900 Stevens Dogcart. My final interest is that after 34 years of assiduous graft, I have gone from having one Austin Seven, which was given to me on my 10th birthday, to being the proud owner of two Austin Sevens. That says something for the property-owning democracy.

I am grateful for the Minister's presence. He is an honourable man, who has said:

"It is not our intention to penalise the law-abiding motorists."

He has also said:

"We are determined to produce workable proposals that will attract a wide measure of support and will not disadvantage honest motorists."

I am happy to give my hon. Friend the chance today to achieve both those objectives. I know that he is a man who does not miss many chances and I am sure that he will take the one that I am offering. In doing so, I hope that he will reassure the many hundreds of thousands in the country who have been concerned about the proposed changes. I do not exaggerate. I would like to thank first the Federation of British Historic Vehicle Clubs. One of its constituent bodies was put together to fight a previous proposal for tax on possession put forward in 1980 by my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), but subsequently, on mature reflection, withdrawn. That federation alone has 285 affiliate clubs representing between one quarter and one third of a million members. I mention that because one sits in the Chamber sometimes and hears talk about "widespread concern", which amounts to no more than half a dozen letters.

I thank Lord Montagu, who has done a considerable amount of work with the Minister and others on the proposed changes. I also thank the more temperate of those who have written to me on the subject.

I make it clear that there is no objection to making the Driver and Vehicle Licensing Agency's records better. An accurate V5 confirms the identity and to some degree the history of a vehicle. It also helps to trace vehicles for defect recall, although I accept that that does not apply to many historic vehicles. It identifies the keeper of a recovered stolen vehicle and the current keeper immediately for breaches of the road traffic Acts.

Everyone must agree with those excellent objectives. There is nothing but positive support for the improvement of the records.

It follows that of the two proposals, joint notification is not one which would be a problem, except to the extent that, in paragraphs 36 and 37 of the consultation document, a requirement is placed on the disposer of the vehicle to establish the "true identity" of the purchaser. Many might feel that that places an undue and legal obligation on someone disposing of a vehicle to act in some way as a policeman of the honesty of his purchaser. That is impracticable and I have no doubt that in due course the severity of that obligation will be reduced. The very idea of prosecuting someone for having been misled into recording the name of his purchaser incorrectly is abhorrent.

As part of the joint notification and the other proposals in the document, we look forward to the establishment of proper records to show when a vehicle has been scrapped or written off. A proper list of previous keepers should be shown, with the mileage on change of keeper visibly recorded on the document. Those improvements, to which we look forward, are greatly to be welcomed.

The difficulty comes under what is quietly called "continuous licensing". The documentation on that is headed:

"Proposals for reducing vehicle excise duty evasion."

First, one must consider how much evasion occurs and whether it is reducible. It is estimated by so-called "professional statisticians" that 4.1 per cent. of vehicles currently on the road do not display a tax disc. That represents a reduction of nearly 50 per cent. since 1980 and suggests, first, that measures against evasion have been extremely effective in the past 15 years and, secondly, that perhaps we have reached a level that cannot be reduced still further except at disproportionate cost. I must concede that both those figures—8 per cent. in 1980 and 4.1 per cent. now—are estimates.

The Government calculate a £145 million loss to the taxpayer, by which, presumably, they mean a loss of gross revenue as opposed to a loss to the taxpayer net of the cost of collection. Of that loss, £16.5 million is accounted for by vehicles over 12 tonnes, which are to be exempted in any event from the continuous licensing or continuous taxation proposals, on the interesting basis, put forward by a spokesman for the DVLA, that

"The view is that it would have a detrimental effect on business."

Hon. Members might feel that the first people who should not be running untaxed vehicles are those who are running heavy goods vehicles in the course of their business. No doubt the Minister will correct me if I have got that wrong.

One major fault that the proposals aim to tackle is the missed month—the slipped or lost month. That occurs when someone inadvertently or otherwise forgets to renew a tax disc. One must then fill out a form, which asks for the date of acquisition of a vehicle, or the date of expiry on the tax disc. It also asks for the date from which the licence is to run. If there is a gap between the two, one must sign a simple statement at the bottom of the form to confirm that the vehicle has not been used or been kept on the road between those two dates.

I respectfully suggest to the Minister two more effective, and certainly cheaper, ways of approaching that problem. When I say that a declaration must be signed, that simply means that a signature is put at the bottom of the form to confirm that the particulars given are correct. I believe that one signs a statement to the effect, "I understand that I might be prosecuted," but no one, of course, reads that. In certain jurisdictions a similar form requires a proper legal declaration to be witnessed. The signature must be witnessed to give it the form and substance of a proper legal declaration. I am told that that is an effective stop to evasion, because it makes people pause and think. They realise that if they sign that form falsely, they are committing a criminal offence. I commend that idea to the Minister for further consideration.

Secondly, I suggest an alteration to the law to permit the wheel-clamping of cars that are seen on the highway not displaying a current vehicle excise licence. I recommend both those suggestions as practical means of dealing with a serious problem. They are simple and effective. I appreciate that they may be too simple, but they would work.

If I intended to be fraudulent, the proposed new system would help me enormously. If I am prepared to sign a fraudulent declaration that my vehicle has not been on the road, I would equally be prepared to sign a fraudulent declaration to get an off-road licence. Whenever I was finally stopped driving it with an off-road licence, I would say, of course, that it was the first time that I had used the car with that licence—no doubt I would probably say that I was on my way to the post office to change it to an on-road licence. All of us who have been in magistrates courts professionally will know that the police always catch someone the first time that he goes out in an untaxed motor vehicle. The new system will make it easier because, instead of simply doing it for a month or two, I will get my off-road licence and use it until I am stopped.

Having made a couple of practical suggestions, I shall explain exactly what we are talking about. Who are those historic vehicle owners, what do they do, why do they do it and why is it a serious matter? What they do, first, is to maintain a living archive of British engineering and social history. For example, the original advertisements for the Austin Seven described it as being a car so simple that it could be used by one's wife or one's servant. I make no comment about that, except to say that my daughters also drive mine.

That archive is also a source from which industrial and motor vehicle historians may work. It maintains pride in the engineering achievements of some great motor manufacturing companies. It gives a continuum right through to today's Formula 1, Saloon Car championship and other racing teams. Eighty per cent. of the world leaders in those sports are based in the United Kingdom. There is a straight continuum in that—the same people having the same interest. Those sports, including rallying, are watched by outstandingly more people than the number who watch football matches. Even more people take part in them than go fishing.

The hobby also, frankly, is fun. Sometimes in the House we are suspicious of anything that is fun—the pursuit of happiness. Being British involves rights as well as responsibilities, and those include the right to enjoy a harmless hobby and not to be taxed in that enjoyment.

It is not a hobby only of the rich, as exemplified by the fact that various Members of the House own historic vehicles. I did some calculations and discovered that

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I could buy an eligible vehicle for less than the cost of a full set of fishing tackle, so it is not a hobby only of the rich, although I believe that my hon. Friend the Minister at one time indulged in it. It is also an enormous fund-earner for charities. Every weekend, almost throughout the year, charity events take place at which motor vehicles of one type or another form a major attraction.

The people who have that hobby are the ones whom Lady Thatcher described as the quiet people, who grumble a little but pay their taxes and are the backbone of England. Why are they so upset?

First, there is a suspicion that the Government have given up on tax dodgers; that the 4.1 per cent. is effectively irreducible so the Government will recoup the loss from law-abiding people who already pay tax. I mention that suspicion so that my hon. Friend the Minister may correct it.

Secondly, there is a suspicion that this is a tax on possession coming along again, 15 years after my right hon. Friend the Member for Sutton Coldfield first proposed it. That suspicion arises from the wording of the consultation paper, which says that for one's off-road licence there will be

"a small charge to cover administration costs (say £5)".

I challenge my hon. Friend the Minister to state publicly, first, that the £5 mentioned is indeed the full administrative cost and, secondly, that it is limited to that recovery cost by statute law, and that to recover more than the administrative cost of £5 would require primary legislation, which the Government have no intention to introduce. I look forward to the Minister's response to that.

The test of the proposals is, in my hon. Friend the Minister's words: are they simple and are they workable? The proposals are alternatives. There would be either two categories of licence instead of the present one, or three categories of licence. Under two categories of licence, one would have the present licence, plus a new one called an off-road licence, which might run for six months or 12 months.

So far, so good and so far, so simple, but the problem comes if one does not want to have one's car on the road for a whole six or 12 months or indeed off the road for the whole six or 12 months. The proposal is explained in the following way:

"Two possible ways of allowing vehicles to be brought back onto the road before the expiry of the off road licence are:

i) the keeper could be liable to pay VED back to the beginning of the licensing period. This would mean that there would be no incentive to declare a vehicle off the road falsely, because VED would have to be paid back to the point of expiry of the previous licence; or

ii) the keeper could be required to pay a surcharge (perhaps £15)"—

perhaps a lot more—

"on top of the full rate for a six or twelve month on road licence, commencing on the first of the month in which it was applied for".

So far, so slightly less simple.

Let us assume that a vehicle is used for the London to Brighton run once a year. Under the scheme, the owner surrenders his old tax disc or allows it to expire. He then obtains a 12-month off-road licence at nominal cost, but that expires after next year's annual event so, in the meantime, he must apply for a six-month off-road licence. When that expires, he applies for another. To put the vehicle back on the road to go to the rally, he has to pay the back tax of five months. He buys a six-month licence, but after one month he surrenders it.

I paraphrase that because I would not wish to ridicule the proposals, which I am sure have taken much time to think out, but I give that as an example of the fact that they are not simple or, in a practical sense, workable. They require a full administrative system in the home office of every person who has one, two or more old vehicles.

However, the real problem with that in the minds of the proposers is that it is not complicated enough, so there is a second proposal. That is that there should be three categories of licence: an on-road licence, an off-road licence and a temporary off-road licence. I shall not go through that as I did the first proposal. Suffice it to say that, under the second proposal, there are at least two, and possibly three, further administrative steps. May I, slightly humorously, suggest a fourth and fifth category—that we have on-road, off-road and temporary off-road licences, coupled, from the owner's point of view, with an off-rocker and a temporary off-rocker licence, as he attempts to fill up the various forms?

What is all that to achieve? It is to achieve full and continuous registration—up to date and detailed. Joint notification will achieve that substantially, and with the good will and support of all the people involved in it. The proposal document says:

"Increased public perception of the value of the registration document"—

with all that extra information in it—

"and a growing awareness of the benefits of compliance will encourage people to participate in the new system."

When I first read that, it seemed like a new definition of optimism but, having considered the facts, I believe that it is correct. First, there should be full and continuous registration. Secondly, there should be full payment of tax on use only, not on keeping or owning, or on possession. So the full and continuous registration amounts already to an off-road record. I do not call it an off-road licence because it does not license or permit anything, but it is already, with full joint notification and the other amendments that we have supported, an off-road record.

One should then apply for a tax disc, which would amount to a declaration that the vehicle will be used on the road only for those months covered by that application, with automatic reversion, through a simple computer programme, to the off-road record status upon the expiry of the vehicle excise duty; no complex rules, no complicated applications, no off-rocker, no home office required.

Much of the problem of "on to off" and "off to on" arises from the occasional use—the charity rallies, the London to Brighton run and so on. With respect to Lord Montagu, who gave me the original idea, I make the following simple, radical and, dare I say it, workable proposal.

First, you will be aware, Mr. Deputy Speaker, that pre-1948 manufactured vehicles have a reduced vehicle excise duty, currently £70. I know that it is already in the mind of the Minister that that should be altered to pre-1960, according to the press, or pre-1970, according

to the more optimistic press. I respectfully suggest that that definition be changed to 25 years old or more. It will then continue forward, year on year.

Those vehicles should pay 25 per cent. of whatever the current vehicle excise duty is, and that should cover any period up to a whole year. In other words, whether the vehicle is used once, for one month, six months or the whole year, the owner of a vehicle that is 25 years old or more pays 25 per cent. of the VED. We should abolish the six-month licence for that category of vehicles and abolish the bureaucracy of unused months' refunds, for that class only.

While my hon. Friend the Minister considers that, I shall make three short suggestions. First, the definition of a vehicle must be included. It is not in the regulations at the moment. Obviously, it would be a vehicle of a type which at some stage would require a MOT test. Secondly, I commend him and encourage him to continue the protection for traders and museums that he has already included. Thirdly, I ask him to assure me that whatever licence is needed will be readily available at post offices, following the closure of local vehicle licensing offices.

I thank my hon. Friend enormously for listening so carefully to the debate and to the representations that have been received. As the proposals are demonstrably neither simple nor workable and as my hon. Friend is an honourable man, I know that he will, in due course, respond with substantially different proposals. If so, will he undertake a consultation exercise on the new proposals?

1.19 pm

The Minister for Transport in London (Mr. Steve Norris): I know that when my hon. Friend the Member for Milton Keynes, North-East (Mr. Butler) used the term "honourable man", he was thinking of the parliamentary rather than the Shakespearean definition. On that assumption, I welcome the opportunity to respond to the points that he has made.

There is no doubt that our proposals to improve the quality of our vehicle records at DVLA and to reduce vehicle excise duty evasion have attracted considerable interest. We have received about 20,000 letters since our proposals for continuous licensing were first announced by my hon. Friend the Member for Salisbury (Mr. Key) on 20 July last year. The DVLA has issued 12,000 copies of the consultation paper and we have received 3,000 responses.

Dame Elaine Kellett-Bowman (Lancaster): Quite a lot of those responses undoubtedly came from me. I must declare an interest as the owner of nine Morris Minors. I have received an enormous amount of post on the subject. There are strong feelings about it.

Mr. Norris: One of the delights of the House is to find out something new about one's colleagues almost every day. I now know that the possession of nine Morris Minors must figure large among the many qualities that I already attribute to my hon. Friend. My hon. Friend need not apologise for writing to me on the subject; I know the strength of feeling on the subject of my hon. Friend and other owners of vehicles that are not customarily on the road for 12 months of the year. It is important to put that on the record. None of the proposals has the slightest impact on someone who, like me, simply taxes his car from one 12-month period to the next. Such people have nothing to be worried about.

I shall explain why we want to look at how the present arrangements work.

Mr. Paul Tyler (North Cornwall): Will the Minister give way?

Mr. Norris: Yes, but the hon. Gentleman must be quick as we are under time constraints.

Mr. Tyler: I congratulate the hon. Member for Milton Keynes, North-East (Mr. Butler) on introducing the debate. As the Minister recognises, there is widespread concern on the subject. Will the Minister address the point of principle raised by the hon. Gentleman? If the purpose of the tax is to tax usage rather than ownership, the hon. Member for Lancaster (Dame E. Kellett-Bowman) will be saved from any cost. But those who use the roads infrequently—even if they have vehicles other than vintage vehicles—will still be penalised.

Mr. Norris: I shall refer to that point in the remaining few minutes.

There has rightly and understandably been some criticism of our proposals and there has been much speculation about what they might lead to. There has also been widespread support for the overall objectives that we set ourselves in the consultation document. About 25 per cent. of DVLA records are out of date and inaccurate at any one time simply because people who buy vehicles do not immediately inform the DVLA—some people take up to a year to do so. They often do so when they want to retax their vehicles and realise that their V5 form is not in their name but in the previous owner's name. It astonishes me that more people do not realise that, when they sell their vehicle, it is in their interest to ensure that the DVLA is aware of the change of owner. There cannot be many of us who have not received a fixed penalty or a parking ticket relating to a vehicle that has long since been disposed of. If the DVLA was informed, it is highly unlikely that such trouble would be encountered.

It is not simply a bureaucratic ambition to ensure that the DVLA database is up to date and truly relevant. There are three obvious reasons for an accurate DVLA database. First, and most importantly, we operate a system whereby, once manufacturers identify a safety fault on a vehicle, they must send a notice to everyone who has bought that particular type of vehicle. They must tell the owners that their vehicles, which may not be new but may be two or three years old, have a fault. They must tell them urgently to go to any garage, where the fault will be put right straight away and free of charge. The House will understand the need for an accurate DVLA database in order to trace those owners.

We also need an accurate DVLA database to tackle vehicle excise duty evasion—the second main pillar of the proposals. We must, from the outset, have an accurate tax database.

The third and obvious reason for an accurate database is that we are increasingly moving into a world where traffic will be regulated by technology, whether that be camera or trip technology. If we are to use such camera technology, the sine qua non—the precondition—is that when the ticket is issued for an offence, we must have an accurate database to back up the system, otherwise there will be trouble.

[Mr. Norris]

My hon. Friend the Member for Milton Keynes, North-East suggested that there was a suspicion that we had given up on the £160 million a year that goes uncollected. The figure amounts to about 4.1 per cent.—I do not know the exact figure. Most of that figure is the result of short-term evasion. As my hon. Friend suggested, people simply try to skip paying the tax—they do so pretty regularly.

Many people are angry and say that we should do something about such evasion, which is a very visible form of tax evasion. In every constituency it is possible, when walking to the station or pushing a shopping trolley in a supermarket car park, to see vehicles with no vehicle excise duty disc or an out-of-date disc displayed in the windscreen. It has been estimated that, at any one time, there are up to one and a half million vehicles on the road without a valid disc. We must do something about that.

For all those reasons, we intended to eliminate evasion and improve the quality of the records. It is fairly clear that the joint notification proposals have received pretty unanimous support. They will deliver tangible benefits such as information on mileage and previous keepers, which we propose to show on the registration documents. In my experience, classic car owners positively welcome that because the thrill of ownership comes from the vehicle's history—it is part of the hobby's attraction. Other benefits will include a more secure registration document, which will make fraud and vehicle ringing more difficult. That, too, will be in the legitimate owner's interest.

The continuous licensing proposals have been less uniformly welcomed.

Dame Elaine Kellett-Bowman: That is an understatement.

Mr. Norris: That is a masterly understatement. I have never been known to exaggerate, so it is possibly appropriate to put it in that context.

We intend to close off the options for VED evaders, particularly the month dodgers. In the couple of minutes remaining to me, I shall outline our two propositions. First, there is the two-tier option, under which the owners of occasionally used vehicles will pay more. That is a fairly simple system to operate. The other option is what we refer to as the three-tier system, which is more complex to administer. It will cause more paperwork and is arguably more bureaucratic, but it will not involve additional cost to owners. It will, however, involve owners putting an amount down as a deposit at the first point at which they take the vehicle off the road—an amount that is subsequently recoverable.

I shall now respond specifically to the concerns of my hon. Friend the Member for Milton Keynes, North-East. First, I know that Lord Montagu of Beaulieu has clearly said that we have adequately covered museum vehicles and vehicles undergoing restoration—there is no concern about that. Secondly, we have always made it clear that we do not wish to use the proposal simply to extend the tax base. The £5 charge to which my hon. Friend referred is a charge to recover DVLA costs. The DVLA is empowered by statute only to recover costs at the level at which they were incurred. The charge is not the thin end of the wedge, leading to £135. If there were to be any proposal to go further than recovering costs—that is, to tax rather than simply to recover costs—that would require specific legislative proposals. It is important that my hon. Friend should have that assurance and I am happy to give it to him.

We believe that the consultation has been extremely useful. Sadly, I have not had time to expand on the various arguments for and against the proposals. Suffice it to say, we have been very keen to bear in mind the fundamental objectives of improving the quality of the record and dealing with the issue of evasion. We have borne in mind the many expressions of concern about the level of additional cost or the additional paperwork. It may surprise my hon. Friend—but I hope that it will not surprise him too much—

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. The time for the debate has expired.

Television Services (Wales)

1.30 pm

Mr. Llew Smith (Blaenau Gwent): I shall try to be brief, as I wish to share my speaking time with my hon. Friend the Member for Islwyn (Mr. Touhig), who has done a lot of work in this area over the years.

The debate is not about whether we are for or against the Welsh language: it is about freedom of choice. I was employed for 15 years as a tutor organiser with the Workers Educational Association, and much of my work involved organising classes in Welsh language and culture in community centres. Those classes were supported by the Labour-controlled Gwent county council, of which my hon. Friend was a prominent member. So I start from the position of wanting to see the Welsh language flourish.

About 12 months ago, I read an article in the *Western Mail* which stated that people in north Wales who cannot receive the S4C television channel had secured all-party backing for their claim that they should not be deprived of Welsh language broadcasts. The article went on to state that Welsh nationalist, Labour and Liberal Democrat politicians agreed at a meeting that it was a civil rights issue, and that people in Delyn should receive coverage of all local programmes.

One should compare that tolerant sentiment with the intolerance often expressed by some Welsh nationalists and by those people within the Welsh language movement in response to demands from communities like my own—where English is almost inevitably the first and only language—that they, in turn, should have access to English language Channel 4. I was reminded of that intolerance when I read an article in the *Western Mail* responding to a petition demanding that communities throughout Wales should have access to English language Channel 4. Those who made such demands were compared with Hitler and his belief in one kingdom, one people, one language.

Many of us have come to expect that sort of response from Welsh nationalists on that and other issues, but it is insulting to many people in my community who fought and died opposing Nazism and to those people who are still fighting, in a different way, whenever such prejudices are expressed. While it is a question of civil liberties when the people in north Wales cannot receive Welsh language channel S4C, similar reasoning is not applied to those communities in south Wales and in other parts of Wales who demand access to English language Channel 4.

We recognise the right of the people of north Wales to receive S4C. We do not want English language Channel 4 at the expense of S4C; we want it in addition to S4C. In other words, we want to increase freedom of choice for viewers throughout Wales.

It is somewhat ironic that Cardiff, the capital of Wales, receives English language Channel 4, while communities like those in my constituency cannot receive that service. Although only 2.2 per cent. of the people of Blaenau Gwent speak Welsh, they are forced to receive a channel which they do not understand. Unlike people in other areas, they are not given the choice of viewing all Channel 4 programmes at a reasonable hour.

In my time as a Member of the European Parliament, and in the past few years as a Member of the British Parliament, not one person has contacted me defending the present position. However, time and again people have voiced their opposition to it, and have demanded access to Channel 4. That view was reflected in a recent opinion poll conducted by the *Gwent Gazette*, which covers my constituency. The poll showed that more than 90 per cent. of my constituents demanded access to English language Channel 4. That and other opinion polls have showed the support for the position that I am arguing today. They also reflect the people's depth of feeling and anger at their exclusion from receiving that television channel.

While the opinion poll was conducted in Gwent, it must be remembered that the problem is not peculiar to Gwent, as only about 40 per cent. of Welsh people can receive Channel 4.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): My hon. Friend has referred to the Welsh people's depth of anger and frustration. As a Member of Parliament, I felt anger and frustration when Welsh language programmes were available on both BBC 1 and HTV. S4C was devised to serve two purposes: first, to allow Welsh language broadcasting to expand; and, secondly, to remove from the two major channels Welsh language programmes that were causing tremendous offence. I think that my hon. Friend should be reminded of S4C's dual purpose.

Mr. Smith: I accept my hon. Friend's point. I think that that situation was having a detrimental effect on the Welsh language. However, the present situation is having a similar effect. We have managed to contain the anti-S4C feeling, but, if the present situation continues, people will not call for Channel 4 in addition to S4C, but will demand it in place of S4C. I am certainly not of that view.

S4C has responded to my points by saying: if Channel 4 is available in Wales, should not Welsh language channel S4C be available in the rest of the United Kingdom? That is an interesting response. S4C says that it does not object to Channel 4 being provided in addition to S4C. It also states that approximately 70 per cent. of Channel 4's programmes are also broadcast on S4C. However, it is important to recognise the time of day at which those programmes are broadcast—it is very rarely during peak viewing time.

It is also interesting to note that the highest proportion of viewers who watch Welsh programmes on S4C regularly are those in managerial and technical occupations. Only 5.1 per cent. of those who are not in paid work watch S4C Welsh language programmes. Some 1.2 per cent. of those who cannot speak Welsh watch Welsh language programmes on S4C regularly, compared with 9 per cent. of the total population.

I have taken those figures from the Welsh Office social survey which was published in February this year. It is also interesting to note that only 4.6 per cent. of the population of Gwent bother to tune in to Welsh language radio. According to the Welsh Office survey, approximately 80 per cent. of the population of Gwent never watch Welsh programmes on S4C. The Broadcasting Act 1990 states that Channel 4 should be provided for

"so much of England, Scotland and Northern Ireland as from time to time be reasonably practicable".

The legislation must be changed if areas like mine are to receive Channel 4 by right. I think that that would be fairly simple to do, as one could just replace the words "England, Scotland and Northern Ireland" with "United Kingdom".

[Mr. Smith]

The matter may also be resolved through the use of additional transmitters. I know that S4C would say that there is a problem with cost. I do not wish to push the point too much, but I think that it is somewhat ironic that S4C should take that position, when one considers that it is probably the most subsidised of all the television channels. We should also consider the possibility of rescheduling, so that programmes can be televised at the same time but in different areas, depending on the language of a particular community.

It is also argued that we should wait for the digital system. I am sure that will result in major advances, but the decoders will cost between £200 and £500. Many communities in Wales that cannot receive S4C or Channel 4 English language programmes are also the poorest communities. I was interested to read an article by Andrew Neil in *The Independent* on 16 June, stating:

"There is every chance that the digital revolution will be dominated by Sky and its leading shareholders News Corporation, which control the essential system."

So there are problems ahead.

According to recent correspondence from representatives of S4C, they would be concerned if people's failure to receive Channel 4 led to an anti-S4C feeling. I have responded to that point, but I am aware that there is such a danger unless the problem is resolved.

For some people, the only measure of Welshness is the Welsh language, so for them, the only television channel relevant to Wales is S4C. Such an argument insults the majority of people in Wales, who are English-speaking. When people talk about civil liberties, they mean civil liberties only for those who speak the Welsh language, whereas the rest of us recognise the value of both languages and the diverse cultures that make up Wales. We should build on that diversity and encourage it. Access to S4C for the people of north Wales is an issue of civil liberties and we ask them to recognise the civil liberties of those who wish to view the alternative Channel 4 in the English language.

1.41 pm

Mr. Don Touhig (Islwyn): I support my hon. Friend the Member for Blaenau Gwent (Mr. Smith), and I am delighted to give vent to the feelings of the people I represent. I am grateful to my hon. Friend and to the Secretary of State for agreeing to share the time and allow me to take part in the debate.

Welsh, it is said, is the language of heaven. While I have no sure knowledge of that, I have no intention in my sojourn in this life of preventing it from being spoken. The deliberate suppression of the Welsh language in the last century was one of the worst acts of our Victorian forebears. If Welsh is to survive all the pressures, and not a few prejudices, of the 20th century, it should be encouraged wherever possible. Welsh medium broadcasting has a part to play in that.

I am proud of the fact that, in the past decade or more, Gwent, through the Labour-controlled county council, has invested large sums of money in education for young children who want to be educated through the medium of Welsh, but the language will survive and flourish only if people are encouraged to use it. If they perceive it as being foisted on them against their will, they will react accordingly. Recent history is proof of that.

I remember as a young reporter on the *Free Press* at Pontypool writing about public protests over Welsh language broadcasting going out at peak times in English-speaking areas.

The emergence of S4C was a progressive and positive step. It encouraged the language, while removing the antagonism to it from many television viewers, but I fear that, unless we address the legitimate demands of the English-speaking Welsh people to be given the choice whether to watch S4C or Channel 4, we risk a renewed backlash. In an attempt to avoid that, I pressed S4C to consider the possibility of rescheduling, to which my hon. Friend referred.

I asked S4C to consider rescheduling so that people in different parts of Wales could watch different programmes at different times. In that way, it would be possible for the English-speaking majority in south-east Wales to watch a programme in English, while in north and west Wales, where Welsh is often the first language, a different programme could go out in Welsh. I hope that S4C will respond positively to that suggestion, but I recognise that it is but a halfway house.

In an early-day motion last week on S4C in Wales, my hon. Friend the Member for Blaenau Gwent and I underlined our support for S4C, but in all honesty we had to state quite clearly that S4C does not cater for the vast majority of people in Wales whose only language is English.

My hon. Friend referred to a poll conducted by his local paper, which sought to obtain readers' views. The *South Wales Argus*, the local evening paper serving my constituency and much of Gwent, conducted a similar poll, showing that readers were overwhelmingly in favour of being able to watch Channel 4 as well as S4C. I do not consider telephone polls a wholly satisfactory method of measuring public opinion; they do little more than give the flavour.

More significantly, some 8,000 people have already been prepared to put their names to a petition in support of choice, which I understand will be presented to the Secretary of State in October.

It is not that English-speaking Welsh people in the south Wales valleys are against the language. They simply want the same facility as those who live in Cardiff, the capital city of Wales, to watch both television channels. I cannot emphasise too strongly that the debate is not about replacing S4C with Channel 4; it is about giving the people of Wales the opportunity to watch both stations.

I am fortunate that, in the part of Gwent where I live, I can already do that, but it is not the case everywhere. In the Graig area of Cwmcarn in my constituency, people are unable to receive any television, whether it is broadcast in English or Welsh. My constituents have to pay £100 a year to a cable company to pipe in the signal in addition to £100 for a television licence. As Mr. Ken James, one of my constituents, wrote to tell me, the quality of the television signal is appalling, and is affected by the strength of the wind across the local hills.

I have sought to give the Minister an idea of the feelings of people in my area on the issue. If we do not respond to public feeling, we are in danger of harming Welsh language broadcasting. My hon. Friend the Member for Blaenau Gwent has already outlined a possible solution, although not a simple or cheap one—the development of digital television broadcasting. My hon.

Friend the Member for Nottingham, North (Mr. Allen) has secured an Adjournment debate on the issue tomorrow night, and I do not propose to stray into his territory. However, I would welcome a statement from the Minister about the early publication of a promised White Paper on digitalisation. It will help extend choice, but will not in itself solve the problem.

We also require a commitment from the Government to extending to Channel 4 the right to broadcast in Wales which is currently denied by the Broadcasting Acts 1981 and 1990. I understand that S4C may not necessarily oppose that.

Taken together, those measures will answer the legitimate complaints of my constituents, and at the same time ensure that the development of Welsh medium broadcasting continues without antagonism and rancour.

1.47 pm

The Secretary of State for National Heritage (Mr. Stephen Dorrell): I begin on a matter of some sensitivity. The reason why I have the pleasure of replying to the debate is that my hon. Friend the Minister for Sport is currently in South Africa supporting a rugby team. It is an important part of his ministerial duties to support our national teams. I am sure that I shall enlist the support of the Welsh Members present for wishing him Godspeed and improved fortunes in the remaining game for the English rugby team.

My first serious point is to say how much I agree with the basic line that the hon. Members for Blaenau Gwent (Mr. Smith) and for Islwyn (Mr. Touhig) took about the importance of the Welsh language and ensuring that there is proper support for the development of Welsh speaking and proper respect for Welsh culture in Wales.

As both hon. Gentlemen said, it is not a matter of a choice between S4C as an agency for the promotion of Welsh television and English-speaking Channel 4. They both presented the case that they wished to argue to the House in terms of extending choice and access to English-speaking Channel 4. It is not an issue of Welsh people or their representatives in the House being against S4C or Welsh-speaking television; it is a question of their English-speaking constituents not wanting to be denied the opportunity to see English-speaking Channel 4 on the same terms as are available to the rest of the United Kingdom. That is a perfectly fair argument for representatives of English-speaking Welsh constituents to make in this House.

It is worth pausing at this point to reflect on the contribution that S4C has made to the development of Welsh speaking and of proper respect for Welsh culture. As Secretary of State for National Heritage, I think it important not to seek to create an homogenised, centralised culture in Britain, but to build one that respects regional and local diversity and traditions. I regard the fact that my Department is responsible for the public contribution, in terms of finance, to S4C as part of a wider contribution to the delivery of a varied and pluralist cultural life in Britain—one that respects the differing traditions of various parts of the United Kingdom.

It is fair to record the fact that S4C achieves a significant audience share, not just among the Welsh-speaking population—its share of peak viewing is nearly 19 per cent. of them—but among the whole population of Wales: its peak viewing share amounts to 9.5 per cent. of them. As for audience reach, 66 per cent., or two thirds, of the people of Wales look at S4C at least once a week, although the programmes in question are not necessarily Welsh language ones. So S4C is not, as it has been constituted, a minority interest channel. It is a broadcaster that performs a service right across Wales, and it is used at different times in the week by two thirds of its population.

S4C has a distinguished record of developing various aspects of the cultural life of Wales. The reputation of its children's programming and its animation department spreads far beyond the borders of the Principality. Its animation programmes and its children's programmes reach audiences not just outside Wales but outside the United Kingdom.

S4C has also been an important contributor to the development of the independent production sector in Wales. It is clearly a Welsh-oriented station, and its support for the Welsh independent production sector has been an important factor in that sector's progress.

Finally, it is important to stress again that the easy availability of Welsh language broadcasting has made an important contribution—possibly the decisive contribution—to halting the decline of Welsh speaking and to heightening perceptions of, and respect paid to, Welsh culture. I regard S4C as one of the Government's successes. We legislated for its existence in the Broadcasting Act 1980, and we continued its existence in the Broadcasting Act 1990. It has been the biggest single achievement in living memory to demonstrate real public support for Welsh culture as a living, developing entity, not just the pursuit of a tiny and shrinking minority. All in all, S4C makes a significant contribution to the life of Wales.

The problem which the hon. Members for Blaenau Gwent and for Islwyn put to the House is that, when setting aside spectrum space to allow this broadcasting to take place, a choice had to be made about access to the spectrum and about the terms on which S4C would have the chance to deliver all the benefits that I have described. As both hon. Members made clear, it is not a straight choice between English language and Welsh language broadcasting. S4C's schedules include a large element of English language Channel 4 broadcasting. The objective is to deliver roughly 75 per cent. Channel 4 English language broadcasting over the S4C element of the network—that is, 75 per cent. excluding Channel 4's news programming.

Thus, S4C is an important transmitter and broadcaster of English language Channel 4 programme material, and there is no straight choice between English, represented by Channel 4, and Welsh, represented by S4C. The latter seeks to deliver its Welsh mission by mixing English and Welsh language programming but according a higher priority to Welsh language broadcasting than has been delivered by any other means in the history of Welsh broadcasting.

More than once, the hon. Members for Blaenau Gwent and Islwyn sought to argue that the offer of a clear choice between the S4C schedule and a recognisably English Channel 4 schedule was restricted by costs—either costs incurred by S4C or costs incurred by some other, unmentioned body. In the present state of technology, the limitation on providing a clear choice between two complete schedules—one the same as Channel 4 and the rest of the United Kingdom, the other run by S4C—is

[Mr. Stephen Dorrell]

not cost: it is technical feasibility, or the availability of spectrum, given the state of modern technology. That is the answer to the conundrum that both hon. Gentlemen described.

The world of broadcasting is on the verge of a revolution which will make broadcasting in 10 or 15 years' time unrecognisable. The introduction of digital technology, not simply to terrestrial broadcasting but to cable and satellite broadcasting, opens the door to a world in which it will no longer be correct to talk about spectrum as the limiting factor on access to audience for a broadcaster. Ever since the beginnings of broadcasting, the limiting factor has indeed been access to spectrum, but as technology has developed, so we have learned how to narrow the broadcasting signal and make more efficient use of the spectrum.

The digital revolution takes the process a dramatic stage further. We stand at the dawn of the digital age of broadcasting; and the effect, over a period, of the introduction of digital technology to radio and television broadcasting will be progressively to remove the block that has hitherto limited access to audience by broadcasters. In future we shall be able to move—rather more quickly than most politicians realise—to a world in which the limiting factor on the establishment of new choices for viewers, and the development of new broadcasting stations, will no longer be access to a bureaucratically allocated spectrum but the straightforward economics of broadcasting.

Thus, a broadcaster who can find an audience prepared to pay for, or a sponsor prepared to support, a broadcast channel will find that spectrum is available. Then, subject to the regulatory regime for which the Government will remain responsible, a broadcaster who can design an economically sustainable station will be able to set up in business to demonstrate that his views on the viability of his station are correct.

Both hon. Members asked me what stage the Government have reached in delivering the promised White Paper on the introduction of the digital revolution. I can lift the veil concealing Ministers' diaries at least a little, and say that I shall be leaving this House to have a meeting on precisely that subject. I hope that the White Paper to which the Government are committed will be ready for publication in the next few weeks. It is quite close; it is in the final stages of preparation. It is the second stage of the changes that the Government plan to announce to the broadcasting world, following the media ownership changes that I announced at the end of May.

Mr. Rowlands: Will the Minister give way?

Mr. Dorrell: Very briefly.

Mr. Rowlands: Will the White Paper subsequently require legislation?

Mr. Dorrell: Yes.

In conclusion, hon. Members put a problem to the House. The answer to that problem lies in the recruitment of new technology to deliver greater choice to the consumer. That is an objective that the Government warmly embrace.

Job Creation

2 pm

Mr. Nigel Evans (Ribble Valley): I am grateful for the opportunity to raise this important subject for debate today. It is one of those subjects on which it is extremely difficult to get any coverage whatever when things are going well, but when things are going badly tends to lead the news bulletins. Having said that, however, this morning, on page 2 of the *Daily Express* is an article entitled, "Boom-time Britain" in which it talks about the British economy being

"in fine shape, with soaring exports, falling unemployment and growing output".

An influential report by the Organisation for Economic Co-operation and Development has stated that, not the *Daily Express*. It also states:

"Unemployment could fall by a further 300,000 over the next 18 months to just over two million".

That is excellent news.

If one looks at some of the recent statistics about unemployment, one will see that only last month it fell yet again by another 10,000 to 2.32 million—the 21st successive fall. Within the United Kingdom, the work force in employment now stands at 25.5 million, which is a superb figure. Manufacturing productivity in the three months ending April 1985 rose by 3.2 per cent. Export volumes, which are important, excluding oils and erratics, are up 11.5 per cent. in three months to March on the year earlier. Underlying inflation is at its lowest level since the 1960s. That is all good news for the economy.

My constituency has the lowest level of unemployment in the whole of the United Kingdom. Therefore, one might think it strange that I have decided to ask for this debate today. My constituency is blessed in having a very good and skilled work force. We have a good infrastructure—the motorways—in and around the Ribble Valley. The west coast main line could improve that infrastructure dramatically, and I hope to see further investments in that, which would encourage more people to travel by train, and more freight to be carried by train.

We are also blessed in having Manchester airport not too far away. It is one of the largest international airports in the world and provides great service for people in and around the region. I have a superb rural constituency, which attracts many tourists, and Blackpool is not too far away, which attracts many more tourists and conferences as well.

There is also tremendous manufacturing capacity within the Ribble Valley, and just outside as well. One leading firm, British Aerospace, is world-renowned, particularly with its carbon technology. It is a good supporter of the community, and I am extremely grateful for the work it does in supporting schools and technology, particularly the William Temple school in my constituency, which it supports with its technology courses. It has done much innovative work and has provided many jobs in schemes such as the European fighter aircraft, airbus, and, I hope, the future large aircraft and Tiger in future.

We have some superb manufacturing skills. On top of that, my constituents also travel long distances to work. If they do not find work on their doorstep, they travel to places such as Manchester, Liverpool, throughout the north-west—wherever the jobs happen to be.

In my constituency, there are also smaller firms than BAe, which none the less are vital. Ultraframe has to be one of the success stories of my constituency. I invite my hon. Friend the Minister to come to my constituency, in the not too distant future, and visit Ultraframe, so that he can see for himself at first hand the successes that can be achieved when a firm is run by people with a belief in what they are doing, who are constantly reinvesting money back into their firm, a firm that has faith in the people who work there, and which not only ensures that they are properly trained in the work they do but encourages them to undertake national vocational qualifications.

In 1992, Ultraframe had 152 employees; in 1993, 207; in 1994, 293. It currently has 420 employees. It pays a lot of attention to exports as well, which is extremely important. Last year, its turnover was £25 million, and it is the UK market leader in conservatory roofing systems. It takes on a lot of youngsters from the schools at 16 or 18 and offers them jobs and training. It is a superb asset, not only to the Ribble Valley but to the United Kingdom as well, particularly with its exports.

We have to look at what we offer people in this country, to ensure that we have the right skills and a good work force that companies will want to employ, and at the encouragement that we give to businesses to expand. That means that we must have good schools and colleges, the right courses and relevant training. We must also ensure that the training and enterprise councils are delivering the right packages of training. There are 82 TECs. I am sure that they are not all of a superb level, but I hope that we will encourage those that are not as good to raise their standards to those of the best.

To see another reason why we are doing so well in this country one has only to look at the strike record. One can remember the 1970s, when strikes dogged this country. Businesses did not know whether they would be able to operate. Customers did not know whether they would be able to get their services. It was a blight. It was the British disease.

No longer is that the case. We now have one of the lowest strike records since records have been collected. That is important. We take that for granted, but we should not. We also have consistently low inflation. We should not take that for granted, because we can remember the 1970s, under the previous Labour Government, when inflation ravaged industry and people's savings.

We also have competitive interest rates, which are important for businesses, as they enable them to borrow with confidence to invest in their businesses, and they know that they will get returns.

We also have low taxation. We can remember what taxation rates were like under the previous Labour Government. There was hardly any incentive to take risks, because the Government, if one made any profits, were taking the lion's share. That is no longer the case. I hope that we shall continue with our tax-cutting policies in future to ensure that people who take the risks in business are able to keep the lion's share, so that they can reinvest that money in their businesses.

We also have a policy of deregulation, which is vital. I sat on the Standing Committee last year that considered deregulation, with my hon. Friend the Member for Scarborough (Mr. Sykes). I believe that it is one of the most important pieces of legislation that we have passed since I have been a Member of Parliament.

[Mr. Nigel Evans]

One has only to talk to business people to know that the last thing they want is regulation after regulation heaped on them, for all sorts of reasons. Goodness knows why some of them are put into place. We have to appreciate that every rule and regulation imposed on business has a cost. Therefore, if we can lift the burdens of bureaucracy off the backs of businesses, they would be able to ensure that their businesses were more profitable, that they could expand and reinvest the money they make back into their businesses.

I am not saying that I want to scrap every rule and regulation—some of them are there for good reasons—but we have to look at each of the rules and regulations, particularly those that have been around for some time, and question their worth. There should be a cost-benefit analysis of some of those rules and regulations. We should remove as quickly as possible those that happen to be politically correct or those that are extremely expensive but show little or no reward.

Mr. John Sykes (Scarborough): I am grateful to my hon. Friend for giving way. We are all pleased to hear that he has been made a privy councillor. I wonder whether he knew that *Small Business News* has awarded him a privy councillorship. I think that it is richly deserved.

Will my hon. Friend contrast the levying of regulations in this country with the manana attitude towards regulation by some of our so-called partners in the European Community, some of whom do not even obey their own laws, never mind directives from Brussels?

Mr. Evans: First, my hon. Friend and the bureau are somewhat premature in their congratulations to me on being made a privy councillor. Secondly, I fully appreciate that, in the United Kingdom, we have a structure in place that demands that, when we sign up to rules and regulations, we enforce them.

Many other member states of the European Union are happy to sign up to almost any rule or regulation, and they do not read the small print. They are not bothered about that, because they will not enforce the rule or regulation with the rigour of the United Kingdom. Perhaps we should approach some rules and regulations in the same way. It would be better, however, if other member states' enforcement was the same as the UK's. If that were their approach, they might think twice before signing up to more rules and regulations in future.

I am glad that we are able to gain so much inward investment. It takes place in the north-west, as it does throughout the country. We received 41 per cent. of Japanese investment in Europe. Close to 40 per cent. of the investment made by the United States in Europe comes to the UK. Why is that? Overseas companies have confidence in investing in the UK, because they know that they will not have social on-costs heaped on them, as happens in other parts of the EU. Levels of unemployment elsewhere in the EU are telling.

In Spain, unemployment is 23 per cent. Youth unemployment is a staggering 43 per cent. In France and Belgium, it is 12 per cent. and 10 per cent. respectively. The EU average is 10.8 per cent. How grateful I am that unemployment in my constituency is 2.7 per cent., and 8.3 per cent. is the average throughout the UK.

We must ensure that we have proper training. General national vocational qualifications are vital, and superb work is being undertaken at St. Mary's college, Blackburn. We must ensure that job clubs and our various schemes provide relevant advice and proper guidance.

I hope that we can do more to encourage employers not to adopt agism within the work force. Far too many people are unable to obtain work when they are in their 40s and 50s. In fact, they have a wealth of experience. We must do more to convince employers that they should not turn their backs on older prospective employees. We have a flexible work force, which means that someone who starts work at 18 will not be in the same job until he is 65. It is more likely that employees will have several careers during their working life.

I hope that employers will stop using advertisements in newspapers that state that they are interested only in people who are under 30 or over 25. It is wrong to take that attitude. It gives no encouragement to people in their 50s and 60s, and the country suffers because a wealth of experience is not being used properly.

I was delighted when my right hon. Friend the Prime Minister fought hard within the EU to ensure that we had opt-outs from the social chapter. If we had signed up to the chapter in its entirety, companies would have looked beyond Britain when investing in the EU. Without opt-outs, the chapter would have been extremely expensive. I see no reasons or advantages in being a signatory to it without opt-outs.

Mr. Sykes: My hon. Friend does not need any additional information, but he might be interested to know that, in my constituency, a large food manufacturer that normally supplies the home market decided that it could not afford to build a factory in France, and so doubled its production line at Scarborough, much to the benefit of my constituents who work for the company, whose jobs are now guaranteed. What does that say for the social chapter?

Mr. Evans: It says everything for my right hon. Friend the Prime Minister having won opt-outs. My hon. Friend has given a constituency example. I am sure that it is one that could be replicated throughout the country. So many businesses have decided to contract within other parts of the EU and to expand in Britain. Companies outside the EU decide to come first to Britain. They take full account of the advantages of investing in Britain. I think that it was Jacques Delors who said that it would be to experience paradise to engage in inward investment in Britain. Instead of following Britain's lead, the rest of the EU decided to try to get us to follow them. That was ridiculous.

Most damaging of all policies for our future economic prosperity is the minimum wage. We all know that socialism is a creed that dare not speak its name. The minimum wage is a concept that dare not name its price. If it is such a good idea, why should its level remain a secret?

It is rather like a perverted form of the "Price is Right" approach, except that the losers in the minimum wage game will lose their jobs. It will be a case not of low pay but of no pay. Silence on the level of a minimum wage is not for the virtuous reason that there should be consultations with the unions and employers. To say that such consultations should take place is to put up a smoke screen. The present vacuum allows an unpriced product to be shown in a shop window. If anyone has to ask how much it is, he should know that he cannot afford it.

A menu without prices means that Labour spokesmen can say to employers, "We are new Labour, not old. Don't worry about the level of the minimum wage. It will be so low that it will have no effect on the profitability of your business. We want only to catch a few cowboys who are paying poverty-level wages."

At the same time, Labour spokesmen are saying to the unions, their paymasters, "Don't worry about new Labour tosh. It is just to con the public into thinking that we have changed. We can't set a level for a minimum wage. If we do so, employers will be able to work out how much it will cost them and how many jobs they will have to shed. Obviously, we are going to look after you. After all, you look after us." The only losers in the game will be those whose jobs disappear in the black hole of socialist dogma. As many as 1.8 million jobs could be lost.

I watched the hon. Member for Peckham (Ms Harman) being interviewed on "On the Record" on Sunday. John Humphrys gently savaged the hon. Lady to pieces. It was a cruel display by Mr. Humphrys, who had the effrontery and cheek to ask the hon. Lady a few elementary, simple and straightforward questions on the minimum wage. How dare he? Whenever she was unsure of what to say, she resorted to making a dash behind the name of Winston Churchill, who was the saviour of many people. Never was his name called on so many times in such a short time as by the hon. Member for Peckham.

When the hon. Member for Peckham said, in her Mother Teresa demeanour, that she wanted to get rid of poverty, she should have started with the poverty of her argument. Winston Churchill was a great man, but not even he could have saved the hon. Lady or her feeble argument on Sunday.

Two further complications with the minimum wage are the black economy and differentials. We would be stupid to ignore the fact that the black economy exists. Indeed, it existed to a greater extent in the 1970s under the Labour Government, when taxation was so high. If we introduce a minimum wage, many cowboys will still pay poverty wages. They will do so in an underhand manner and behind the back of the Inland Revenue. Without a minimum wage, we have a transparency in the system.

No one—especially not a member of the Labour party—should be allowed to hide behind the argument that his role is to look after only the poorer sections of society, those who are earning £1 an hour or less. If a minimum wage is introduced, those who are earning £4, £5 or £6 will want to ensure that differentials continue. The unions have said as much. The result will be demands for inflationary pay increases.

It will not be only those who are earning £1 or £2 an hour who will lose their jobs. Jobs will also be lost by those who are earning £4, £6 or £8 an hour. It has been estimated that a minimum wage of about £4.15 will cause about 800,000 people to lose their jobs. That would cost £2.2 billion in additional unemployment benefit expenditure.

It is pointless to argue that the taxpayer is subsidising low pay for many people. A minimum wage will mean that the taxpayer will have to subsidise many more unemployed people. When Bill Clinton was campaigning to become President, he said that he would increase the minimum wage in the United States. He has not done so. That was even before the rise of Newt Gingrich. The President knew how many jobs an increase in the minimum wage would cost.

The right hon. Member for Kingston upon Hull, East (Mr. Prescott) said that he was aware of the consequences of a minimum wage. He told us that any silly fool would know that there would be a shake-out. The right hon. Gentleman was speaking the truth.

Does the Labour party, which treats the country with contempt, really think that the wages of some people can be jacked up without job losses, shorter hours, loss of differentials and the fuelling of the black economy? The higher the minimum wage, the higher will be the number of job losses. The Labour party fails to tell us what price is worth paying in terms of job losses to fulfil its bargain with the trade unions.

We must continue with the successful policies that the Government have followed in the past 16 years, which are leading to more job creation, more inward investment, more job expansion and more employment generally, with unemployment coming down. We must continue with the deregulation policy and ensure that the town halls, Whitehall and the know-alls of Brussels take into account the fact that businesses are there to ensure that jobs are available and to produce goods and services; they do not need such people coming on with a tirade of bureaucracy, rules and regulations.

In Europe, 20 million people are unemployed. The rest of Europe should consider what we are doing in this country, find out why we are so successful, and start to put our policies into place. The choice is simple. We know what is happening in this country. We have the job and wealth creation; the evidence is there for all to see. The choice is either sticking with that and with something that is successful, or listening to the Labour party, which is offering something for nothing.

2.20 pm

The Parliamentary Under-Secretary of State for Employment (Mr. Phillip Oppenheim): I thank my hon. Friend the Member for Ribble Valley (Mr. Evans) for choosing this subject. He is well known as an hon. Member with great knowledge and understanding of the issues involved.

My hon. Friend mentioned at length the effect of a minimum wage on jobs. He was correct to point to the unemployment level in Europe, because every one of those European Union countries with minimum wages that are set at significant levels has higher unemployment, and particularly higher youth unemployment, than Britain. The figures that are quoted are based on the International Labour Organisation international standard for compiling unemployment statistics, so the claim that Opposition spokesmen sometimes make—that those figures are fiddled—is nonsense.

Every one of us wants low-paid people to earn more, but it is unfair and deceitful to the less well-off for politicians to pretend that they can wave some magic wand and raise wages without any cost to the economy. What we can do, and have been doing since 1979, is to continue to make the economy more competitive, to improve training and education, to create the conditions for sustainable non-inflationary growth, and to give people the chance to be more productive so that they can really earn more on a sustainable basis.

As my hon. Friend rightly said, his constituency has a fine record of good quality employment. It has that record because people in that region are productive and work for

[Mr. Phillip Oppenheim]

companies that produce goods that people want to buy. That is the only honest way for us politicians to say that people will be able to earn more, and that better-quality jobs will be created on a sustainable basis.

The Labour party's minimum wage policy is doubly dishonest. It pretends to the less well-off that there is some easy, cost-free method of raising their pay, and then it will not even say what the minimum wage will be until after the next election. It gives the less well-off a menu with no prices, in the hope that they will not discover the true cost in jobs, as my hon. Friend rightly said, until after the next election.

No wonder the Opposition spokeswoman, the hon. Member for Peckham (Ms Harman) got in such a mess in "On The Record" last Sunday. I found it probably the best comedy programme of the year. I think that my hon. Friend, as a Welshman, probably thought a better comedy occurred on ITV an hour or so later, but I did not find that show quite so funny.

During the programme, the hon. Member for Peckham said that she could not set a minimum wage level until after the election, because Labour could not meet employers to achieve consensus until it was in government, but when John Humphrys said that the reason Labour was waiting until after the election was that it could never achieve consensus—as too low a rate would annoy the unions and too high a rate without regional variations would worry employers—the hon. Lady suddenly changed tack and said that Labour had been meeting employers, and that there was a great deal of consensus. If that is the case, fine, but why cannot she now tell us what the minimum wage level would be? No wonder she kept harking back to 1906. If that is new Labour's idea of progress, how far back would old Labour have gone for inspiration?

During the programme, the hon. Member for Peckham insisted on repeating several myths. She said that we are alone among European Union countries in not having a minimum wage. That is wrong; only seven EU countries have national minimum wages. She also said that pay had fallen in wages councils sectors since we abolished the wages councils. She should know the answer to that, because she asked me a written question in which the labour force survey, which both the Labour party and the unions say they find fully reliable, showed that pay for workers formerly covered by the wages council was rising at double the rate for the economy as a whole.

The Opposition say that the minimum wage would end what they term the £2 billion taxpayer subsidy for low pay in the form of in-work benefits such as family credit, but, as Andrew Dilnot of the Institute of Fiscal Studies said, even if a minimum wage were set at £8 an hour, many families would still receive family credit, so the Opposition are wrong on that point as well.

Labour—and, again, the hon. Member for Peckham during that programme—persisted in claiming that pay had fallen in Britain and that Britain competes on the basis of low pay, yet pay has risen at all levels since 1979. The real take-home pay of a single low-paid man in the bottom 10 per cent. of earnings has risen by £27 more than inflation since 1979. It actually fell by £1 under the last Labour Government.

My hon. Friend ably made the point that our economy is much more productive and competitive compared with 1979. It is because we are so much more competitive and productive that real pay has risen significantly at all levels, in stark contrast with the period 1974-79, when productivity and pay stagnated. During the 1960s and 1970s, Britain was bottom of all the major industrialised G7 countries when it came to the increase in manufacturing productivity, whereas in the 1980s we were equal top with Japan. That productivity boom has led to a sustainable increase in real take-home pay and living standards.

Even Labour's union buddies do not find its policy credible. The Trades Union Congress, in a document published on 22 March this year, said:

"No campaign on the minimum wage issue will carry real weight . . . unless it clearly states who would benefit, what impact it would have on unemployment . . . and the impact on differentials."

Sir Gordon Borrie, chairman of Labour's Social Justice Commission, wrote in April that the key to the minimum wage was the level. He said:

"too low would not have much benefit—too high would cost jobs."

Even William Hutton, economics editor of *The Guardian*, wrote around the same time that the

"key to the minimum wage is the level"

at which it is set.

Therefore, why will not Labour say or give any indication of the level at which it would set the minimum wage, what it would do about differentials, and whether there would be different rates for young workers, regions and different industries? Why the deafening silence?

The answer has been given by Labour's leader and deputy leader. Three years ago, its deputy leader, who, sadly, is not here to listen to the debate—I can understand why—said:

"I knew the consequences were that there'd be some shake-out"—

in jobs—

"any silly fool knew that."

The Leader of the Opposition was a little more oblique in his comment. He said:

"Econometric models indicate a potential jobs impact."

Now we all know why the hon. Member for Peckham is keeping so quiet about the level at which she would set the minimum wage.

We now have the spectacle of an Opposition—

Mr. Peter Butler (Milton Keynes, North-East): There is no Opposition.

Mr. Oppenheim: My hon. Friend is right, but I understand why Opposition Members are afraid to turn up for this debate. We have, rather, the spectre of an Opposition whose shadow Chancellor—*[Interruption.]* Now that my hon. Friend the Member for Cambridgeshire, South-West (Sir. A. Grant) has apparently joined the Opposition, we have an Opposition—and a much worthier and more substantial Opposition than the one to which we are accustomed.

We may not have the spectacle of an Opposition here, but we have the spectacle of an Opposition in the country whose shadow Chancellor talks of the obscenity of directors' pay but said yesterday, in a Select Committee, that Labour would not introduce a pay maximum, and

whose employment spokesman habitually speaks in flowery tones of putting a floor under low pay, but will not say what that floor would be.

That is the worst type of deceitful populism. Labour is cynically using the low-paid as political pawns, and it will not wash. By the time of the election, Labour will have to say what the level of the minimum wage will be; otherwise, the low-paid will know that they are being conned, and cruelly deceived.

It being half-past Two o'clock, the Motion for the Adjournment of the House lapsed, pursuant to Order [19 December].

Oral Answers to Questions

ENVIRONMENT

Regional Government, London

1. **Mr. John Marshall:** To ask the Secretary of State for the Environment what representations he has received about the introduction of regional government in London. [28027]

7. **Mr. Robert Hughes:** To ask the Secretary of State for the Environment what representations he has received about whether regional government is needed for London [28033]

The Secretary of State for the Environment (Mr. John Gummer): I have had no recent representations in favour of introducing a top-heavy new layer of regional government in London.

Mr. Marshall: Does my right hon. Friend accept that, if London had to suffer a regional government, it would become the most over-governed capital city in western Europe? May I, as a former London borough councillor, remind him that the GLC mark 1 was an expensive irrelevance that caused confusion and cost to London's ratepayers, and that no one except the hon. Member for Newham, North-West (Mr. Banks) wants a GLC mark 2?

Mr. Gummer: I hope that the House will remember that in the last five years of the GLC's existence its spending rose by 170 per cent. while prices were rising by 29 per cent., and that in 1986 it had 92 councillors, 20,000 staff and a budget of almost £1 billion. It is difficult to see that we are missing anything.

Labour's plans for regional government—which, happily, have now been leaked in an official Labour party document—reveal that the London assembly that it wants would take economic development, the environment, planning, water, transport, higher education, health, community care, police and emergency services, energy and training away from everyone else.

Mrs. Roche: A poll conducted recently by the Association of London Government showed that 79 per cent. of people supported an elected authority for London. Does the Secretary of State agree that what has been said by the hon. Member for Hendon, South (Mr. Marshall) is arrant nonsense?

Mr. Gummer: I am afraid that the hon. Lady is wrong. We consulted 10,000 people in London, and very few of them put a strategic authority—*[Interruption.]* The hon. Member for Holborn and St Pancras (Mr. Dobson)—with as usual, a slight grin on his face—is trying to ask a question. The need for a strategic authority was not among the first 40 issues raised by the people whom we consulted.

Mr. Tracey: Does my right hon. Friend accept that outer London boroughs more than 20 miles from the centre have little in common with central London, and that neither a Greater London council nor a regional structure would make sense? Will my right hon. Friend encourage the "confederation" view of the Association of London Government? Surely that, rather than the imposition of nonsensical views such as Labour's, is the sensible way of promoting subsidiarity among London boroughs.

Mr. Gummer: My hon. Friend may have noticed that the London boroughs—even those under Labour control—do not seem very enthusiastic about yielding their perfectly proper powers, particularly those relating to education, to some regional government controlling the entire capital. He may also have reflected that the old GLC area is far too small to deal with many matters, such as transport, while in regard to others—such as tourism—central London boroughs should work together, as they do in the new cross-river partnership. The Thames covers a completely different area which extends both above and below the old GLC area. There is no doubt that regional government, as run by the GLC, is entirely unsuitable for London, and is unmourned by the majority of Londoners.

Mr. Dobson: When will the Government recognise that the majority of people in London—ranging in polls from about two thirds to four fifths—believe that there needs to be an elected, strategic authority for London to speak up on behalf of Londoners and to replace the present regional arrangements whereby a collection of faceless men and women, at the behest of Ministers who then deny all responsibility, take decisions behind closed doors that affect the future of all Londoners?

Mr. Gummer: The hon. Gentleman would carry more credence in the House if he had ever produced a plan for London that he had managed to keep on the table for more than two days. Every time that the Labour party produces a plan, it has to withdraw it because not everyone in the Labour party in London likes it. The hon. Gentleman has no plan for London. The reason is that the Labour party in London does not want a new GLC because it knows how unpopular it would be. The London boroughs want to go on running their own affairs. The hon. Gentleman is, on this issue like most others, utterly incredible. He has failed to produce a policy. If he thinks that he can explain to the leader of Southwark that he wants to take away education, economic and other powers, he will have a very tough time.

Dr. Twinn: Does my right hon. Friend agree that the only evidence about the desire for a GLC came when we abolished it? Labour boroughs privately gave us every support to hurry its demise. They hated it. Power is where it should be—at the local role level with the London boroughs.

Mr. Gummer: I agree with my hon. Friend. However, it is noticeable that the Labour party remains seated when anyone asks what it would do. It pretends to want regional government to balance what it wants to do in Scotland but when it comes to London, it says that no powers would be given to regional government. Labour really must make up its mind.

Standard Spending Assessments

2. **Dr. Wright:** To ask the Secretary of State for the Environment if he will make a statement on the area cost adjustment element of standard spending assessments. [28028]

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert B. Jones): I have previously said that I wish to take a fresh look to see whether we might improve the boundaries of the zones used in the

calculation of the adjustment. We and the local authority associations are currently looking at the initial findings of research on this which we commissioned.

Dr. Wright: I am grateful for that answer. Can the Minister go on to explain to my constituents in Staffordshire why each pupil in secondary education in Surrey gets an extra £310 a year compared with my constituents' pupils in schools in Staffordshire? Would he also explain why the 10 counties that have had the largest increase in standard spending assessments since 1990 are all in the south-east and have all benefited from the area cost adjustment? Finally, can he tell the House why he has not been minded to accept the new basis for the area cost adjustment suggested by the Association of County Councils which would give Staffordshire an extra £9.5 million and go some way to offset the damaging cuts to education and other services that are taking place at the moment?

Mr. Jones: I am sure that the hon. Gentleman is as aware as anybody else that that sort of argument falls into fault lines according to those who receive it and those who do not. It is therefore all the more important that the Government should carry out research to make sure that the area cost adjustment is based on proper statistical analysis. We have carried that forward by discussions with the local authority associations. The ACC is one of those which have put forward ideas, but those ideas also have to be tested by proper and rigorous statistical analysis. So far, I am afraid, it has been unable to justify its approach. What I think is dangerous about the hon. Gentleman's argument is that he has failed entirely to recognise the additional costs that fall on local authorities, not only those such as Surrey, which he cited, but on inner London local authorities, which are controlled in virtually every case by his party.

Sir Anthony Grant: Does my hon. Friend recall that for many years, I have drawn the attention of the Government to the crazy situation whereby if people take one step over the border from Bedfordshire or Hertfordshire into Cambridgeshire, they are suddenly deemed to be in a low-cost area? That is manifest nonsense. The result is that millions of pounds have been lost to Cambridgeshire which could have been used for education purposes. Therefore, any initiative that my hon. Friend takes is welcome. When he gets the results of the research, which I hope will suggest changes to travel-to-work areas, will he act quickly?

Mr. Jones: Of course, we will look at the results of the research. I know that my hon. Friend has been a doughty fighter for Cambridgeshire in this and other cases for many years. Of course, he is right. We have to look at those methods of statistical analysis that match best the real pressures to spend, whether the areas involved are in the existing south-east or immediately outside.

Mr. Illsley: The Minister will be aware that the amount of money spent on the area cost adjustment has doubled since 1990 to something like £1.6 million. He has heard from hon. Members of all parties that there are many discrepancies between adjacent areas, some of which receive the area cost adjustment and some of which do not. Will the Government consider a specific cost approach and London weighting, or other specific data, in order to achieve an immediate change rather than wait until the research is available?

Mr. Jones: Our approach is based on specific data and research carried out by reputable organisations. London weighting is not the only additional cost borne by authorities in the south-east. Indeed, I see the hon. Members for Holborn and St. Pancras (Mr. Dobson) and for Greenwich (Mr. Raynsford), who are sitting on either side of the hon. Gentleman, squirming in embarrassment about the fact that he is arguing that the area cost adjustment should be reduced because that would hit their constituencies very hard. The adjustment has to be justified by rigorous statistical analysis, not by the hon. Gentleman's political prejudice.

Regional Assemblies

3. **Mr. Dunn:** To ask the Secretary of State for the Environment what representations he has received asking him to move responsibility for certain services from local councils to regional assemblies. [28029]

Mr. Gummer: Since last October, we have had more than 30,000 letters about local government from members of the public, and we cannot trace or remember any that demanded regional assemblies.

Mr. Simon Hughes: Regional assemblies are not local government.

Mr. Dunn: Does my right hon. Friend accept that there is no popular demand whatsoever in England for the setting up of unnecessary, expensive and socialist regional assemblies and that the people of Kent have no desire to have their local government affairs run from Woking or Reading? They believe that local government must remain local to Kent.

Mr. Gummer: I think that my hon. Friend received his answer from the Liberal local government spokesman, who said that regional assemblies are not local government. That is the whole point: regional assemblies are, in fact, utterly alien to Britain because they are not close enough to the people. People do not see themselves as living in regions and there are no natural boundaries to regions. The idea of the Labour party in the south-west, for example, saying that people in Cornwall should have their fire services organised in Bristol, or that people in Wiltshire should have their affairs run from Bristol, is entirely alien to the concept of local government. The idea that the counties, which fought for the independence that they have now been given since the changes, should have their powers taken away from them by a future Labour Government is anathema to most people.

Mr. Betts: That is one of the most nonsensical answers that I have ever heard the right hon. Gentleman give in the House. Does he not accept that the important point is that the Government have transferred powers, not to regional assemblies, but to quangos and have centralised more local government functions than any other Government in history? Economic regeneration, transport, housing and other matters are currently run by faceless officials in regional offices, but it is those things for which local people want elected councillors to have responsibility at a local level so that they can have a say. I hope that the right hon. Gentleman will deal with that point.

Mr. Gummer: I can understand why a former leader of Sheffield city council would want someone else to run his city, given the disastrous position in which he left it

and the debts that he ran up for it. The hon. Gentleman seems to think that parents are quangos and that people who run their own affairs are quangos. In fact, schools are now run by parents, teachers and governors on behalf of pupils. It is not only such matters that would be given to a regional assembly; it would, it appears, be responsible for economic development, the environment, planning, water and transport, all of which are currently run by local government. The idea that we have taken powers away from local government, when responsibility for something such as community care—one of the most important social services—has been given to local government, reveals just how empty the hon. Gentleman's rhetoric is.

Mr. Harris: Can my right hon. Friend confirm that the document to which he refers—[HON. MEMBERS: "Which document?"] The Labour party's document for regional government in the south-west which puts forward the concept of a regional assembly covering an area stretching from the Isles of Scilly in my constituency, right up to Swindon. As my right hon. Friend says, that would not only be anathema to the people of Cornwall, but would make absolute nonsense of the whole concept of local government and the provision of local control over those services.

Mr. Gummer: My hon. Friend is right. The document, which has now received welcome publicity, is a recent publication by the Labour party in the south-west. My hon. Friend is right to say that the only problem with the geography of the document is that the map on the front includes Berkshire as part of the south-west. I wonder whether the hon. Member for Newbury (Mr. Rendel) would like Newbury to be run from Bristol, for example. The difficulty for the Labour party is that it is in a party political mess. It needs regional government to justify having Scots in this House to vote on English matters without English Members voting on Scots matters. That is its only reason for regional government. It has nothing to do with the people of England.

Mr. Rendel: In relation to the powers of local government, what is the Secretary of State's reaction to the final report from the Commission for Local Democracy which was launched this morning? What is his reaction in particular to three of its recommendations that, first, there should be a single transferable vote system of elections for local government; secondly, that we should as a country ratify the European charter for local self-government; and, thirdly, that there should be a power of general competence for local government, except where prohibited by statute?

Mr. Gummer: I note that the question is about regional government. The first thing that that body said was that regional government was not a sensible policy for England. That was one of the few important things that it said—many of the other things that it said suffered a fundamental gap. It did not talk about the connection between who gave the money and who decided on the policy. The trouble with the whole issue of local democracy is this: if the money is supplied by the national taxpayer, it is difficult to have a kind of local democracy which enables people to pre-empt the decisions of central Government and have access to taxpayers' funds, without any kind of responsibility for the way in which those funds are spent.

The difficulty for the Commission for Local Democracy is that it failed to address that central issue. The document does not properly address that issue because none of the people concerned with the Commission for Local Democracy has had any history of trying to make sense of the reality of having to account for the money spent.

Mr. Thomason: Does my right hon. Friend find it in the least surprising that the majority of my electors in Bromsgrove are appalled at the prospect of their area being run by regional government in Birmingham? Does he find it ironic that Labour Members have been campaigning for the abolition of county councils for the past few years and yet, suddenly, they are arguing for the creation of super county councils in the form of regional assemblies?

Mr. Gummer: If that were so, it would be much easier. The Labour party is really campaigning for five levels of government. It wants Britain to become the most over-governed nation in Europe. It is very deeply concerned. It wants parishes, districts, counties, regions and the national Government. It wants all that—*[Interruption.]* Well, some of them want that and others do not want it. Above all, the trouble is that the person who speaks on the subject occasionally is not the man who will make the decision—he cannot be trusted with it. The hon. Member for Blackburn (Mr. Straw) is entrusted with that.

Mr. Salmond: Does the Secretary of State agree that it would be highly appropriate if a Scottish assembly had powers over oil and gasfield decommissioning? Do not the Government have a huge financial interest—up to £1 billion—in deep-water disposal as opposed to onshore dismantling? Was the Secretary of State consulted yesterday by the President of the Board of Trade before he made his sabre-rattling comments about denying—

Mr. Deputy Speaker: Order. That was a game try, but it was not relevant to the question.

Mr. Nigel Evans: Does my right hon. Friend accept that many people in the Ribble Valley were deeply disappointed when Lancashire county council, which is controlled by the Labour party, was not scrapped, but that they totally oppose handing powers away from themselves to a body that they would regard as even more remote and out of touch than the current county council?

Mr. Gummer: But those people would be supported in that by several members of the Labour party who are desperate to get rid of Lancashire county council. One of the problems with regionalism in the north-west is that although nobody outside the Labour party has asked for a regional assembly, many Labour party members, such as the hon. Member for Blackburn, see the prospect as a means of getting rid of the Labour leader of the county council, whom they are desperate to get rid of by one means or another.

Mr. Trimble: Is there not already a significant amount of administration that is regionally based, and would it not be better if such administrative regional devolution from Whitehall were subject to democratic control, rather than being run by quangos, as at present? Is not the Secretary of State right to say that there is no threat to the future unity of the United Kingdom from a uniform

system of regional devolution, but does not the real threat lie in having devolution for one region alone, as the Government propose?

Mr. Gummer: The hon. Gentleman may recognise that the issues raised in one part of the United Kingdom are particular and difficult, and I have no intention of being drawn on that subject here. However, one of the reasons why there now appears to be a bias towards female-only lists has been revealed. I have discovered that there is another way of getting rid of the leader of Lancashire county council. Is there no end to the Labour party's desire to attack her?

Sewage Treatment Works

4. **Mr. Congdon:** To ask the Secretary of State for the Environment what progress has been made in upgrading sewage treatment works which were in breach of their discharge consents at the time of privatisation of the water industry. [28030]

The Minister for the Environment and Countryside (Mr. Robert Atkins): Of 918 sewage treatment works identified in 1989 as requiring investment, 95 per cent. are now compliant with their consents. Further investment is planned over the next 10 years.

Mr. Congdon: May I congratulate my right hon. Friend on having become my right hon. Friend. I welcome the improvements that have taken place in the treatment of sewage since the massive investment following privatisation of the industry, but does my right hon. Friend agree that there is more to be done to ensure that no sewage is discharged into the sea in an untreated state?

Mr. Atkins: I am grateful to my hon. Friend for his remarks. The problem that he mentions has been around for a considerable time, and because of its size it is not likely simply to go away. However, since privatisation many companies involved in the disposal of sewage have spent vast sums on improvements. My hon. Friend's point is well taken, and I am sure that the water companies already spending that money will continue to do so, so that, in the not-too-distant future, the concerns that he has expressed will vanish.

Ms Ruddock: Does the Minister agree that the improvements to which he alluded have been made as much to comply with European directives as because of privatisation? Is he also aware that the beaches at the major resorts in this country are still being contaminated by the discharge of sewage into the sea, and that the European Commission's recent annual report placed Britain third from the bottom of the league table for bathing water quality? Is it not true that this summer holidaymakers should be given the health warning, "Bathing in sea water in Britain can damage your health"?

Mr. Atkins: The hon. Lady raises several points, although, as usual, she puts her finger on a problem that is easy to attack, but she does not understand the solutions. The fact remains that this country has spent more on cleaning up its beaches and providing sewerage facilities than any other country. That has happened as a direct result of privatisation, although the hon. Lady is right to say that the European Commission has played a part. Surely the point is that for years in this country we thought that poking a pipe into the sea off the coast to get rid of sewage was acceptable, but we now reckon that it is not. It will cost a lot of money and take a lot of time to redress that, and it does not help if Opposition Members such as the hon. Lady attack tourism, the towns that depend on it and Britain as a whole by suggesting that our beaches are unsafe, when they are not.

Mr. Hawkins: May I join in the congratulations to my right hon. Friend on his well-deserved advancement, which was particularly welcome among fellow Lancashire Members? Will he confirm that one of the best of the recent advances in sewage treatment is the splendid investment that North West Water is making to clean up the sea off Blackpool's beaches to ensure that our leading resort remains the best in the world? Is it not outrageous that the Opposition seek always to run Britain and its tourism down?

Mr. Atkins: I am extremely grateful to my hon. Friend for his kind remarks. Blackpool is arguably the most important tourist resort in Europe, and certainly the most important in the United Kingdom. My hon. Friend, and my hon. Friend the Member for Blackpool, North (Mr. Elletson), speak firmly and regularly in favour of the town they represent. Anyone who attacks Blackpool and its contribution to the British economy through tourism does Lancashire and this country a grave disservice. We know who is doing that.

Homelessness, London

5. **Mr. Corbyn:** To ask the Secretary of State for the Environment what is his estimate of the total number of homeless people in London. [28031]

The Minister for Local Government, Housing and Urban Regeneration (Mr. David Curry): Last November, a count by voluntary sector agencies found 288 people sleeping rough in central London.

Mr. Corbyn: Does not the Minister think that it is quite disgraceful that anyone should be sleeping rough in London? Can he explain why 28,000 families have been accepted as homeless by London's local authorities, and why hardly any building by local authorities or by housing associations is going on? Why are the Government relying on hostels to solve the homeless crisis? Does not the contrast between the 20 million sq ft of empty office space in London and the enormous housing waiting lists, and the enormous number of homeless people, suggest that the Government have got it badly and totally wrong? The Government's real priority must be to build houses for affordable rent so that people can get a clean, decent and safe roof over their heads, rather than experience the misery of bed-and-breakfast or hostel accommodation.

Mr. Curry: The hon. Gentleman has got it wrong again. He knows that the rough sleepers initiative has been a great success in the past few years. That has been due to the remarkable co-operation between the voluntary organisations—to which I freely pay tribute—and my Department. The principle of that co-operation has been to find people who have difficulties and move them through into hostels. They will then be put into permanent accommodation so that they can move into some form of settled life. That will never be available for everybody, as some people with particular problems with drink and mental illness will not be able to live autonomous lives without a great deal of assistance. The system is working

extremely well, and I have given an undertaking that it will be followed by a new rough sleepers initiative. I am pleased to pay tribute to all of the volunteers who have worked so hard to make the scheme succesful.

Mr. Brooke: I congratulate my hon. Friend and the voluntary sector on the progress which the figure of 288 rough sleepers represents. But does he agree that definition in this problem is important? Would not a regular and comprehensive indexed scale of the problem—agreed with the key charities—be helpful, both in the context of policy making and informed questioning?

Mr. Curry: My right hon. Friend is right in that regard. We have a clearing house which helps to identify people who find themselves in that position and which can find accommodation for them. It is also important that we ensure that the voluntary agencies share information more effectively with each other. We have identified the schemes which are working most effectively, and we will see how we can focus those schemes on people with particular problems—for example, mental health, alcohol or drug problems. The infrastructure is largely in place, and making sure that it works efficiently is a key priority.

Mr. Simon Hughes: When will the Minister announce the Government's proposals to come to the rescue of long leaseholders who are contemplating the prospect of becoming homeless because they have bills of up to £27,000 for capital charges which they cannot possibly begin to pay? A working party has bounced ideas around the Department, but nothing has been said on the subject for months. Those people are desperate for some news, and they want to be rescued from a predicament which they never envisaged.

Mr. Curry: I will send the hon. Gentleman the announcement that we made last Monday.

Regeneration

6. **Mrs. Lait:** To ask the Secretary of State for the Environment in which main areas in England there has been significant regeneration. [28032]

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): Our cities and towns are benefiting from more than £1 billion per annum in special regeneration initiatives, on top of national housing, training and education programmes. The special initiatives include urban development corporations, city challenge and the single regeneration budget challenge fund, and are building new partnerships throughout the country. They have stepped in where Labour authorities on their own have frequently failed abysmally.

Mrs. Lait: I am pleased at the success of the regeneration policies, but does my hon. Friend agree that perhaps the time has come to look at other areas in need, such as Hastings? My constituents are aware that the town has high levels of unemployment, criminality, drug, solvent and alcohol abuse as well high levels of child and sex abuse, poor housing and bad roads. Does he agree that it is about time his Department started to recast its policies and moved in the direction of other areas, such as Hastings, which need help?

Sir Paul Beresford: I think that my hon. Friend is already aware that we have moved in the right direction. In fact, Hastings has done so, because it is receiving just under half a million pounds from the round one bid for the challenge fund. My hon. Friend should persuade, if she can, her local Liberal-Labour council to work with the grain rather than against it and launch a decent bid—I hope with success—for the next round.

Mr. Pike: Does the Minister recognise that it does no good to make an unnecessary swipe at Labour councils, as he did a few moments ago? The Burnley initiative, which comprises business, local industry and the community, is working well with the council. Their only comment to the Government would be that they should not have to get money through competition, because the Government should give out money based on need.

Sir Paul Beresford: The hon. Gentleman misses the point. He has obviously not read the newspapers recently; otherwise, he would have noted that a small Labour authority called Monklands is in some trouble. We have in our midst the ex-leaders of Islington and of Sheffield, where there is degeneration rather than regeneration. That is why we must opt for partnerships.

Mr. Jacques Arnold: Was not the Thames gateway one of the most fascinating recent decisions of the Government's regeneration policy together with the choice of Ebbsfleet as the station on the channel tunnel rail link? Does that not augur extremely well for jobs and many other improvements in north-west Kent?

Sir Paul Beresford: My hon. Friend is right. He has obviously noticed that we recently launched the final strategy, which was successfully received with a positive response. Even those one would expect to be critics have joined in praising the venture.

Private Rents

8. **Mrs. Anne Campbell:** To ask the Secretary of State for the Environment what is the average rent paid by tenants of private landlords; and what was the equivalent figure for 1978-79 in actual and real terms. [28034]

Mr. Robert B. Jones: The average weekly rent paid by tenants of private landlords in England is £60.00. The average weekly rent in 1978-79 was £6.30—equivalent to £17.00 a week at 1993-94 prices.

Mrs. Campbell: Does the Minister accept that as a result of Government policies there has been a massive increase in private sector rents, which has caused a huge increase in the cost of housing benefit in the past five years from £1.1 billion to £4.9 billion?

Mr. Jones: We are anxious to ensure choice in housing for the people of Britain, and that means a healthy private rented sector. It follows from not being able to get a decent return that landlords will not come forward. If Opposition Members argue for rent controls, they must bear the consequences. For example, in 1974, when rent control was extended to furnished lettings, the number of such lettings fell by 400,000 and were therefore unavailable to people.

Rented Homes

9. **Mr. Miller:** To ask the Secretary of State for the Environment how many rented homes were provided through the Housing Corporation in 1993-94; and how many will be provided in 1995-96. [28035]

16. **Ms Hodge:** To ask the Secretary of State for the Environment how many rented homes were provided through the Housing Corporation in 1993-94; and how many will be provided in 1995-96. [28042]

Mr. Curry: The Housing Corporation estimates that it will provide 46,000 rented homes in 1995-96, including properties freed up by tenants' incentive schemes and the do-it-yourself shared ownership scheme. In 1993-94, about 52,000 were provided.

Mr. Miller: Those figures are somewhat misleading. Data provided by the Government in their own statistics show a massive fall in approvals from 1993-94 to the current year and a fall in completions. Add that to the difficulties faced by local authorities because of the rather ridiculous restrictions placed on them by central Government and the fact that the house building market has stagnated because of the Government's fiscal policies, and it is no wonder that we have a housing crisis. When are the Government going to do anything about it?

Mr. Curry: What matters is that properties become available, and it makes sense to use resources to make the maximum number of properties available for whatever resources are available. It makes a great deal of sense, for example, to use tenants' incentive schemes, encouraging people to buy in the private sector and freeing up property, because of their effect on the number of properties entering the marketplace for new tenants.

Mr. Miller: How many are available?

Mr. Curry: The hon. Gentleman should not forget that about 250,000 local authority housing association tenancies become available each year, and that 75 per cent. of the programme to which he referred is for homes to rent. He should have the common sense to realise that the important thing is to free up the maximum number of properties so that people can take advantage of them. He should not become too hooked on the idea of new build and he certainly should not become hooked on the idea that local authorities should throw some mythical crock of gold into the gap. Even Members on his own Front Bench will not tell us how they would manage that.

Ms Hodge: I agree that it is important to have properties available, but it is also important that properties should be available at affordable rents. Does the Minister agree that, when he allocates grants to housing associations through the Housing Corporation next year, he will have to have regard to the quality of what is produced and the existing rents of those housing associations?

Mr. Curry: The hon. Lady, in her capacity as chairman of Circle 33 housing association, has perhaps been more successful than in her more distant capacity as leader of Islington council.

Ms Hodge *indicated dissent.*

Mr. Curry: Therefore, she speaks with some experience on that matter. We are obviously reflecting on questions of the type that the hon. Lady asked us, because it is important to ensure that rent increases do not reach the point at which they start costing resources and that maximum use of resources is made. I am sure that, if the hon. Lady will bide her time, she will discover that we shall cover those in the forthcoming publication.

Mr. Raynsford: To put the record straight, may I remind the Minister that his Department recently published a memorandum confirming the need for 60,000 to 100,000 rented homes to be built each year, and that at the same time his Department's annual report—which I assume he does not repudiate—shows that output from the Housing Corporation's approved development programme this year will generate only 18,900 rented homes, not the much larger figure to which the Minister tried to refer in his answer?

Although I understand the Minister's wish to obfuscate and confuse the issue, will he now come clean and reveal that he is responsible for reducing the output of rented housing to the lowest point for 50 years?

Mr. Curry: I thought the hon. Gentleman would come up with that one. He is confusing new building and new letting. Let us place the facts on the record. In 1995-96, 36,000 properties will be made available in approved development programme lettings, 7,200 properties will be released by tenants' incentive schemes and about 2,820 will be released by do-it-yourself shared ownership. That gives a figure of 46,020, to which I referred in my earlier answer.

English Partnership

10. **Ms Corston:** To ask the Secretary of State for the Environment when he next intends to meet the chairman of English Partnership to discuss its progress. [28036]

Mr. Curry: My right hon. Friend will meet Lord Walker on 17 July.

Ms Corston: What steps does the Minister propose to take to ensure that local councils receive the help that they require with their plans for regeneration? Does he not realise that it is vital that the creation of a new agency should not be regarded as a substitute for Government action to help local councils with their plans for local regeneration and to help local businesses to bring prosperity to communities and cities?

Mr. Curry: I am sure that the hon. Lady will know that I have had detailed discussions with the Bristol development corporation, of which the chairman of Bristol local authority is a member, to try to make progress on the development scheme and to bring it to a successful completion. Two schemes previously proposed by the corporation have not materialised. There is now one on which I have authorised negotiations. I hope that that will be successful, but we must ensure that, when the corporation does come to an end, an organisation exists that is able to take over the assets. I have therefore insisted that there should also be discussions with English Partnership, a body that is very experienced in the subject. I hope that the private sector development will succeed, that I shall be able to authorise it and that the third one will be the lucky one. At the same time, it is important for the protection of Government money to ensure that there is a failsafe mechanism.

Mr. Vaz: Does the Minister accept that when the Government created English Partnership they failed to

make clear that organisation's role? Will he now accept the views of the private sector and others, and initiate a thorough review of the role and functions of English Partnership so that it plays an important part in our regeneration process rather than being just another Government quango, as it is at present?

Mr. Curry: The Opposition have clearly caught review mania. It is amazing that they do not demand a review of whether today is Wednesday. *[Interruption.]* The hon. Member for Leicester, East (Mr. Vaz) does not even know the answer to the question—not surprisingly.

English Partnership has a clear role: to assist in development, to act as a partner in development and as a focus and help for inward investment, and to use Government resources in the most cost-effective manner. That role is played admirably by Lord Walker, who has a very good knowledge of how government and the private sector work, and of regeneration—in fact, he is almost everything that the hon. Member for Leicester, East is not.

Construction Industry

11. **Mr. Luff:** To ask the Secretary of State for the Environment what action he is taking to minimise procurement disputes in the construction industry. [28037]

Mr. Robert B. Jones: My Department is working with the Construction Industry Board in taking forward the recommendations in Sir Michael Latham's report, "Constructing the Team". The Government are also consulting on legislative proposals arising out of Sir Michael's recommendations, which are designed to address some of the causes of disputes in the industry.

Mr. Luff: Does my hon. Friend understand the concern of construction industry subcontractors such as Metal Constructions Ltd. in my constituency, which wants to see a construction contracts Bill in the next Session of Parliament? What reassurance can he give me to share with such companies, that the Government are committed in principle to legislate on issues identified in the Latham report?

Mr. Jones: I share my hon. Friend's concern for the position of subcontractors as, before entering the House, I spent my working life in the construction industry. I can confirm that the Government have made it clear that, provided there is a consensus in the industry on how to move forward, we will legislate. I am sure that my hon. Friend will understand that I cannot bind the Government over the contents of the Queen's Speech. We are making steady progress, which is due to the hard work of many people in the construction industry and, of course, Sir Michael Latham himself.

Central and Local Government

12. **Mr. David Nicholson:** To ask the Secretary of State for the Environment what action he will take to improve relations between central and local government. [28038]

Mr. Gummer: Last November, the Prime Minister and the chairmen of the local authority associations agreed written guidelines for the conduct of relations between local and national government. We are committed to seeing active and robust local government delivering quality services which their residents want and can afford.

Mr. Nicholson: Does my right hon. Friend agree that the best way of countering the rubbish that we hear from both Opposition parties about regional assemblies is to improve further the relations between central and local government? Should that not include improving the co-ordination between the two tiers of central Government, where there are two tiers, central Government taking account of the functions that they devolve to local government, the outlawing of extremism, corruption and maladministration such as we have seen in Monklands and Hackney and, finally—building on my right hon. Friend's excellent decision last week in respect of Somerset—the relaxing of capping?

Mr. Gummer: I hope very much that we can continue the good relationships that we have built up with local authorities. That can be achieved across the party-political divide by people who are concerned to give local authorities a proper role in the way in which the government of this country operates. It does not help to pretend that local authorities had powers taken away from them when their biggest challenge at present is the implementation of community care—a major new sphere in which they can operate in an enabling way. They have accepted the challenge gladly and with enthusiasm. It does not help to threaten local authorities, whether county, district or unitary, with yet another tier of local authority—regional government—particularly without any reference to how it would be done and knowing it to be a party-political ploy.

Mr. Macdonald: What steps will the Secretary of State take to improve relations between the central Government and my local Western Isles council following its successful campaign to stop the dumping of the Brent Spar at sea? As the Government have been so completely wrong and so completely humiliated with regard to the Brent Spar, is it not time for an apology or perhaps a note of humility from the Dispatch Box?

Mr. Gummer: The solution to the Brent Spar problem is now less environmentally friendly. That is the issue, and Opposition Members will have to accept that fact.

Relations between central and local government—that is what the question is about—are for my right hon. Friend the Secretary of State for Scotland.

Mr. McLoughlin: Bearing in mind the fact that central Government may have to supply some 90 per cent. of local government finance, will my right hon. Friend consider carefully whether it is time for his Department to issue to every household in the country the exact position in relation to the amount of funding going to each local authority? That will ensure that the position is readily understood, despite the misleading propaganda from local government.

Mr. Gummer: My hon. Friend has raised this matter before and he is right to press it. I hope that the simple performance indicators that we are now publishing will help in that direction. The truth is that good local government is extremely good, but there are many examples—as we have seen from the newspapers in the past few days—of where local government has been very bad indeed. Monklands is one such example. We must try to draw a distinction not only between local authorities that are manifestly operating in an unacceptable way but

between those that are just badly run. I should have thought that Hackney and Haringey would be two very good ones to start with.

Planning Policy

13. **Mr. Hanson:** To ask the Secretary of State for the Environment what representations he has received regarding his review of planning policy. [28039]

Sir Paul Beresford: The only review that my right hon. Friend proposes at the moment is to revise PPG6, on which he has received a number of representations.

Mr. Hanson: Is the Minister aware of the continued pressure from developers for out-of-town shopping? Will he take the opportunity today to assure the House that, in any future review, he will stick closely to the Government's position of opposing out-of-town shopping and not pander to developers?

Sir Paul Beresford: I am sorry, but the hon. Gentleman seems to have missed the various discussions and debates that have taken place. That is the reason for the revision and the rethinking of PPG6.

Mr. Mans: When my hon. Friend reviews planning policy, will he take careful note of the more silly structure plans of various counties, such as Lancashire? It is suggesting that another 66,000 houses should be built in the county in the next 10 years, particularly around small towns such as Garstang and Preeshall, which would completely alter the character of the villages and towns. Those houses are not wanted in the county by anyone who knows what is going on there.

Sir Paul Beresford: As my hon. Friend will know, I am abundantly aware of those points. I spent a rather enjoyable hour and a half one morning having them rammed down my throat. The only member of the Labour party present protested with a small voice, but it is his party that should get its act together on the issue.

Rats

14. **Mr. Nigel Griffiths:** To ask the Secretary of State for the Environment what representations he has received alleging failure to control rats by the water and sewerage companies. [28040]

Mr. Atkins: It seems singularly appropriate that rats should be answering a question about rats. My Department has received no such representations.

Mr. Griffiths: Has the Minister seen the report released in June by the Chartered Institute of Environmental Health? It shows—if the Minister had chosen to inform himself, he would know this—that the number of rat infestations has increased by more than 40 per cent., that one in seven houses is now infested with rats and that the water companies have slashed the budgets of pest control officers. Is the Minister satisfied with those cuts, which have obviously been used to fund some of the boardroom bonanzas?

Mr. Atkins: According to the survey that was carried out, there has been an increase in the number of infestations from 4.4 per cent. to 4.8 per cent. I suggest that most of those are in Monklands.

Mr. Fabricant: What does my right hon. Friend intend to do about an infestation in Staffordshire that we do not enjoy? They moan about the standard spending assessment, they have more than £70 million held in reserves and they threaten school children with teachers losing their jobs? Should not we do something about the rats in Labour-controlled Staffordshire county council?

Mr. Atkins: My hon. Friend has a point. However, there is a serious issue. Scare stories are being spread by the likes of the hon. Member for Edinburgh, South (Mr. Griffiths) to suggest that rats are on the increase. There has been a small increase in certain areas, but the problem must be viewed in proportion. According to the survey by the Chartered Institute of Environmental Health, the number of rats has increased by 0.4 per cent. In those circumstances, the stories from Opposition Members are little more than scaremongering and my hon. Friend has a better point than the hon. Member for Edinburgh, South.

Mr. Banks: Since the Minister seems to know precisely the percentage increase, what is the United Kingdom population of rats?

Mr. Atkins: It depends whether they are rattus vulgaris or whether they are black rats. My comment about Monklands would apply to the black rats.

Regional Government

15. **Mr. Day:** To ask the Secretary of State for the Environment what representations he has received about regional government in the north-west. [28041]

Mr. Gummer: I have received no representations in favour of regional government in the north-west and I doubt whether anybody ever will.

Mr. Day: My right hon. Friend will know that in my eight years as Member of Parliament for Cheadle I have received no such representations from business men in my constituency or within the region and further, and that in my eight years as a vice-president of Stockport chamber of commerce I have received no such representations from businesses in Stockport requiring regional assemblies. Does he agree that the north-west is a powerhouse for exporters, high-tech industry and aerospace and is doing great stuff for Britain? Will he ensure that that remains so and never even consider the Labour party's ridiculous proposal for regional assemblies? What would they do other than get in the way of private industry?

Mr. Gummer: But I am sure that my hon. Friend recognises that we have had no requests from the Labour leader of Manchester council or from the Labour leadership in Lancashire for a regional assembly. Nobody wants a regional assembly, not even the Opposition, but they have to support it because it is the only way of ensuring that Scottish Members of Parliament can vote on English issues, while English Members of Parliament cannot vote on Scottish issues. We all know perfectly well why the Labour party is so silent, with the single exception of the hon. Member for Sheffield, Attercliffe (Mr. Betts), who is busy wanting regional authorities to make up for his very sad past. Labour Members are keeping quiet because they know that it has nothing to do with the governance of Britain, but concerns the Labour party's determination to fix the electorate.

Mr. Campbell-Savours: In so as far as many decisions relating to my constituency and the constituency of the hon. Member for Cheadle (Mr. Day) are actually taken in

the north of England—they are taken in Preston, Manchester and, in my case, Newcastle—surely there already is a regional tier of government?

Mr. Gummer: No. Ministers are, perfectly properly, advised by civil servants, but Ministers take the decisions and are accountable to the House. The Opposition want not only Ministers responsible to the House but five tiers of government. The hon. Gentleman would not put up with it for a moment. He would insist that he had powers in the House. He should speak out in his own party against the silly devolution plans that it is putting forward.

Mr. Elletson: Will my right hon. Friend give the House his latest estimate of the cost to the taxpayer of an extra tier of local government in the north-west? Will he tell us how much more tax the people of Lancashire would have to pay for the privilege of being governed from Manchester?

Mr. Gummer: Now that we have the Labour party's scheme for the south-west we are applying it to the whole country and working out what it will cost. We will then be able to give my hon. Friend a much more detailed breakdown. I hope that my hon. Friend has noticed that, at the same time as advocating an extra tier of government that would increase costs for businesses, the hon. Member for Lewisham, Deptford (Ms Ruddock) is attacking the British tourist industry and making people afraid to go on holiday in Britain—because she does not even care about putting party political profit ahead of the people of Blackpool.

Council Homes

17. **Mr. Austin Mitchell:** To ask the Secretary of State for the Environment how many homes have been built by local councils in England over the past five years; and what were the figures for the period 1974 to 1979. [28043]

Mr. Curry: Twenty-seven thousand seven hundred and 460,900 respectively.

Mr. Mitchell: The Minister is telling us that, at a time of desperate and growing need for low-cost social rented housing, the number of starts and completions by councils is down by more than 90 per cent. Is he proud of that? Is he proud of the fact that councils will build only 1,000 new houses this year and that housing associations will build fewer than 20,000, at a time of need? Is he proud of the fact that, this year, there will be the lowest number of starts for low-cost rented housing for 50 years?

Mr. Curry: The hon. Gentleman has been in this place long enough to know that the earlier figure referred to local authority building at a time when local authorities were the prime new builders of social housing, whereas the latter figure refers to a period when that role has been largely taken over by housing associations. Last night the hon. Member for Greenwich (Mr. Raynsford) and I were at a meeting to celebrate the 60th anniversary of the National Federation of Housing Associations, whose members are now significant builders. He might have added that 260,000 new lettings in the relevant period came from housing associations.

The answer to the hon. Gentleman's question is therefore simple: the Government do not believe that new build should be undertaken predominantly by local authorities. We believe in diversification of tenure and in choice. We believe that housing associations are better placed, more skilful and more effective at delivering new housing than local authorities.

Mr. Dobson: Will the Minister confirm that, taking council house building and housing association building for rent together, the total this year will be the lowest for the 50 years since VE day?

Mr. Curry: We have produced 180,000 new lettings in the past three years, and we will produce as many again in the next three years. What matters is letting, not building. It is nonsense to assume that the only house available is one built from scratch. What matters are properties coming to the marketplace for social letting. We have made significant achievements in that respect, and we shall continue to build on them.

Local Government Finance

18. **Mr. Clifton-Brown:** To ask the Secretary of State for the Environment what recent representations he has received on changes to the capping criteria for local authority budgets. [28044]

Mr. Curry: I shall consider the capping criteria for 1996-97 in the context of decisions on next year's local government finance settlement.

Mr. Clifton-Brown: Does my hon. Friend agree that we should relax the capping criteria on local authorities, so that profligate and wasteful expenditure decisions by councils can be well and truly exposed and local people can make their decisions known via the local ballot box?

Mr. Curry: Any Government will seek to find ways in which people can distinguish at local level between those offering themselves for election, at the same time as making sure that Government's responsibility for overall economic policy continues. In the light of that, we shall consider the capping criteria next year.

Mr. Denham: Will the Minister confirm that on current projections Hampshire county council will be required to cut its budget by £38 million next year? Why, then, has he absolutely refused to meet representatives of the county council, the business community and local residents in Hampshire to discuss the crisis into which he is forcing the council? Is this not a case of "those who won't listen won't learn"?

Mr. Curry: Next year's budget for Hampshire county council has not been set; the capping criteria have not been set; decisions on the SSA have not been taken; and the budget has not been announced. When the hon. Gentleman talks about what might happen next year he is indulging in sheer fantasy.

Cement Kilns

20. **Mr. Bennett:** To ask the Secretary of State for the Environment if he will make a statement about the burning of secondary liquid fuel in cement kilns. [28046]

Mr. Atkins: I wrote to the hon. Member for Denton and Reddish (Mr. Bennett) on 13 June welcoming the

Select Committee's initiative on burning SLF in cement kilns. I said that the existing controls are sufficient to regulate cement kilns and SLF.

I can assure the House that the trials are strictly controlled and that Her Majesty's inspectorate of pollution will stop any which endanger the environment. Permanent burning will be allowed only if HMIP is satisfied that the environment will not be adversely affected.

Mr. Bennett: Does the Minister accept that people who live close to cement kilns have suffered for a long time from pollution from the dust and that they are now extremely worried about the possible effects of burning this new fuel? Would it not be far better to reassure them by ensuring that the trials are short-lived and that no permanent permission for burning this new fuel will be given unless the same conditions apply as those for burning waste?

Mr. Atkins: My hon. Friend the Member for Ribble Valley (Mr. Evans) has been particularly involved in pursuing me on a matter affecting his constituency directly, and the hon. Gentleman and the Select Committee have asked similar questions. I am grateful to the hon. Gentleman for his Committee's report and, as he will know, I am in full agreement with some of the things that he said. The trials that are going on are being conducted by HMIP, which is a highly regarded and internationally renowned organisation. I must await its advice before I make any decisions.

Points of Order

3.30 pm

Sir Peter Hordern (Horsham): On a point of order, Mr. Deputy Speaker. Will you tell the House what can be done to protect the rights of right hon. and hon. Members when it is quite clear from press reports that officials in the Scott inquiry have been leaking misleading information to the press? I have in my hand an article that appeared in *The Times* today, which says:

"Sir Richard is understood to believe that the leaks are intended to undermine his report . . . and believes that some of those criticised in his report are seeking to discredit his findings before they are"—

Mr. Deputy Speaker (Mr. Michael Morris): Order. The Scott inquiry has absolutely nothing to do with the Chair.

Mr. George Robertson (Hamilton): On a point of order, Mr. Deputy Speaker. I seek advice in relation to what the Prime Minister told the House yesterday afternoon, when he said:

"I have made it clear in 'Questions of Procedure for Ministers' that Ministers who deliberately mislead Parliament should resign, except in exceptional circumstances like a devaluation".

Only a couple of minutes later he referred to me individually, when he said:

"If the right hon. Member for Sedgefield (Mr. Blair) is so concerned about open government, will he say today that he will publish the earlier, secret report held by the Labour party into Monklands council, which the hon. Member for Hamilton (Mr. Robertson) has consistently refused to make public?"—[*Official Report*, 20 June 1995; Vol. 262, c. 149-150.]

That statement is untrue. The report to which the Prime Minister referred was published in March 1993, and it was made available to the press and to the public. Therefore, what he told the House yesterday, with specific reference to me, was not true. I can say only that he must have been misleading the House.

I wrote to the Prime Minister yesterday, pointing that out to him, and asked him whether in honour he would come to the House to clarify the point and apologise to me and to the House. He replied to me this morning, acknowledging that what he said was not true. He said:

"You know as well as I do that . . . a report may have been published as a result of your Party's internal inquiry."

Have you, Mr. Deputy Speaker, had any indication from the Prime Minister that he will now come to the House to give the apology and the clarification that, in honour and integrity, he should give us?

Mr. Deputy Speaker: I have had no communication from any hon. Member, least of all the Prime Minister.

Mr. Patrick McLoughlin (West Derbyshire): On a point of order, Mr. Deputy Speaker. Will you advise the House on whether there is any way in which the right hon. Member for Sedgefield (Mr. Blair), one of the Opposition Members who is paid extra out of the public purse, can come to the Chamber to make a statement on whether he will permit the report to be published? The evidence has remained secret. What has Labour got to hide?

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. Hon. Members know full well that the Speaker has no power to demand that any hon. Member makes any statement on any matter.

Mr. Alex Salmond (Banff and Buchan): On a point of order, Mr. Deputy Speaker. You, as Chairman of Ways and Means, and, indeed, Madam Speaker herself, have made clear on a number of occasions the preference that the House be told first of any new developments in Government policy. All of us would have seen on our television screens yesterday evening the President of the Board of Trade, and, indeed, the Minister for Industry and Energy, make a series of belligerent statements to the effect that Shell Oil might not be given permission for onshore disposal of the Brent Spar oil rig. Those statements may have been made in a fit of pique, and they were incredible statements to make, but even if the Government are advancing such an incredible argument, do they not have a duty to come before the House and be subjected to questioning about that extraordinary behaviour?

Mr. Deputy Speaker: The hon. Gentleman knows that Ministers must respond as they feel appropriate to what they believe to be their duty.

Mr. David Shaw (Dover): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I hope that it is a new subject.

Mr. Shaw: We have just heard the hon. Member for Hamilton (Mr. Robertson) say that my right hon. Friend the Prime Minister said something that was untrue yesterday—

Mr. Deputy Speaker: Order. I said that I hoped that the hon. Member's point of order would be on a new subject.

Mr. Shaw: It relates to the fact that 100 Labour Members have lied in the House about Monklands—

Mr. Deputy Speaker: Order. The hon. Member might like to rephrase that or withdraw it altogether. What he has said is not acceptable.

Mr. Shaw: I shall say exactly—

Mr. Deputy Speaker: No, a straight withdrawal.

Mr. Shaw: The fact is that 100 Labour Members— *[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Member deserves to be heard in silence.

Mr. Shaw: I would like to rephrase my point of order, Mr. Deputy Speaker, because I think that it should be phrased in the way that hon. Member for Hamilton phrased his point about my right hon. Friend the Prime Minister. One hundred Labour Members made false statements, untrue statements, on the Order Paper about the cover-up by Labour of Monklands district council.

Mr. John McFall (Dumbarton): On a point of order, Mr. Deputy Speaker—a new point about the progress of my private Member's Bill, the Wild Mammals (Protection) Bill, which received more support than any other private Member's Bill. Despite that, hon. Members considering the Dogs (Fouling of Land) Bill are deliberately filibustering. The public cannot understand the difference between the antiquity of the rules and procedures of the House and public opinion. Will you,

Mr. Deputy Speaker, do something to repair the dislocation between our procedures and public opinion so that my Bill might go into Committee?

Mr. Deputy Speaker: I am confident in the Chair of that Committee and confident also that there cannot have been filibustering. In any event, what happens in a Committee has nothing to do with me today.

Mrs. Alice Mahon (Halifax): On a point of order, Mr. Deputy Speaker. Today, the audit commissioners warned that patients' lives were being put at risk because of the chaotic state of hospital medical records. As the Government have spent millions of pounds on administrators over the past few years, has the Secretary of State for Health said whether she will come to the House to explain exactly what is going on?

Mr. Deputy Speaker: Madam Speaker has made it absolutely clear that that sort of manoeuvre to ascertain whether there will be a statement is unacceptable.

Mr. John Sykes (Scarborough): On a point of order, Mr. Deputy Speaker. I do not normally raise points of order, but I had no idea that the hon. Member for Dumbarton (Mr. McFall) would raise a point of order about his Bill. May I inform you, Mr. Deputy Speaker, that last week the Committee considering the Dogs (Fouling of Land) Bill spent about an hour discussing manuscript amendments that had been tabled by the hon. Member for Burnley (Mr. Pike)?

Mr. Tony Banks (Newham, North-West) *rose—*

Mr. Deputy Speaker: Is it a point of order?

Mr. Banks: Yes, Mr. Deputy Speaker. It relates to the point of order raised by my hon. Friend the Member for Dumbarton (Mr. McFall). Surely his point about proceedings in Committee is an example of where the will of the House as expressed on the Floor is being frustrated.

Mr. Deputy Speaker: We will not go back to points of order on which I have already ruled.

Prosecution Privatisation

3.38 pm

Mr. Julian Brazier (Canterbury): I beg to move,

That leave be given to bring in a Bill to allow the police to use private solicitors instead of the Crown Prosecution Service to prosecute in the magistrates' court.

The aim behind the Bill is simply to make justice for smaller crimes cheaper, faster and hence more easily pursued. Summary cases—those that have to be handled in magistrates courts—are in theory less important matters to be brought before the criminal law. For the victims, however, the theft of a vehicle, criminal damage up to £2,000 or common assault are serious enough offences.

It is interesting to note what has happened since 1985 while the Crown Prosecution Service has had a monopoly of handling summary cases. The latest figures available are for 1993, which was the peak year for crime. It rose sharply in the years until then and has fallen since. We find not only that, up to 1993, crime increased fast and that the police substantially increased the number of crimes that they cleared up, but that a number of cases had been downgraded from indictable offences handled in Crown courts to summary cases handled in magistrates courts. For all those reasons, one would have expected a substantial increase in the number of successful prosecutions in magistrates courts. Far from it. In 1993 the number of successful convictions in magistrates courts was 4 per cent. lower than 10 years before.

Costs too have spiralled. The Comptroller and Auditor-General is one of a number of authorities which have commented on the issue. It is interesting to ask how the system works. I shall furnish my argument with an example from my constituency. Canterbury police station is a few hundred yards from Canterbury magistrates court. Several excellent firms of solicitors operate in the immediate area. Every case—no matter how trivial—that is brought to court must go all the way to Crown Prosecution Service offices in Folkestone, with all the procedures involved in that. Cases that could have been dealt with before on the same day, largely on the strength of verbal briefing, must now be dealt with through that expensive and time-consuming procedure.

That is not a criticism of individual Crown Prosecution Service officials. When I visited them in Folkestone, I was impressed at how hard working and diligent they were. The truth is that the system is a grossly unwieldy one for dealing with minor offences.

I propose that we should allow each police area to appoint, if they choose to do so, one local firm of solicitors to handle a proportion of their magistrates court work. That firm would obviously have to give up any defence activities because, otherwise, there would be a conflict of interest. That proposal should be extended further to allow police officers to be used to prosecute some minor cases themselves, as used to be the case.

The new system would have a number of advantages. First, it would obviously be much faster. Secondly, it would be far cheaper. Those two changes would enable us to tackle more cases so there should be an increase, instead of a reduction, in the number of cases successfully brought. Thirdly, it would improve the motivation of the police force. Fourthly, in relation to minor cases, it would give police officers greater experience in court work. We have reached the absurd position where officers are having to be sent on courses to be trained as witnesses.

As far as I know, only two arguments have been advanced against my proposal. One of them involves the argument from uniformity and the other from independence. Uniformity cuts no ice with me and should cut no ice at least with Conservative Members because, as a party, we believe in diversity. Crime, especially petty crime, has a local aspect to it and it is right that, in some regions, people should choose to be more vigilant in relation to a particular type of crime if it is more prevalent in their region.

On independence, we often hear cases cited, such as the Guildford Four or Birmingham Six, but surely no one would maintain to the House that the procedures that are appropriate for a major criminal trial are appropriate for a person damaging someone's front door or for careless driving. However, all such offences must go through the same basic procedure, with the same people, in the prosecution process.

The question is posed immediately: why did we ever nationalise the service? Whereas Conservative Members would believe that it was perhaps a mistake to nationalise something as important as this anyway, hon. Members on both sides of the House would surely agree that the most appropriate way to handle small cases, petty offences—the offences that local magistrates courts exist to deal with—is for local police to deal with local solicitors.

These offences matter to my constituents and, I am certain, to other hon. Members' constituents. My approach would result in faster and cheaper justice and would allow us to handle more cases. I urge the House to support my Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. Julian Brazier, Sir Archibald Hamilton, Sir George Gardiner, Mr. Peter Bottomley, Mr. Robert Hughes, Mr. Graham Riddick, Mr. John Sykes, Mr. David Shaw, Mr. Roger Knapman, Mr. Bernard Jenkin, Mr. Nigel Waterson and Mr. Stephen Day.

Prosecution Privatisation

Mr. Julian Brazier accordingly presented a Bill to allow the police to use private solicitors instead of the Crown Prosecution Service to prosecute in the magistrates' court: And the same was read the First time; and ordered to be read a Second time upon Friday 22 June 1995, and to be printed. [Bill 142.]

Orders of the Day

European Union

[Relevant documents: The White Paper on Developments in the European Union January-June 1994 (Cm 2675); the White Paper on Developments in the European Union July-December 1994 (Cm 2798); the unnumbered Explanatory Memorandum submitted by HM Treasury on 6th June 1995 on the Commission's recommendation for the broad guidelines of the economic policies of the Member States and the Community; European Community Documents Nos. COM (95) 333, the Commission's Green Paper on the practical arrangements for the introduction of the single currency, EP: A4-0102/95, a European parliament resolution on the functioning of the European Union with a view to the 1996 Intergovernmental Conference-implementation and development of the Union, and SEC (95) 731, the report of the European Commission on the operation of the Treaty of the European Union; the Report of the Council of the European Union on the functioning of the Treaty of the European Union (Cm 2866); the Report by the Court of Auditors to the 'Reflection Group' on the operation of the Treaty on European Union; the Report of the Court of Justice on certain aspects of the Treaty on European Union; and European Community Documents Nos. 7221/95, on the White Paper on the preparation of the associated countries of central and eastern Europe for integration into the internal market of the Union, 12269/94, relating to recognition of qualifications for academic and professional purposes, and 5715/95, relating to the implementation of directives in the social field.]

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Andrew Mitchell.]*

Mr. Deputy Speaker (Mr. Michael Morris): Before I call the Foreign Secretary, I must announce that I have imposed a 10-minute limit on speeches by Back Benchers.

3.45 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): As usual, the debate covers a number of detailed documents, but I shall follow recent custom in looking forward rather than back. I shall try to set out the Government's approach first to the summit at Cannes under the French presidency at the beginning of next week, and secondly to the intergovernmental conference next year. Ideas for that conference are already being exchanged in the reflections group on which my representative is my hon. Friend the Member for Boothferry (Mr. Davis), the Minister of State.

I shall try to set out again the Government's philosophy and policies within the framework already established by my right hon. Friend the Prime Minister's speech at Leiden last year and his speech in the House on 1 March. That philosophy and those policies may not—indeed, do not—suit either extreme of the argument, and they therefore disappoint those who prefer excitement to reason, particularly in some parts of the press; but I strongly believe that they are the right philosophy and the right policies for the national interests of Britain and, indeed, for the success of the European Union. I also believe that, unless the Governments of Europe are remarkably foolish over the years to come, that is the approach that will succeed in the end. I do not believe in either the disintegration of the European Union or its conversion to a centralised state.

Mr. Tony Marlow (Northampton, North): Will my right hon. Friend give way?

Mr. Hurd: So soon!

Mr. Marlow: My right hon. Friend raised the spectre of a centralised European state. One issue that could be involved in that is obviously the single currency. Let us suppose that the next election took place in April 1997. I understand that, before joining a single currency, a country must have been in the exchange rate mechanism for two years. Given that our right hon. Friend the Prime Minister said that we would not join the ERM during this Parliament, would it be right to assume that the United Kingdom could not, in those circumstances, be a founder member of the single currency?

Mr. Hurd: It might be sensible if I dealt with the single currency at the point where it arises in my speech, but I do not know that I shall add a great deal to what my hon. Friend heard from the Prime Minister on 1 March, when he dealt with the matter at some length.

The line set out by my right hon. Friend the Prime Minister in the speeches that I have mentioned has been consistently advocated and defended by the whole Cabinet, which recently reaffirmed our commitment to it. It is greatly to be preferred to the policies of the Opposition, whose spokesmen hop about from one branch of the European argument to another, uttering first one note and then—a few weeks later—another, and, as far as I can see, being consistent only in their carelessness of the national interest. I believe that our policies are also to be preferred to others based simply on fear and dislike of the European Union to which we belong. If we want a Europe of nations, we need to work positively and persuasively with our partners to achieve it.

At Cannes and in the intergovernmental conference, we will be talking of the Europe of 1995, looking forward to the next century. Ten or 20 years ago, the mindset in Europe was different. Indeed, the general assumptions in Europe have changed since my right hon. and noble Friend Baroness Thatcher was Prime Minister. As she reminds us, she challenged the assumptions of the day with great vigour and she now summarises her stance as no, no, no. My recollection is a little bit different. I tend to remember it as no, maybe, yes. That was her approach.

Mr. Terry Dicks (Hayes and Harlington): Does my right hon. Friend agree that the truth about Baroness Thatcher was that her approach was yes, yes, yes—yes to the Single European Act, yes to giving money when the Community overspent and yes to the exchange rate mechanism?

Mr. Hurd: I think that my hon. Friend, with the best of motives, is slightly exaggerating. I would prefer to summarise it as no, maybe, yes. That was her approach to the successful negotiation of the British rebate and it was certainly her approach to the decisive extension of majority voting in the Single European Act.

Mr. John Sykes (Scarborough): Will my right hon. Friend give way?

Mr. Hurd: May I just finish this?

[Mr. Hurd]

I think myself that it would have been Baroness Thatcher's approach also to the issues of Maastricht and I do not criticise her for that. What the noble Lady did was to argue hard and when she had the best deal available for Britain, she signed. She argued and she signed. That is the record and, in its time, it was a successful one. The style now is different but, actually, the approach of my right hon. Friend the Prime Minister is much closer to that of his predecessor than she now supposes.

Mr. Sykes: I am grateful to my right hon. Friend for giving way. I am not really interested in what my right hon. and noble Friend Baroness Thatcher did in 1986. I am far more interested in, and want to ask about, what will happen in 1997. I want to ask my right hon. Friend whether he remembers 20 years ago, when we had the referendum. I was recently looking in my attic and I found an old leaflet which at the time I busily shoved through people's letter boxes. If I could quote from this document, which I was happy to disseminate in 1975, on the question of sovereignty and ministerial responsibility it says that

"the real guarantee of Parliamentary control over new EEC legislation is the fact that British Ministers attending the EEC Councils remain responsible to Parliament at Westminster and can, if necessary, veto decisions to introduce new EEC legislation if they believe that it would not be in the national interest."

It goes on to say, if my right hon. Friend will listen, that

"as long as Parliament can control its Ministers, it can control all important new laws that are made in Brussels and Luxembourg."

How can I hold my right hon. Friend to account in the House 20 years later when we have sold so many of our interests to qualified majority voting?

Mr. Hurd: That is precisely what my hon. Friend is doing now. He is holding me to account. He can do so frequently. It is perfectly true that in 1985 in the Single European Act, in order to gain the advantages of the single market we—and the Prime Minister of the day—accepted a substantial extension of majority voting. I think that she was entirely right.

I do not think that we could have had a single market and rules and a proper enforcement of those rules if every anti-protectionist measure and every attempt to enforce the single market had had to be done by unanimity. That was the argument that the noble Lady accepted in 1985 and I think that she was entirely right. But we do not believe that that having been accomplished, it is necessary to go further. That is one of the differences, as I shall seek to explain, between our position and that of the Opposition.

Going back to the mindset of 10 or 20 years ago and illustrating the change that is now occurring, it was assumed in those years that community spending was a good thing in itself and that budget discipline was an eccentricity to which only the British were attached. The prospect of enlargement in those days to include the Scandinavians and Austria was viewed with suspicion. Remember the hostile reception given to Lady Thatcher's speech at Bruges in which this was one of her main themes? It was felt that Britain was interested in enlargement only because Britain was opposed to deepening. Deepening good, widening probably wrong was the general view in those days.

It was supposed that the more the Community did, the better. It was an absolute. There was a steady move to enlarge the areas in which the Community was competent, that is, to draw more and more power to the centre. There are still people who hold these ideas and preach them, and when they do so their words are happily pounced on here by those who like to believe simply that Britain stands alone against the unanimous continental ambition for a centralised state. However, these voices, which were once dominant and which we still hear, are now defensive because events and opinion are moving against them, as I shall seek to show.

Mr. Hugh Dykes (Harrow, East): My right hon. Friend just now, quite rightly, gave the reasons why the Prime Minister is better as a successor to Baroness Thatcher, in respect not only of European matters but of other policies. Does he agree that one of the sad features of Baroness Thatcher is her repeated attacks on friendly member states in the so-called friendly European Union, not least the attack that she made on Germany yesterday? Will my right hon. Friend confirm that the Prime Minister has very good relations with the other member states?

Mr. Hurd: I was not seeking to make the point that my hon. Friend suggests. I was not seeking to make a distinction or difference; I was simply saying that the approach of arguing and then, when one feels that one has the best deal available for Britain, signing, is one shared by the present Prime Minister and his predecessor.

Going back to the difference between the mindset of those days and now, we now have the beginnings of budget discipline, as opposed to the time when it was thought that extra Community spending was essentially a good thing.

Mr. Alex Salmond (Banff and Buchan): Will the right hon. Gentleman give way?

Mr. Hurd: No, I have to get on.

I say that we have only the beginnings of budget discipline because we are not yet satisfied, but, when my right hon. Friend discusses in Cannes next week how much money the European Union should spend on helping the countries of eastern Europe and the Mediterranean, the whole discussion will be within spending guidelines laid down under his chairmanship in Edinburgh in 1992. There will be plenty of argument—there always is plenty of argument about these matters—but it will be within the financial bounds already set, something that would have been inconceivable in the early years.

The enlargement of the Union, which was regarded as heretical in the old days, has happened and will happen again. The argument set out in Bruges by Lady Thatcher about including the east is now orthodox. It is also now orthodox to say that the European Union should do less and do it better. That is a phrase of the present President of the Commission, Mr. Santer. It is inconceivable that his predecessor, Jacques Delors, in his heyday would have used such a phrase.

No one in a position of authority now talks about the "United States of Europe". Indeed, the federal Chancellor of Germany, who used to use the phrase, has explicitly renounced it, saying that we are not aiming for a United States of Europe. The European Commission and the European Parliament have recently set out their ideas of

how the intergovernmental conference should end up, and there are many things in their papers that we would contest.

It is notable that in neither the Commission's paper nor in the Parliament's paper is it suggested that further matters should be transferred from the competence of nations to the competence of the European Union. That, in itself, shows the change of mindset in recent years. As the chairman of the reflections group told me in Madrid this week, the dreaded F-word is nowhere to be seen.

Mr. Peter Shore (Bethnal Green and Stepney): Will the Secretary of State give way?

Mr. Hurd: I shall give way to the right hon. Gentleman in a minute.

No one is proposing an increase in competences. There is plenty of room for debate about what remains and about how Europe should act in the area already allocated for European action within the existing treaties, but there is no proposal on the table at the moment for an increase in that area. The accent is—

Mr. Shore *rose—*

Mr. Hurd: I shall give way in a moment if the right hon. Gentleman will let me finish the point.

The accent is on subsidiarity and deregulation within those spheres where the Union has a role under the existing treaties, and we shall want to find ways to entrench subsidiarity and deregulation during the IGC.

Mr. Shore: Before the Secretary of State escapes entirely into cloud cuckoo land, may I put to him one obvious point? All the European institutions—the Parliament, the Commission and the European Court of Justice—are making proposals, which are now before the reflections group and will be before the IGC, to dismantle the two pillars of foreign and security policy and home affairs and justice, which were the right hon. Gentleman's greatest claim to success in the previous negotiations. Surely he cannot overlook this major assault, which will not be confined to those three institutions but which will be backed by virtually all the Governments of the nation states.

Mr. Hurd: There is certainly a tentative attempt by those institutions to enlarge their scope within the area covered by the treaties. The point that I was making was that, I think for the first time in the history of the European Community, or Union, there is now to be a conference at which no one will seriously suggest that areas now within the competence of the nation state should be put within the competence of the European Union.

Several hon. Members *rose—*

Mr. Hurd: I shall give way to my hon. and learned Friend the Member for Burton (Sir I. Lawrence) and then get on.

Sir Ivan Lawrence (Burton): What does my right hon. Friend say about the current demand that we could only have Europol as an instrument for controlling organised crime and drugs if we were prepared to accept that Europol must be judicable by the European Court of Justice, which is within the competence of the European Union, however strongly we have asserted that justice and home affairs should be the third pillar of Maastricht outside the competence of the European Union?

Mr. Hurd: We shall resist that. Indeed, my right hon. and learned Friend the Home Secretary is resisting it at the moment. I hope that it will be possible to reach agreement on Europol—a very important and valuable proposal—at Cannes, without accepting the jurisdiction of the ECJ in what should be an intergovernmental pillar.

Several hon. Members *rose—*

Mr. Hurd: I shall give way once more and then I really must get on.

Mr. Iain Duncan Smith (Chingford): May I press my right hon. Friend on the point about competence? Surely the real factor is not so much that extra competence is granted under the aegis of the IGC, but that the European Court of Justice, in the way that it is constructed, does not need extra competence to be granted because it will, through teleological interpretation and other devices, grant itself greater scope by reinterpreting the treaties. Is not the reality that federalism may not be spelt out literally, but is in action the whole time through the European Court of Justice?

Mr. Hurd: If my hon. Friend looks at the recent judgments of the court, for example, on competence, and on the question of the World Trade Organisation, where the court found in favour of the member states against the Commission, he will find that the pattern is not as uniform as he and sometimes others seek to lay down. But of course one of the things that we shall need to look at during the IGC is the role of the ECJ and whether it fits our idea of how the institutions of the Community should work.

The Opposition do not seem to have noticed the change in mindset, which I have been—I hope—proving. In the 1980s, the Labour party was wholly opposed to British membership of the European Union. It now embraces the European ideas of the 1980s, just when the debate in Europe is moving away from them, as I hope that I have proved. It seems determined to stay about 10 years behind the gang. For example, it clings obstinately to the social chapter, and it clings obstinately to the national minimum wage—presumably as the price which the unions exacted for their support on clause IV.

The social chapter and the national minimum wage may suit the Leader of the Opposition's internal policies, but we believe that there would be a heavy price for Britain. The accent now in the European debate, which will be sounded quite clearly at Cannes, is on restoring Europe's competitiveness, not on undermining it further. The accent is on creating new jobs, not on destroying those which already exist.

Mr. Mike Gapes (Ilford, South) *rose—*

Mr. Robert N. Wareing (Liverpool, West Derby) *rose—*

Mr. Hurd: I shall just finish this part of my speech and then give way to the hon. Member for Ilford, South (Mr. Gapes).

President Chirac has rightly put the creation of jobs at the top of the agenda in Cannes next week. Our Prime Minister, representing the country with the fastest falling unemployment in the European Union, is well placed to take the lead.

Mr. Gapes: How many member states of the enlarged European Union are in favour of ditching the social chapter?

Mr. Hurd: With regard to the member states at Maastricht, before this concern with competitiveness really took hold, people signed up to the social chapter who would have been much wiser to follow our example and stay well away from it. They are now repenting that. On that day, I remember very clearly, the European employers were not awake to what was happening. A recent report from the European Employers Federation puts deregulation and subsidiarity at the top of its list and realises that the loss of competitors in Europe is connected with the inflexibility of the labour market. It is now moving away from the ideas which the Labour party would have this country embrace. That is what I mean by saying that the Labour party appears to be, in the most damaging way, about 10 years behind the debate.

Mr. Wareing: Will the right hon. Gentleman give way?

Mr. Hurd: No, I am going to move on.

In his speech in Chatham house and again in Bonn recently, the Leader of the Opposition offered up four whole areas of policy for qualified majority voting: industrial, regional, environmental and social. Last month many of his Members of the European Parliament, presumably taking their cue from him, voted for much wider extension, to collapse the intergovernmental pillars and to move to full co-decision between the European Parliament and the Council of Ministers.

Mr. William Cash (Stafford): Will my right hon. Friend give way?

Mr. Hurd: May I finish this passage? Then I shall give way to my hon. Friend.

To those of my right hon. and hon. Friends who want to establish clear blue water between the views of the Opposition and those of the Government on Europe I simply say this: "You have it. Read the speeches by the Leader of the Opposition and read the speeches by the Prime Minister, especially the two that I have mentioned." We do not need to retreat into a stream of negatives or a mood of sourness to establish a difference between the parties. The difference exists; it is there in the texts; the Leader of the Opposition created it. He thought that he was being fashionable about Europe, but the fashion has changed. Our policy is based not on fashion but on an analysis of the national interests of Britain. His policy is based on a set of ideas that, in our view and in the view of an increasing number of Europeans, have had their day.

Mr. Cash: Of course Conservative Members acknowledge that the Opposition are absolutely hopeless on majority voting, but will my right hon. Friend comment on the Foreign Ministers' report adopted in April, to which he and the Government subscribed? It is now contained in a Command Paper before the House, and it says clearly:

"On the question of efficiency the continued extension of qualified majority voting is a positive factor".

How does my right hon. Friend square that with what he has just said about majority voting and governmental competence?

Mr. Hurd: As I shall say in a minute, for the single market, to keep the protectionists at bay and for the sake of any future reform of the common agricultural policy, qualified majority voting will be needed. But I do not believe—in fact, I strongly disbelieve, if that is the right word—that qualified majority voting should be extended into the area in which I have most experience, that of foreign policy. I shall say more about that in a minute.

Mr. Wareing *rose—*

Mr. Hurd: No, I shall get on.

As regards the summit at Cannes, I have already mentioned the debate on employment. Everybody hopes that it will be possible to reach agreement on setting up Europol, because agreement is needed. My hon. and learned Friend the Member for Burton (Sir I. Lawrence) asked me about that. Europol will not be a Community institution but will be established under the third pillar of intergovernmental co-operation. We hope that on the same intergovernmental basis it will be possible to reach agreement on conventions dealing with fraud and the exchange of information between customs departments.

The summit will be asked to take some financial decisions. For example, it will be asked to settle the size of the European development fund for the countries of Africa, the Caribbean and the Pacific under the Lomé convention. It will also be asked to strike a balance between spending in central and east European countries as they prepare for membership of the Community and spending in the Mediterranean, in whose stability all of us in Europe have a clear interest.

As the House would expect, the Chancellor of the Exchequer has been on the cautious side in those discussions. No one suggests that we should breach the Edinburgh ceiling. We British are keen that there should be a sizeable reserve for external spending on which we may need to call in an emergency, but which may remain happily unspent.

Mr. John Wilkinson (Ruislip-Northwood): May I ask my right hon. Friend an important and topical question about spending? Why was it necessary for Her Majesty's Government yesterday to approve with the Spanish Government the assignment of £2.8 billion of European taxpayers' money to the countries of the Mediterranean? Was that done to buy off the Spanish over Gibraltar? How will it benefit living standards in this country?

Mr. Hurd: My hon. Friend may be referring to a report in *The Times*, but there has been no agreement between us and the Spaniards. I have referred to the balance between eastern Europe and the Mediterranean. The Commission put forward proposals for a rapid expansion in expenditure in the Mediterranean which ourselves and others, including the Germans, thought to be excessive. We contested that and we now have a presidency proposal which does not deal with the maximum proposal, but with a baseline minimum proposal which leaves scope for reserves for emergencies which might be happily unspent. We have not yet agreed on the matter, which will have to be agreed just before Cannes. The discussion is moving in a sensible way from our point of view, and the figures lie entirely within the ceilings embodied in the legislation that the House has approved.

There are some discussions taking place about stage III of economic and monetary union and, in particular, a single currency. There is no proposal at Cannes or anywhere else either to change the timetable in the treaty

or to relax the criteria which countries must meet before they can join the single currency. To return to the point raised by my hon. Friend the Member for Northampton, North (Mr. Marlow), the Prime Minister set out the Government's attitude on the single currency at some length in his speech on 1 March. There is really nothing that I can add to that today, and it remains the Government's policy. The House will recall that the Prime Minister explained at length and with care the reasons for his own wariness—the word he used—about the proposition so far as Britain was concerned.

My right hon. Friend also explained why he felt it right that we should hold on to the freedom that he obtained for us at Maastricht to take a decision on this matter at the time, if and when a choice comes before us. I note the strong endorsement of his stance in the report issued by the CBI yesterday. The Prime Minister has not excluded the possibility of holding a referendum on the single currency if the Government ever felt that such a test was in the British interest.

Mr. Nicholas Budgen (Wolverhampton, South-West): Can my right hon. Friend tell the House what the money to be spent in the Mediterranean will be used for? Is there not a slight tendency for some of the Euro-money spent in the Mediterranean to be frittered away by fraud? I am sure that my right hon. Friend would wish to reassure the House on that subject.

Mr. Hurd: We must be able to reassure the House on that matter, and that is why—as I have mentioned—we have been particularly energetic in trying to promote measures against fraud which would give even my hon. Friend reassurance on the matter. I hope that member states will agree at Cannes on new measures against fraud and also regulations which will enable the Commission to be more active and effective against fraud.

One of the ways in which the European Parliament can attract attention and respect is by being more energetic in using the Court of Auditors in this action against fraud. While my hon. Friend the Member for Wolverhampton, South (Mr. Budgen) is right in what he says about fraud, it does not occur only in the Mediterranean. That subject concerns every member state, and it is crucial for confidence in the Union that fraud is stamped out.

Mr. Budgen: What will the money be spent on?

Mr. Hurd: My hon. Friend asked for guarantees against fraud. A slice of the money will be spent on Gibraltar, for example. The stability of the southern and eastern shores of the Mediterranean is a matter of huge importance to this country. I am often questioned by my hon. Friends about the middle east peace process and what help we are giving to the Palestinians in their efforts to maintain the agreement which they have signed with Israel. One answer to my hon. Friend is that part of the money for the Mediterranean will go in that direction.

The European Union is making an entirely justified effort to do its best to create and preserve stability along the eastern and southern shores of the Mediterranean. That is something that we in Britain have always spent a certain amount of money on.

Mr. Salmond: The Foreign Secretary has spoken about a divergence of opinion on Europe, but is not the most obvious divergence of opinion that between the one that he is putting forward at the Dispatch Box and the basic anti-European Union stance which now seems to be predominant among his Back Benchers? Earlier today I inadvertently found some Conservative Members handing out question papers for the next Foreign Office Question Time in a couple of weeks' time, no doubt designed to ambush the Foreign Secretary. Does he not increasingly resemble a waggon train surrounded by indians?

Mr. Hurd: What I am setting out is the policy that has been set out by the Prime Minister in a number of speeches and which was endorsed, unanimously, of course, by the Cabinet about a fortnight ago. It is now being worked up into detailed proposals in Whitehall, the details of which are gradually being made available to the House. That is the Government's policy. We believe that is right, in line with popular feeling in the country and in the interests of the country and of Europe.

Sir Peter Tapsell (East Lindsey): On the important subject of the single currency, my right hon. Friend said that there were no proposals at Cannes either to ease the economic criteria conditions or to change the timetable laid down for that. Those two statements are incompatible. Everyone now knows—it is universally recognised—that the economic criteria cannot be satisfied by a sufficient number of European Union countries in order to establish a single currency according to the Maastricht timetable. Surely that is a fact.

Mr. Hurd: What is acknowledged and what the Finance Ministers explicitly acknowledged on Monday is that the earlier timetable as envisaged in the Maastricht treaty—1996-97—is unreal. That is something that the Prime Minister and the Chancellor have been saying here for a long time, but there were people on the continent, particularly in the Commission, who clutched at the dream that it might be possible to realise the earlier timetable envisaged in the treaty. My hon. Friend certainly knows that there is also provision in the treaty for a timetable based on 1999. People have not yet come to the conclusion that that is unreal, although they may have to do so eventually. I am not disputing my hon. Friend's basic thesis, but, so far, the earlier timetable has been abandoned as unreal.

Mr. Barry Legg (Milton Keynes, South-West): Will my right hon. Friend give way?

Mr. Hurd: No. I must get on and deal with the issues before the intergovernmental conference.

The House is being kept fully informed of the work of the reflections group, and it will have ample opportunities to cross-examine Ministers about our negotiating stance. For example, I spent two hours with the Select Committee on Foreign Affairs this morning, to a large extent discussing that point.

As the Prime Minister has stressed, and as the House, I think, understands, Ministers cannot be expected to give every detail of a negotiating position in advance, but he and we have already set out the principles on which we will operate. There is no massive idea dominating the discussion in the run-up to the conference in the same way as the single market and majority voting dominated the discussion before the Single European Act and the way in which economic and monetary union dominated the discussion before Maastricht.

[Mr. Hurd]

There will be discussions, however, of a number of difficult items. Qualified majority voting has already been mentioned. We shall argue, as the House knows, for a fairer system of weighting which gives a greater say to the larger countries. As I have said, QMV is necessary in certain spheres. We must face that. It is needed to keep the protectionists at bay and to prevent them from undermining the single market. It will certainly be essential when the time comes for further reform of the common agricultural policy, but we do not accept the case for its further extension into areas now covered by unanimity.

I feel particularly strongly about the sector which I know best, foreign policy. To spare the House a long explanation, I will put in the Library a copy of an article that I have just written for a German newspaper setting out my reasons. It is right that the countries of Europe should act together when they agree and the common foreign and security policy can be built, and is being built brick by brick in that way. I cannot think of any case, however, during my time as Foreign Secretary when we would have been more effective if it had been possible to override a member state on a foreign policy matter. There is a gap there between theoretical and practical thinking. The notion, for example, that somehow there would be peace in Bosnia, and in Croatia, today if we were able to use qualified majority voting in Brussels appears wholly unreal.

We do want to make foreign policy work better in Europe. Where does the remedy lie? Among other things, we believe in strengthening the presidency, so that when there is action agreed by everyone it can be more visible and effective. We need to consider the idea of shared presidencies so that the assets of the bigger member states in that sphere can be used better. We need better back-up for the Council: proper analysis, planning, and discussion of policy options.

My opinion is that the basic structure of the European Union is now about right, whether it be a Union of 15 or 20 or more members. We are on the right track as regards that. It is right that the single market should have rules and institutions which work out those rules and enforce them evenly.

Mr. Marlow: Will my right hon. Friend give way?

Mr. Hurd: May I finish this bit? Then I will give way to my hon. Friend again.

We need a Commission and a Court to ensure, for example, that British planes are allowed to fly into Orly, as they can today—as they could not a couple of years ago—that the Italians and Spaniards are heavily fined if their milk quota figures are wrong and that the Italians have to repeal a tax on luxury cars. Since that tax was repealed, under pressure from the Commission and the Court, there has been a massive increase in the sales of Jaguar cars in Italy.

Mr. Nigel Spearing (Newham, South) *rose—*

Mr. Marlow *rose—*

Mr. Hurd: I promised one Opposition Member that I would give way to him, but he is no longer in the Chamber. I give way to my hon. Friend.

Mr. Marlow: I am exceedingly grateful for the generosity of my right hon. Friend. Will he tell the House in what aspects of policy Her Majesty's Government will seek to regain competence to the United Kingdom from European institutions? Is it none?

Mr. Hurd: It is not none. We are still considering whether there are ways in which we could make clearer the definitions of competence. No one suggests, as I have said, an enlargement of competence. There may well be aspects in which it would be right and we could reach agreement. It should remain absolutely clear, where there is doubt at the moment, that matters about which there is doubt remain within national jurisdiction. We have that in the existing treaty as regards school institutions, education policy and as regards harmonisation of health care. Those are excluded. Perhaps that can be carried further in the next treaty. That is the type of detailed sub-policy work that we are still carrying through in Whitehall, and no doubt other countries are doing the same.

Mr. Spearing *rose—*

Mr. Hurd: I think I will come to the end.

I am going through some of the specific ideas that we intend to propose. We shall seek changes as regards the Commission—a leaner Commission. As the Union expands, the infinite expansion of the college of Commissioners makes, in our opinion, no sense. We are considering a further control on unnecessary legislation. We believe that it is possible—not certain, but possible—that what is called a sunset clause should be considered. If an idea has got stuck and has not advanced in three years, why not allow it to lapse, to avoid cluttering the negotiating table with unwanted paper?

We need a European Parliament that can monitor the work of the Commission in ways that are beyond the reach of the House or national Parliaments. Fraud has been mentioned; the improvement of financial control is another example. We also seek—I mentioned that in my evidence this morning to the Foreign Affairs Select Committee—stronger ways in which national Parliaments and the European Parliament can work together, although that is something where we need co-operation with the House. It is not something that Governments themselves can decide.

Governments need to work together, outside the institutions of the Community, on an intergovernmental basis, as the treaty provides.

Mr. Bernard Jenkin (Colchester, North): Will my right hon. Friend give way?

Mr. Hurd: I will give way to my hon. Friend for the last time.

Mr. Jenkin: I am extremely grateful to my right hon. Friend. May I read him a short paragraph?

"It would be idle to pretend that"

the United Kingdom Parliament

"has any influence over the institutions of the European Community. It is equally unrealistic to believe that it could *ever* have effective control, or that other national parliaments, singly or acting together, could create an effective control mechanism."

Those are the words written by my right hon. Friend the President of the Board of Trade when he was on the Back Benches.

Should not we recognise that the only effective way to strengthen the role of national Parliaments is to repatriate competencies from the European Parliament to the national Parliaments—not, as my right hon. Friend advocates, to strengthen the European Parliament?

Mr. Hurd: I do not agree with that at all. The energy that my hon. Friend and other right hon. and hon. Members spend on European matters in the House refutes my hon. Friend's thesis. The essential decisions—changes in the treaty, anything to do with foreign policy, defence, home and justice matters—are taken by unanimity. My hon. Friend can hold me to ransom; I am responsible to him and my voice, or that of the Prime Minister, is crucial. On other matters, for reasons that I have now explained twice in my speech, there is majority voting. We in Britain agreed that there should be majority voting in order to gain our objective, which is a single market.

Mr. Budgen: Some of us did not.

Mr. Hurd: Some did not, but most did.

That deal was in our interests. I do not accept that national Parliaments do not have a role—they do. Many national Parliaments, including most people in this one, would like it to be a stronger role. It is difficult to work out the practical ways of achieving that, but we have to try to do it. Some of the ideas that I set out to the Select Committee this morning—I hope that my hon. Friend the Member for Colchester, North (Mr. Jenkin) will study the reports—are ideas which I hope that Committees and Members of the House will take up and run with.

Mr. Dykes: Will my right hon. Friend give way?

Mr. Hurd: No, I have given way to my hon. Friend already.

The institutions that I have talked about are better suited to a Europe of nations than a united states of Europe. Yet we must acknowledge that neither in this country nor elsewhere do those institutions have a firm hold on the loyalties or even sometimes the respect of the peoples whom they exist to serve. That is not because people have suddenly developed a dislike of foreigners or suddenly turned against the idea of Europeans working together. On the contrary, market research, certainly in this country and, I think, in all the countries of Europe, shows that people want Europe to succeed. They want the Europeans to work successfully together, but they are ill at ease with the way in which things are done today.

That unease will not be cured by speeches or declarations or tinkering with the treaties. People will have greater confidence in the institutions of Europe when they see them working clearly for the objectives which they themselves—the people—think important: the building of prosperity through the opening of markets, through free trade, through deregulation and through strong action against fraud; the extension eastward of the stability and prosperity which, with all the arguments among ourselves, we take for granted in the west of Europe; and flexibility, so that national differences can be accepted, not regarded as heretical, and national identity is preserved.

As I hope that I have established, the record of the past few years shows much greater progress in those healthy directions than people yet perceive. Britain is well placed—better placed than others—to press for further progress on all those points. The Prime Minister has set our course. It may not be dramatic enough for all tastes—it just happens to be right, and we shall follow it.

Sir Edward Heath (Old Bexley and Sidcup): In his opening remarks, my right hon. Friend—and former assistant—praised my successor for her repeated technique of saying no, no, no and then saying yes and signing up. My right hon. Friend also emphasised that both he and the present Prime Minister closely follow that technique. That has given me immense reassurance and I now have every confidence in the future of the meeting at Cannes, of the intergovernmental conference, of the Union and of this country because if that excellent example is followed, we shall achieve all the aims that my right hon. Friend has been describing in his speech. Those who have been niggling away on the Benches behind us will be defeated and we shall all benefit. I thank him very much.

Mr. Hurd: That was not quite what I expected from my right hon. Friend. I learnt a great deal from him 20 years ago. I have forgotten some of it—whether to my benefit or not, I am not sure. I am grateful—or I think that I am grateful; it will need a little further study later—for what my right hon. Friend has said.

In conclusion, I believe that the record of the last few years and the change in the mindset that I have tried to document because it is often disputed shows that there has been greater progress in a healthy direction than people yet perceive. I also believe that this country is well placed to press for further progress on those points because, in many cases, we originated the argument which is beginning to prevail. The Prime Minister has set our course in the speeches that I have mentioned. I entirely accept that it may not be dramatic enough for all tastes; it just happens to be right. We shall follow that course steadily, firmly and in the national interest.

4.29 pm

Mr. Robin Cook (Livingston): For the convenience of the Foreign Secretary, I make it clear at the outset that I do not intend to utter any word of criticism of him in my speech. Having listened to his speech and watched the Back Benchers behind him, I fear that he will receive enough criticism in the course of the debate without any contribution from me.

I found the least convincing passage in the right hon. Gentleman's speech that moment when he attempted to explain that there was clear blue water between his position and that of the Labour Front Bench. I do not suggest that the Foreign Secretary should intervene at this moment, but the reality is that he knows in his heart that, if he had the freedom of speaking from the Back Benches, he would make speeches very similar to those from which he quoted by my right hon. Friend the Leader of the Opposition. [AN HON. MEMBER: "Would you?"] Indeed, I have not the slightest hesitation in answering yes to that question. My right hon. Friend and I share each other's speeches.

If one looks for clear blue water, one will find it within the Conservative party. That has been demonstrated and measured in the past few months by the war of the pamphlets. In February, we received an interesting pamphlet from the hon. Member for Worcestershire, South (Mr. Spicer) arguing the cause of Euro-scepticism.

[Mr. Robin Cook]

In March, we received a pamphlet from the hon. Member for Wycombe (Mr. Whitney) arguing the case for a more positive approach to Europe.

It is interesting that both pamphlets contained forewords by the Prime Minister. He welcomed the pamphlet on Euro-scepticism as a "thought-provoking contribution", and a month later he welcomed the pamphlet that was positive to Europe as a "constructive contribution". I advise right hon. and hon. Members opposite to hold on to their Prime Minister. He seems to be the only person in the Conservative party who can possibly span the gulf that is opening up between its members over Europe.

I was sorry to read in the past week that some doubt has been cast on the Prime Minister's continued survival because of a meeting with a number of Conservatives, some of whom I presume are in the Chamber now—although there is no published minute of that meeting. We understand that 60 Conservatives attended a meeting of the Conservative party's Fresh Start group, at which the Prime Minister was strongly urged to be tough on Europe and tough on the causes of Europe.

I tried to warn the Prime Minister about the views of the Fresh Start group. Three weeks ago, I released the agenda of its previous meeting.

Mr. Duncan Smith: You used to be a member.

Mr. Cook: I do not think that I was ever a member of a Tory party group in this place; I must set the hon. Member straight on that point.

The agenda stated:

"Britain should veto all further discussion at the intergovernmental conference unless the points stated above were agreed, which was unlikely"—

having read the above points, I concur with that view. It continued:

"That overall veto would create a crisis with the other members."

I cannot think of any more irresponsible strategy to adopt in relation to our immediate neighbours and the rest of the European Union than one that deliberately sets out to create a crisis by vetoing the proposals of everyone else.

Mr. Cash: Will the hon. Gentleman give way?

Mr. Cook: Of course. I presume that the hon. Member was present at the meeting last week, and perhaps he will tell us some more about it now.

Mr. Cash: Will the hon. Gentleman concede that, although many of us are in favour of the idea of a referendum, when the referendum was proposed in 1975 after we had signed the original treaty, it would obviously have created a crisis if the Labour party's policy with regard to a referendum had been seen in its true light?

Mr. Cook: The Labour party gave the people of Britain the opportunity to make a choice. We understood that they were promised such an opportunity in 1970, when we were told that the country would enter the European Community only with the full-hearted consent of the British people. It was left to a subsequent Labour Government to provide the opportunity for the people to give that full-hearted consent. The hon. Gentleman keeps ignoring the fact that they gave that full-hearted consent in a referendum.

I am disappointed that the Foreign Secretary gave us no insight into how the Prime Minister responded when he was invited to create a crisis with the other members of the European Union. Let me remind the right hon. Gentleman and his colleagues with what organisation they will be seeking to cause that crisis. It is the continent that receives the majority of our visible exports. When I referred to that at Question Time last week, I was howled down by certain Conservative Members, who said, "No!" In case they were correct, and in a spirit of humility, as I might have been wrong, I took the opportunity of checking the figures.

In 1994, 57.1 per cent. of Britain's industrial exports and visible exports went to the other member states of the European Union. It was fractionally more than in 1993. Those are the countries with which Conservative members want to create a crisis. What possible rationale is there in seeking to create a crisis with the people who buy the majority of our exports?

Mr. Duncan Smith: I am sure that the hon. Gentleman would not wish to mislead the House. He will therefore want to correct his statement, as he has been carefully selective. He should be discussing the totality of British exports, including invisibles. He should therefore admit that we do no more than 43.6 per cent. of our total trade with Europe, including invisibles. Will he comment on the fact that he has been selective, and should not invisibles—which are highly profitable and employs many people—also be included?

Mr. Cook: The hon. Gentleman has raised a genuine issue. I would have more respect for what he said had he responded to that problem by saying that we should be seeking to open up the single market in financial services and insurance services to address the under-performance of the invisibles. To return to the hon. Gentleman's point, first, he is wrong. The figures from the Library say that the figure is 48.3 per cent., including invisibles. Secondly, what an extraordinarily cavalier attitude it is to say, "Does it matter, because it is only 48.3 per cent. of total exports?"

There is another reason why Europe is so important to us. Conservative Members are fond of quoting inward investment to Britain as a triumph for the Government. If they really want to take any credit for inward investment in Britain, or any real interest in that investment, it is about time they recognised why it comes to Britain.

I am fortunate in representing a constituency that is still a very large manufacturing area: 40 per cent. of the work force—double the national average—work in manufacturing. My constituency has attracted major investment. Most Japanese electronic firms are represented in my constituency.

Mr. David Martin (Portsmouth, South): Under which Government?

Mr. Cook: Under both Governments. The hon. Gentleman should think through the logic of his intervention.

Many American companies are also there. Those companies did not come to Scotland for the Scottish or even the British market. They did not come to Livingston because of the intrinsic beauty of new town architecture or the quality of our weather. They came to Livingston

and to Britain because they wanted access to the market of Europe, and nothing would put in doubt that investment more than any doubt over our future in Europe.

There was a time when the Conservative party claimed to be the party of industry. The divisions among Conservative Members and the voices being expressed from within their party are causing dismay to industrialists. The Foreign Secretary referred to this week's statement from the CBI, which urges the Government to re-establish their credibility as a negotiating partner in the European Union. This week, the author of that report says:

"I know, through my dealings with colleagues in other member states, that the UK is losing credibility as a negotiating partner in the European Union. Political divisions over Europe and the hyperbolic statements which result have often been misguided and are deeply damaging. The splits make it harder to do business and harm our economic interests."

If Conservative Members take a different view, they should perhaps ask themselves why four other countries have, within the period that we are debating, signed up to the EU. Those four countries understood perfectly well that their market was inside the European Union, and that, if they want to influence the terms under which they trade in the EU, they have to play a full part in it. None of them imagined that they were surrendering sovereignty when they signed up; nor do we.

Mr. Jenkin: Is it not important to keep this in proportion? May I point out that Switzerland has increased its trade with the EU faster than Britain has during its period of membership? Switzerland has also maintained a stable currency. It is an efficient country, and it provides a good standard of living for its people. Life outside the EU need not necessarily mean death. In any case, few Conservative Members are advocating leaving the European Union. We advocate redefining our relationship with it so that it is more in our interests.

Mr. Robin Cook: I understand from press reports that the hon. Gentleman was present at the meeting in question when creating a crisis with other EU members was discussed. Certainly that is one way of redefining a relationship.

Of course, there will always be a place—in Europe and the world—for a small nation with a modest manufacturing base, such as Switzerland, looking for niche markets. Anyone who wants to go out to the public and say that Britain can survive on the basis of Switzerland's economy will get a loud raspberry in return from anybody who understands the facts of industry.

Sir Peter Tapsell: The hon. Gentleman is putting up a number of amusing Aunt Sallies, only to knock them down. Having been present at the meeting, may I tell the hon. Gentleman that no one suggested to the Prime Minister that we should provoke a crisis with Europe; and that no one, to my knowledge, in the Fresh Start group wants to do anything of the kind. What we want to do, as my hon. Friend the Member for Colchester, North (Mr. Jenkin) has just said, is to maintain our access to the single European market without getting mixed up in a lot of socialist bureaucracy of the central European kind.

Mr. Cook: I ought to let more Conservative Members intervene. The hon. Gentleman has clearly demonstrated that what they want, simply and solely, is an agenda for those at the top of business, with no agenda to help the people who work in business. It is hardly surprising, therefore, that the hon. Gentleman's colleagues in the Fresh Start group may not yet have created a crisis in Europe, but they have most certainly created one in the Conservative party.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): As one who was not at that meeting, may I tell the hon. Gentleman that it is no good standing at the Dispatch Box smugly pretending that all is sweetness and light in the Labour party? If he thinks it is, he has only to look at some of his right hon. and hon. Friends behind him and ask them what their views on Europe are.

Mr. Cook *rose—*

Mr. Denis MacShane (Rotherham): Speak for England!

Mr. Cook: I should be in deep difficulties with my constituents if I spoke for England. I assure the hon. Gentleman that it would greatly enhance the quality of these debates if we could look at our hon. Friends behind us instead of at Conservative Members opposite us—

Sir Teddy Taylor (Southend, East) *rose—*

Mr. Cook: I have not yet answered the previous point.

I speak for Labour party policy—particularly, for the Labour party policy document that went through conference in 1993 without a single nem. con.

Sir Teddy Taylor: In the course of his Library researches, did the hon. Gentleman find out—many of us would like to know—why, before we joined the EU, we had a positive balance of trade, whereas since we joined we have built up a total accumulated deficit of £100,000 million—the equivalent of £2,000 per head of the British population? Moreover, did the hon. Gentleman's researches explain to him what has happened to Sweden and Norway since their respective referendums?

Mr. Cook: The hon. Gentleman really should do more research into the trade figures. If he did, he would discover that, until 1980, we had a surplus in manufacturing exports with the whole of the world, that we did not have a deficit with the rest of the world before then, and that, since 1980, as a result of the collapse of manufacturing industry, and this Government, there was no surplus in any year until 1994. If he would like to go up and down the country and draw that to the attention of the electorate, I would be thoroughly pleased, and so would every Labour candidate in Britain.

I shall now address our real position.

Mr. Duncan Smith: Answer the question.

Mr. Cook: I have answered the hon. Gentleman's question.

Our position is that we do not, as Conservative Members like to fantasise, support a federal Europe or any super-state in Europe. We are not in favour of joining a European Union in which we have to surrender sovereignty. We favour a European Union that is a free association of independent member states, not surrendering sovereignty but sharing our common interests.

I must say to the Foreign Secretary that his idea—that the position that he was outlining is more central to the Europe of the 1990s—is totally at variance with the experience of

[Mr. Cook]

his own negotiator at the previous meeting, who found that he was outnumbered by 14 to 1. Some of his hon. Friends seem to prefer that isolation. The problem is that isolation is a poor place from which to negotiate the best deal for Britain. Hon. Members would know that if they read the document produced by the Department of Trade and Industry only last year, which spelt out that officials of Britain feel marginalised in negotiations within Brussels, precisely because of the negative attitude taken by Ministers.

There is, of course, a wider issue in this debate—the world is shrinking. Trade is expanding at double the rate of output. Financial flows across the exchange markets every day now clock up 20 times the amount required to finance any one day's trade. What makes that movement irreversible is the change in the telecommunications industry, which has meant that industries around the world are interlocked. It is now possible to transmit the entire "Encyclopedia Britannica" around the world in three seconds—and the Tory manifesto in a nanosecond.

That creates a real challenge for politicians. We have to grapple with two separate realities. On the one hand, there is a powerful, rich sense of identity with the nation of our people. It is a sense of identity that is deeply creative, which Labour Members totally respect, because that sense of national identity is one of the strong bases of the social solidarity that we hold dear. We will take no lectures on the importance of national identity from people who have done more to break up social solidarity in Britain than any previous Government this century.

The challenge for responsible politicians is how one reconciles that powerful sense of national identity with the requirement to create international structures that regulate economic relations and resolve the opportunity for friction between nations. That is the central challenge facing us.

Conservative Members refuse to face that challenge. They are retreating into the rhetoric and mind-set of an 18th-century nation state. I do not say the 19th century, as the 19th century would be too modern. At least in the 19th century Britain understood that it could not be isolated from the world.

Conservative Members are failing to grasp the logic of their own position. As I understand it, Conservative Members on the Front Bench and the Back Benches are united on one item for the intergovernmental conference: enlarge the European Union and bring in other countries of central and eastern Europe. We are entirely at one with them on that. I believe that western Europe at present has a very important mission: to embrace the new democratic countries of Europe and bring them into the family of democratic nations. We would then be able to underwrite those democratic structures and firmly anchor them into a structure of human rights, so that we never again see them slip back into totalitarianism.

If Conservative Members are sincere and genuinely want to see the European Union expanded to bring in all the countries of central and eastern Europe, they cannot continue to say that there must be no change to the EU's institutions. Those institutions were designed when there were six member states. We cannot expect those same institutions to work without change when we have a European Union with over 20 members.

Mr. Dykes: I am grateful to the hon. Gentleman for allowing me to intervene, especially at such an interesting part of his speech.

Does he agree that the Government are definitely sincere about the proposals to which he has referred, given all the evidence, but are facing increasingly dotty xenophobia and a manic dislike of socialism in Christian Democratic Germany, for instance, by some Conservative Back-Bench Members? I fear that that will become worse.

Therefore, rather like other principal countries of the Union where there are no significant differences over European policy between the major parties, why is it not possible for the Opposition to respond more positively to the idea of free votes in future in the House, where there is a large built-in majority for European development? That would, of course, need co-operation from the Opposition. Why cannot they be more constructive in that way, especially if the Government were, interestingly, able in future to offer some abandonment of controversial legislation such as British Rail privatisation?

Mr. Cook: My right hon. Friend the Member for Bishop Auckland (Mr. Foster) might like to retire at this stage with the hon. Gentleman to tie down the deal that he was offering. If the offer were on the table—that we can halt the privatisation of British Rail in exchange for a free vote on Europe—it would be one that we would happily entertain.

A free vote would, of course, have to cut both ways. Conservative Members would have to recognise the importance of such a free vote. If the hon. Gentleman is suggesting that, in certain circumstances, he and his colleagues might be tempted into the Opposition Lobby, we shall happily take away the suggestion and reflect upon it. We could happily do so when I and some of my hon. Friends leave the Chamber to attend a meeting in nine minutes' time.

I shall finish the point that I was making about enlargement. The Foreign Secretary knows the truth of what I have just said. In any event, we can test him on it. The demand from the Government Back Benches, including the Fresh Start group, is that he should veto any extension of qualified majority voting. Would he do that? Would he give us an undertaking that he would veto—

Sir Teddy Taylor: No.

Mr. Robin Cook: I know that the hon. Gentleman aspires to be Foreign Secretary, but it is perhaps unfair for him to answer for the Foreign Secretary. However, he voices the thought that is in all our minds. The answer is no, because the Foreign Secretary is far too sensible to take such a course. He knows that it was the Conservative Government under the previous Prime Minister, who agreed to the last major expansion of QMV when she signed up to the single market.

I watched the former Prime Minister with interest when she was being interviewed about these matters. She appeared to give the impression that she felt that she had been cheated when she signed the agreement. She thought it was an agreement with Singapore. No one had told her that the end user would be the European Commission.

Let us turn to another area where the Foreign Secretary is under pressure. The right hon. Gentleman is being pressed to veto an extension of the European Parliament's role. I can understand why Conservative Members are anxious to avoid any extension of its role. After all, they

have great difficulty in getting elected to the European Parliament. I shall not ask the Foreign Secretary if he will veto any extension of that Parliament.

I shall ask the right hon. Gentleman another question. What conceivable British interest would be served by stopping the European Parliament scrutinising the agriculture budget? At present, the European Parliament can have powers of scrutiny only over the non-compulsory section of the budget. That excludes the agriculture budget. What possible purpose is served in Britain's interests by stopping the European Parliament from being able to ask questions and to vote on that budget?

Reference has been made to fraud. Fraud stems from the common agricultural policy. Despite the promises given before Christmas, fraud is increasing. More cases of fraud were recorded in the first nine months of last year than in the whole of 1993. Why not also make that something that is open to scrutiny, vote and judgment in the European Parliament?

May I offer one word of warning to those on both sides of the debate? Looking ahead to the next 12 months, I can see that our debates on Europe will be dominated by the issues before the intergovernmental conference. Those issues are, of course, highly technical. They take us into orbit among remote and lonely planets of the institutions of the European Union. If we, on either side of the debate, really want to connect the debate about Europe with the public, we must debate Europe in terms that relate to the lives of the public.

I would entirely accept the challenge that the Foreign Secretary threw down to us. One of the ways in which Europe can affect the public's lives is the way in which it can provide them with working rights at the place of work—and yes, I confirm entirely, as the Foreign Secretary said, that the Labour party is fully committed to the social chapter, and that one of our first steps will be to sign up to it. To suggest that that position makes Labour isolated in Europe is extraordinary, given that the Government are the only one who have not signed it, and that four new countries have joined it within the past six months.

Mr. John Carlisle (Luton, North): Will the hon. Gentleman give way?

Mr. Cook: I shall give way for the last time.

Mr. Carlisle: In the earlier part of the hon. Gentleman's speech, he proudly boasted that American companies were coming into his constituency of Livingston because they wanted access to Europe. May I remind him that an American company came into my constituency because it wanted access to Europe, and that it came to Britain rather than to another European country because we had not signed up to the social chapter? Had it gone to another European country, it would have suffered the iniquities that the chapter has brought. It came to Britain for that very reason. Should the hon. Gentleman get into power, that company may desert us, and his American investment would go away from these shores for ever.

Mr. Cook: On that point, I shall be guided by the Labour Member of Parliament who will replace the hon. Gentleman as the representative of his constituency by the time we come to power. I regularly meet American and Japanese companies in my constituency. Not one of them would have the slightest problem with living within any minimum wage that this party may propose; nor do the companies that trade internationally have the same difficulty over the social chapter that Conservative Members appear to have, which is why three companies have signed up to a works council, and all of them, at the same time, withdrew their donations to the Tory party.

Sir Richard Body (Holland with Boston): Will the hon. Gentleman give way?

Mr. Cook: No. I have given way for the last time. With respect to the hon. Gentleman, I have been generous in giving way, and I said before that that would be the last time that I gave way.

The fundamental difference between the Front-Bench teams of both parties is that we fully reject the idea that one can achieve competitiveness in the new global economy by lowering wages and lowering conditions. People in China will work for 10p an hour. Not even Conservative Members would advocate that we pay 10p an hour in Britain. [HON. MEMBERS: "They would."] I say to my hon. Friends that Conservative Members would never agree to work for 10p an hour themselves. We will never successfully compete by doing the job cheaper. We will compete only by doing it better, and that means higher skills and higher technology.

The reality is that Conservative Members are limbering up to fight the next election as the nationalist party of Britain. Indeed, some of them see that as the solution to their difficulties. It would be not a solution to their difficulties but the start of their problem, because a nationalist party would have difficulty relating to the new world.

What the electorate out there want is a Government who can relate to the real world, who can build alliances in the real world, who can find common ground with their trading partners, who can give people opportunity in the global economy and the full opportunity to take the benefit of the globalisation of the economy, not a Government who will isolate Britain behind the new great wall of opt-outs and vetoes.

If Conservative Members really want to conspire to offer that choice to the people of Britain at the next election, I warn them that I shall be happy to accept it. We shall offer them a Government prepared to face a new century, because they understand that new century and will work with it; we shall be happy to fight an election against a party that would prefer to retreat into the 18th century. I have no doubt which century the electorate will choose.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. I remind hon. Members that Back-Bench speeches are limited to 10 minutes.

4.59 pm

Mr. David Howell (Guildford): With his usual courage and integrity, my right hon. Friend the Foreign Secretary struggled to draw from the sea of documents listed on the Order Paper—the vast output of bumf that seems to have flowed from every European institution—an awareness of positive developments in the European Union. I agree with him that some of those developments are very

[Mr. David Howell]

positive, and that we are unwise to see everything in black, negative terms: we should not conclude that all that happens in Europe is against our interests.

I shall deal in a moment with the matters that do worry me. First, however, let us consider the European scene today, just before the Cannes summit. The French Government are changing some of their views. Their position is contradictory, of course, in that they remain deeply committed to merging their currency with the deutschmark and regaining control of their monetary destiny—or so they say; I do not think that they will—while also remaining healthily sceptical about the centralising tendency of some Community institutions.

Like us, the French are arguing for positive measures that reassert the strength and power of the Council of Ministers over the Commission—which, notwithstanding denials, seems to be bursting with unseemly ambitions in diverse areas where its competencies do not lie, and moving in directions in which, according to treaty, it should not move. The French want the assertion of national Parliaments over the European Parliament. I assume that every good Member of this Parliament would support their aim to enable national Parliaments to call the European Union to account in regard to decisions taken in our name.

It would be stupid of us to reject those positive developments, and to say that nothing is going our way. Of course France and Germany want to remain close; of course President Chirac went first to Bonn, because the oldest and fiercest memory in the breasts of the French tells them that never again must they be overrun by their colossal neighbour. We understand that; no British man or woman could want France and Germany to be other than friends. The French attitude is changing, however, and I think that it is changing in a healthy way—in line with some of the ideas that my right hon. Friends the Foreign Secretary and the Prime Minister, and others, have struggled to put across in recent years.

I do not know whether it was fair of me to detect in the speech of the hon. Member for Livingston (Mr. Cook) definite signs that the Labour party, too, is moving—although I do not want to raise the hopes of the right hon. Member for Bethnal Green and Stepney (Mr. Shore). I detect a change in certain pronouncements.

It was less noticeable today: although the hon. Member for Livingston always makes an enjoyable speech, his speeches are rather like a Chinese meal in that, when we read them later, nothing much can be extracted from them. The Labour leader, however, seems to be striking a far more cautious note than was struck by the mad centralism of the past, and the dotty commitment to everything coming out of Brussels.

Who knows? It is better that one should be saved. Labour has moved in so many other areas; indeed, listening to Labour leaders describe their policies nowadays is like reading the labels on bottles of homeopathic drugs. We note all the ingredients that the Labour party no longer contains. It is no longer in favour of nationalisation, for instance; it is no longer going to sting the rich.

Perhaps, even, the Labour party is no longer committed to dotty centralisation in social policy, and the vast redistribution of funds proposed, with excessive zeal and enthusiasm, by the Brussels Commission. We live in hope: there have been positive developments which should be built on. My right hon. Friend has done marvels, and will continue to do so; I have complete confidence in him.

Nevertheless, when I look at some of the documents listed on the Order Paper, I feel far less confident. As we have reduced our debates to mere soundbites—I know that that is nothing to do with the Chair, but the ruling has resulted in all the action going upstairs to the Committee Rooms, so that we cannot have a proper debate in the Chamber—I shall concentrate on one issue: the Commission's Green Paper on the practical arrangements for the introduction of a single currency.

I do not know whether hon. Members have had a chance to read that vast, verbose and almost unintelligible document. When it was published, a big press conference was held in Brussels, led by the Commissioner concerned—a Frenchman, Mr. Yves-Thibault de Silguy—and the Belgian Finance Minister, Mr. Maystadt. They had some remarkable things to say, which filled me with apprehension. I speak as much as someone who has worked for European unity as someone who wants this country's interests to be upheld and protected.

The conference was told that a core number of countries would be committed to a single currency, and that some countries outside that number either would not be able to join because their convergence criteria were all over the place—Spain, for instance, and poor old Italy, with its vast debt-to-GNP ratio—or would refuse to join, like the impudent British, who insist on good convergence criteria and a good performing economy. Those countries would have the cheek to have competitive currencies, which would be very challenging to the core countries that had signed up for the single currency—whether they consisted only of Germany, Benelux and Austria, or included France.

Those eminent Commissioners concluded that the answer was to raise tariffs or trade barriers against members of the European Union that were not part of the core currency. I ask my right hon. and hon. Friends to ponder that proposition. It goes like this: "We believe"—I do not believe it myself—"that a single market needs a single currency." I consider that a fallacy in itself. The argument continues: "Therefore, to create a single currency, we will destroy the single market. We will cut it up; we will divide it." That strikes me as not merely a divisive but an anti-European move. It is certainly anti the Europe for which, along with many of my hon. Friends, I have worked for two or three decades.

I know that some Conservative Members think that a single currency must be all right, because Europe is for it and everyone says that it is necessary for a single market; but I beg them to examine the technicalities of proposals that will divide that market, and to consider the advice of skilled people in the currency markets who know that the single currency is a recipe for colossal instability, vast arbitrage and huge volatility. Above all, as learned bankers are now saying every day, it is not even necessary: it is possible to run a very good single market without a single currency.

We are left with a feeling of slight despair. Many people in the country—and, I suspect, many members of my party—are pro-Europe. We have always wanted to part of a good single market. We want it to be enlarged

to bring the new democracies—and we note that that is not going too well: a good deal of rhetoric is in favour, but numerous obstacles are being put in the way.

We want a great single market, free to trade in that market. Instead, we see Europe either being dragged in the wrong direction, towards the "great leap forward"—the lunatic ideas of centralisation and uniformity that are technoiogically and constitutionally out of date—or being told that the alternative is to unravel the whole thing and walk away.

We are presented with a miserable choice. It is time, dare I say, that the—I hope—not too muddled middle had a say. Most people in the country and, I suspect, most hon. Members on both sides of the House want us to be part of a good, strong single market involving some political authority at the centre, carefully delegated and circumscribed, and underpinning a highly effective Europe of nations—or, as President Chirac says, a Europe of united nations.

That is what we want. It is time that that was articulated and that people had the right to get away from the mad extremes with which we are being presented. I know that my right hon. Friend will continue to fight for that aim, because that is the Europe with which Britain not only can live but of which we can be at the heart.

5.10 pm

Mr. Denzil Davies (Llanelli): Those of us from the Celtic fringes like to choose a text on which to hang our speeches. The trouble with debates on the common market, as it used to be called, is that there are so many documents. There are more texts than in the Old Testament. I have found two texts. I do not know whether 10 minutes is enough for a sermon on two texts, but I shall try.

The first text is in a communication dated 13 March 1995 from the Commission to the Council following the Essen council on employment. It says:

"Fighting unemployment is a paramount task of the Community."

The next text comes from paragraph 6.9 of the development document of July to December 1994, which points out that 10 out of the 12 member states still have excess deficits on their Government budgets.

There could not be a starker contrast—a contradiction of Hegelian proportions. On the one hand, we are told that fighting unemployment is paramount but on the other we are told that all the countries, or 10 at least, are engaged in a massive deflationary exercise to reduce public expenditure and public debt to the 60 per cent. and 3 per cent. targets in the Maastricht treaty because they have to eliminate their excess deficits by 1999.

The drive to meet those criteria is one of the major reasons for the high unemployment in western Europe today and I fear that it is going get worse. Even a committee of the European Parliament—I do not usually use its documents—has apparently concluded that perhaps 11 million jobs will be lost in western Europe as a result of the drive to reduce Government expenditure and debt to meet the Maastricht criteria. That is before member states start to lock their currencies together irrevocably in the run-up to a single currency.

The unemployed, the poor and those on welfare will have to pay the highest price for this mad exercise to get a single currency and a centralised European state. As far as I can see, the political and bureaucratic elite in Europe does not care about that and believes, as Lenin would have said, that the end justifies the means.

The main purpose of a single currency is constitutional; obviously, there have been economic arguments one way or another but the main purpose is constitutional. It is a major plank in the creation of a centralised European state. Joining the single currency, which we have debated before so there is no need go over it again, would be a major constitutional change for Britain. We would hand power over monetary and exchange rate policy and, in effect, over public expenditure and fiscal policy from a democratically elected Government to undemocratic European institutions.

A single currency could involve a major constitutional change within the United Kingdom. The Prime Minister was in Wales a few weeks ago. I am sure that he is very sincere about this but he apparently believes that a rather modest Welsh assembly would, with the Scottish Parliament, lead to the break-up of the United Kingdom.

If we sign up to a single currency, many people in Wales—I can speak only for Wales but it will be even more true in Scotland—will ask why they should belong to the smaller Union when they can belong directly to a larger Union. They look across the sea to Ireland. I read in a development document that the Irish do not have an excess deficit; they have negotiated it away. They do not have to reduce their debt and Government expenditure to the Maastricht criteria, whereas we in Wales, if I can be parochial, will have to strive to cut our welfare benefits and accept higher unemployment to meet the 3 per cent. target. That is not necessary across the Irish sea because Ireland has a direct seat in the Council of Ministers and can get away with it.

I do not share that view, but many people would. If the Prime Minister and the Conservative party are concerned about the United Kingdom, as I am sure they are, they should realise that the issue of a single currency could lead to major constitutional changes within this Union.

My hon. Friend the Member for Livingston (Mr. Cook) did not deal with the economic aspects of a single currency. I do not criticise him for that. Some of my right hon. and hon Friends have said that we are not really going to join. They accept the Maastricht criteria and a European bank but say that we will not join until there is real convergence. When I hear the word "real", I reach for a child's guide to metaphysics because I am never sure what the purpose of the use of that word is. Let us say that it does not mean inflation, unemployment or growth rates but GDP per head.

In parts of the south Wales valleys, GDP per head is about 60 per cent. of the European average. In Wales, it is about 70 per cent; in Northern Ireland, I suspect, about 70 per cent; in Scotland, a little higher. Is the Labour party, when it talks about real economic convergence, saying that we will not sign up to a single currency until the Rhondda and the other valleys have an average GDP per head of 100 per cent. of the European average? If that is what we are saying, fine. Let us put it in the Labour party manifesto so that we know exactly what we mean by real convergence. I suspect that the word "real" is being used in the same sense as the late Lord Joseph used it in talking about real jobs in 1979 and 1980. If we believe in real convergence, let us spell it out.

[Mr. Denzil Davies]

The final escape is saying that it will not happen anyway. All those countries are striving with might and main and have signed a treaty to reduce deficits and set up an embryo European bank but it will not happen because the Germans do not want it. The German people may not want it, but who cares about them? The business and political leadership in Germany do not care about the German people. The leadership will want it because it will be an opportunity to keep down the value of the mark.

The hidden emphasis of German monetary policy has always been to ensure that the mark, as far as possible, was undervalued. Increasingly, the mark is becoming a sort of reserve currency. It will be in the interest of German business and industry to have a European single currency to ensure that it is undervalued and that their exports do not suffer. They will try to lock in other countries to prevent them from exercising economic sovereignty by devaluing their currencies. A clash will come between the hard core that wants go outside the treaty and impose restrictions and those who do not want to join the currency.

The vogue word in this debate has been mind-set. Frankly, it seems to me that the mind-set of most of the pro-marketeers is still that of the world of Monnet and Schuman. Some go back to the Congress of Vienna. When I read reports of the Council of Ministers, I think that if they had powdered wigs, they would not be very different from Ministers at the Congress of Vienna.

My hon. Friend the Member for Livingston talked of a global economy. Yes, we have a global economy with free trade, although the World Trade Organisation is having some difficulties. GATT has been around a long time. A regional economic pact is not necessary in a world with a global economy. The economic prizes will go not to large economic blocs but to the country that is able to change its economic policies quickly and has the flexibility, democratic credibility and legitimacy to change its policies quickly.

The centralised European state is a dinosaur. The best thing for Britain is not to go down the route of a single currency but to keep well away from it.

5.18 pm

Sir Geoffrey Pattie (Chertsey and Walton): I should like to offer some thoughts on the current position before the Cannes summit, based on the regular, almost weekly, contacts that I have with other centre-right parties throughout Europe in my capacity as international vice-chairman of the Conservative party.

When the Berlin wall came down in November 1989, few people expected it. Few people anticipated what the wave of challenges to authority in eastern Europe would produce. Equally, very few people realised that it would have a similar effect in western Europe. By the time the Maastricht treaty came to be signed, much of it was, in practical terms, dead in the water. We then witnessed the holding of two Danish referendums and a wafer-thin French majority and, as the right hon. Member for Llanelli (Mr. Davies) pointed out, even the Germans discovered that European monetary union meant the end of the deutschmark, which was a great shock to them. Suddenly, there was a great deal of rethinking to be done. I believe that there is much greater uncertainty in the European Union than appears on the surface.

The European Community—to use its previous title—was founded to make war impossible between France and Germany, an excellent aim that has been splendidly achieved. However, we have to ask what does the Community now do for an encore, especially for the younger generation for whom the idea of war between France and Germany is unthinkable? Where is the new philosophy? I do not see it, and that is especially sad when we have the opportunity to create a Union of nation states and can for the first time be genuinely European. We are not just western European but have the possibility to include in the Union countries from central and eastern Europe.

When Lord Tugendhat recently gave his valedictory address from Chatham house, he said:

"In most countries, however, there has been a minimum of public debate or accountability on the details and implications of what was being constructed and planned. There has been high flown rhetoric in abundance and many grand schemes put forward by politicians anxious to demonstrate statesmanship and far-sightedness. But, for the most part the impact of what these schemes would involve for the ordinary citizen was not spelt out nor subjected to detailed scrutiny. Indeed, President Mitterrand and Chancellor Kohl, in particular, both appeared anxious to avoid in-depth public discussion."

It had been widely accepted in Europe that the single market was fundamental—a concept that, incidentally, was very much a British one activated by British Members of the European Parliament and a British commissioner. However, Lord Tugendhat also said:

"Yet, I believe, a major component of the wide spread disillusion stems from the legislation needed to bring the Single Market into being. That legislation has proved to be unprecedentedly intrusive. Partly, there is the question of sheer scale—282 individual items of European legislation required to bring it into effect. Partly too it is a result of so many existing national rules and regulations on technical standards, health, safety, environment and other matters being so detailed that in order to create a level playing field EU regulations had to follow suit. As a result it has been brought into what"—

my right hon. Friend the Foreign Secretary—

"has described as 'the nooks and crannies' of national life all over the European Union."

There is a genuine debate throughout Europe, not only between Governments but between parties and certainly not only in this country. In my view, which stems from numerous discussions, opinions on the continent are changing and there is, for example, a debate within the Christian Democrat party in Germany. The original paper by Mr. Schäuble and Mr. Lammers has been much modified following internal debate in their country. I have not found a German Christian Democrat Member of Parliament who wants a united states of Europe or anything remotely resembling a united states of Europe.

Interestingly, in a meeting that I attended in Vienna three weeks ago, the chairman of the Christian Democrat delegation—when were in the mode to commission new study work—asked for a paper to be written on "The Adverse Impact of the Workings of Brussels Bureaucracy on Germany". That is not the sort of thing that we think about in this country because we tend to identify the Germans as being in favour of everything that comes out of Brussels, but they are not.

In many spheres, it is the British who are setting the agenda. The Conservative party has produced its paper for debate in the European Democrat Union and it has been extremely well received. The paper states:

"We support the enlargement of the European Union to the East. There are three fundamental reasons why enlargement of the EU is essential for its future development—security, prosperity and shared values . . . The EDU believes that the further enlargement of the European Union also requires a fundamental examination of the EU, its policies and its institutional structures . . . The framework best suited to meeting the aspirations of EU applicants is a flexible, decentralised one, not a monolithic or centralised one . . . Our goal should be a Europe of nation states working more effectively with each other in pursuit of shared interests and common solutions to common problems, but not a Europe which attempts to supersede the nation state."

Mr. Dykes: Does my right hon. Friend accept that until now all the eastern European countries without exception have, by way of pronouncements by senior leaders in the Government and in the Opposition, fully accepted the acquis communautaire and, indeed, the move towards a single currency if convergence is achieved?

Sir Geoffrey Pattie: Yes, but they need to consider to what extent they will be able to meet the key criteria. It is one thing to talk about signing up to the generalities but the reality will be harder to achieve.

The document goes on to say that we need a Europe that will push ahead with jobs and deal with various aspects of job creation. There is too much of a tendency in Brussels to come up with programmes and proposals that impede job creation. In my three years on the Council of Ministers, I frequently found that it was our continental friends who came up with the visionary "blue sky" ideas. They were strong on rhetoric or—as we English like to call it—guff, but it was down to the United Kingdom to examine proposals in a cautious and pragmatic but entirely practical way, which was not very popular especially when others had been so enthusiastic. In the process, however, we injected the vital ingredient of practicality into many proposals.

I believe that, by the same token, the Government's approach to the IGC 1996 process is very close to the instincts of the British people in bringing to bear our pragmatism and experience. In this we are very different from the two Opposition parties—from the Liberal Democrats who have been over the hills and far away on this issue for a long time, and from the new Labour party which, of course, is that most dangerous of things, a party of converts on this issue.

I find it hard to understand why some elements in this country—and, I have to say, in my own party—seem to be so lacking in confidence that they are not prepared to accept the power and strength of our arguments or the fact that they are succeeding and setting the agenda. As we embark on the IGC 1996 process, we should be confident that the healthy pragmatism that so characterises the Government's approach is the best way and the best foundation for our proposals.

5.27 pm

Mr. Charles Kennedy (Ross, Cromarty and Skye): On behalf of those who are over the hills and far away—I suppose that Ross, Cromarty and Skye is over the hills and far away in a geographical sense—I have to say to the right hon. Member for Chertsey and Walton (Sir G. Pattie) that it strikes me that, given the rather febrile state of his party on these matters these days, being the international vice-chairman of the Conservative party is perhaps not too onerous a task. I am not sure how many foreigners would want to talk to him in that capacity, given the propensities of some of his colleagues and what they have said.

The focus of the debate so far, and the matter on which I shall dwell, is the Government's position in the run-up not only to Cannes, but, in the longer term, the intergovernmental conference itself. We heard what the Foreign Secretary had to say this afternoon, but I do not think that we heard what he believes. That is the central difficulty.

This is an Administration caught in the headlights of their own Back Benchers. Whether the Foreign Secretary went emphatically pro-European or Euro-sceptical this afternoon, he was going to distance himself from and cause difficulties within his own party. He is, therefore, left immobilised somewhere in the middle, and it is pathetic to behold. One only needed to look at the faces of his Back Benchers as he proceeded to see that he was satisfying no one. The Conservative Euro-enthusiasts, whom I applaud, did not look entirely pleased with what he was saying, and the Conservative Euro-sceptics did not look at all persuaded by his efforts either. So long as what has become the war of John's ear goes on vis-à-vis the IGC, it will severely damage British national interests.

I speak, after all, as one who has experience of having being a member of a party that split in a rather acrimonious fashion a number of years ago—the then Social Democratic party. Frankly, it would be better to get on and have an honest and open divorce now than to persist with this farce between mainstream continental Christian Democrats and what are essentially nationalistic English Conservatives. Both have perfectly respectable views—I tend to lean more towards one than the other—but they both cannot continue to cohabit in the existing United Kingdom Conservative party. It would be better for them and for the interests of this country if they were to go their separate ways now.

In an earlier intervention, the hon. Member for Harrow, East (Mr. Dykes) made a powerful point—perhaps slightly tongue in cheek, but none the less placing his finger on a very important point—when he referred to proceeding on European matters on the basis of free votes in the House. We would have fun if there were a free vote, for example, on the social chapter, given how many Conservative Members would quite happily go through the Lobby in favour of it because they would recognise it for what it is: much more a set of aspirations than the laying down of a whole set of legal requirements. But leaving aside that fun, the hon. Gentleman made an important point that there is an in-built cross-party majority in this House for sensible European progress and for Britain to be very much a part of it.

There is also a perfectly honourable tradition in the House among hon. Members who do not like the fact that we went into Europe in the first place but who now argue—so they say, although the logic of their position would none the less lead us to exit from Europe—that we could have some kind of competitive single market and economic benefits without the single currency and the social and political dimensions attached to it. That is an honest set of opinions with which I do not agree. Those hon. Members are in a minority in the House. Even if there were a change of Government, which there would be

[Mr. Charles Kennedy]

based on the present opinion polls if there were a general election tomorrow, that attitude would still be in the minority in the House. We need to keep that consideration very much to the fore.

We have seen abject political leadership from the Prime Minister on matters European, especially since the last general election. There has also been third-rate party management from his point of view. That has led us to a fantasy world where the likes of Jacques Chirac and Helmut Kohl are being held up as hob-goblin, socialist figures who are seeking to impose all kinds of terms and conditions of employment in this country, which otherwise we would not want.

The former Prime Minister, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), intervened during the Foreign Secretary's speech, referring, as it were, to his right hon. Friend as the sorcerer's apprentice. The Father of the House made a telling point the previous time that we visited some of these European issues. He said that the Government had said nothing positive about Europe since 1979. That is entirely true as one can see by looking at all the debates on the Maastricht treaty.

If I wanted to sell any commercial idea to anybody in this House or outside, I would play up the benefits, the positive aspects and why I wanted them to take the idea on board. Maastricht was sold to the Conservative party, to the House and to the country on the basis that we had opted out of the social chapter and that we had a derogation from the next stage. That is a hopelessly negative basis on which to try to provide political leadership on an issue that goes beyond the party and that is as broadly based as Europe itself.

The characteristically penetrating analysis in *The Times* today by Mr. Peter Riddell says it all. I appeal to the pro-Europeans in the Conservative party. In speaking about them, Mr. Riddell said:

"They have deployed a strong case, but they are losing the political battle. The main question now is how much ground they will have to surrender, and whether any of their generals will be pushed out in the process."

He is correct. He concludes:

"These questions—

the ones that he has discussed—

"are central to Mr. Major's future. Either way, the sceptics are continuing to gain at the expense of the pro-Europeans."

That is a very worrying state of affairs.

Mrs. Edwina Currie (Derbyshire, South): Watch.

Mr. Kennedy: The hon. Lady says "watch". With her, the hon. Member for Hartlepool (Mr. Mandelson) and others, I am involved in an exercise on behalf of the European Movement. We are approaching all three UK party leaders, with a view to having a discussion and trying to heighten the profile of positive European arguments. The situation in the Conservative party has now got so serious—it would not matter if it were in opposition although the problem for all of us is that it is in government—and the division among their ranks so deep that it is having a positively damaging effect on Britain's capacity to contribute to the European Union and, in the run-up to the next intergovernmental conference, to win the deal for which we should be aiming.

That is why I say that the efforts now being made in the European Movement and elsewhere to try to build an all-party pro-European movement are so important and why it certainly has Liberal Democrat support.

Mr. Dykes: Does the hon. Gentleman further agree that in recent months the negative situation has even had an adverse effect on sterling?

Mr. Kennedy: Yes, the evidence has shown that. There is no doubt that the position of the Chancellor in particular, which has been open to some question given the politics of the Conservative party on the single currency and so forth, has weakened his credibility, which of course has had a knock-on effect in the currency market. That is indisputable.

The hon. Member for Harrow, East and I had lunch with the American ambassador to the European Union only yesterday. The ambassador was pointing out the United States' general sense of agnosticism over a single currency. The most telling point that he made—when he could get a word in edgeways because his colleagues were putting their rather robust construction on things—was that a single currency without sterling is of much less concern to the United States than a single currency with sterling. That was an important signal for us.

There is clearly a need, which goes beyond sectional party interest in this House, to build a broader pro-European movement. I am glad that hon. Members of all parties are involved in that effort. My colleagues and I will certainly be contributing to it. Such an effort is needed because of what we heard in the Foreign Secretary's speech this afternoon. If that was his swansong at the Dispatch Box, it was a very sad one. The man is reduced to the position, because of the state of his own party and the division in his Cabinet, of not being able to say anything. That is a pathetic state of affairs in which the country and the rest of the European Union has no confidence and which gains no respect whatever.

5.36 pm

Mr. Tim Renton (Mid-Sussex): To say that the speech of my right hon. Friend the Foreign Secretary said nothing, as the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) has done, is very odd indeed. My right hon. Friend's speech clearly said a great deal, and much of it was somewhat unsatisfactory to those on the Conservative Benches who call themselves Euro sceptics. The Foreign Secretary sticks clearly and firmly to his line, just as the Prime Minister rightly sticks clearly and firmly to the line that he enunciated in his speech of 1 March.

I shall, however, take up the encouragement that the hon. Member for Ross, Cromarty and Skye gave to those hon. Members who are pro-European. I include myself in that number, although I always think of myself as a Euro realist rather than a pro-European fanatic. The hon. Gentleman will have read in the *Financial Times* yesterday the comments of Howard Davies, the Director General of the Confederation of British Industry, on the report that it has just produced, "A Europe that Works". Mr. Davies talked about CBI membership having a

"bias in favour in the long-term"

of the United Kingdom joining European economic and monetary union. He said, however, that companies remained cautious about the circumstances and supported, therefore, the "wait and see" position of Her Majesty's Government.

That is not unlike the conclusion in the report from Andersen Consulting, part of the very large Arthur Andersen group, which will have fallen on many of our desks in the past few days. That, too, concludes that in general the contributors to the survey, who were by and large manufacturing companies in this country, felt the advantages of participation outweighed the disadvantages and said that they were concerned about the effect on British industry of the United Kingdom choosing to stay outside an economic and monetary union bloc.

That view happens to be very close to the conclusion of the working group on the implications of monetary union for Britain, which was produced under the title of the Kingsdown inquiry, on which my hon. Friend the Member for Stamford and Spalding (Mr. Davies) and I sat. I was delighted to be asked to join the working group and I came to a personal conclusion after attending most of the detailed sessions. I say this to my right hon. Friend the Member for Guildford (Mr. Howell), although he is no longer present: we were addressed by bankers, economists, those used to dealing in very large quantities of foreign exchange, and representatives of British, German and Japanese industry in this country. I reached the conclusion that if a single currency comes into being, on balance it will be in Britain's interests to join.

I must admit that, pro-European as I am, when I started on the group I had some doubts about that. What finally convinced me was hearing the consistent majority opinion put before us that if there were an economic and monetary union and a successful and viable single currency, we were likely to have lower inflation, lower interest rates and more positive inward investment—a continuing flow, in fact—if we joined it than we would be if we stayed outside.

Mr. Cash: Will my right hon. Friend give way?

Mr. Renton: No, I shall not give way. I have only a few minutes and I am sure that my hon. Friend will make his point when he makes his own speech. I do not expect him to agree with me, but he will have his chance to speak soon. Having listened carefully and reached the opinion that I have described, so I decided that the conclusions of the Kingsdown report and those of the Andersen report, like those of the CBI, pointed in the right direction.

As I said at the beginning, there is obviously a big "if" here. If the single currency comes into being, we would do better to join. My right hon. Friend the Member for Guildford touched on that question, and many of us must wonder whether the single currency will in fact ever happen. That is perfectly fair. The Finance Ministers of the European Union countries now say that the date will certainly be postponed from 1997 to 1999, and clearly substantial difficulties will have to be overcome if a majority are to meet the convergence criteria.

From working on the Kingsdown report I also learnt that the transitional period—the moments between the decision to go into a single currency and the event itself—would be extremely difficult. The technicians have studied the possibilities—in the Maas committee, for example—to discover what the best approach would be. However, I am sure that if the single currency were to happen and if it looked like being successful, we ought to be in it. Indeed, we should get into it quickly rather than being, as we so often have been in other European Community developments, a Johnny-come-lately who plays no part in forming the rules and lives greatly to regret that fact.

Whatever the economists and the bankers say, in the end the decision will be a political one for all of us. Moreover, it will have to have public support; it cannot possibly be a purely automatic decision.

The concern that emerges most clearly from my hon. Friends and from Opposition Members who are worried about such developments is the fear of loss of sovereignty by the House. "Loss of sovereignty" is a difficult phrase to define, and it is easy to say that in many respects we have already lost sovereignty in financial and monetary matters. The decisions taken by qualified majority vote following 1986 further reduced the influence of the House. The European Court of Justice, which was set up in 1972 by the original accession to the treaty, has also removed sovereignty from the House.

Will we lose more sovereignty if we move into an economic and monetary union? Clearly, over monetary control and money supply, we shall. A European central bank would mean that there was only one monetary authority. Against that it must be said that the House already has little real influence and little say in controlling money supply figures. It is told what is happening; it is told the decisions of the Chancellor of the Exchequer. Money supply is not debated and decided in the House. The other day, in his Mansion House speech, my right hon. and learned Friend reaffirmed his inflation targets; subsequently he told Back Benchers about them. Such matters are not regularly decided on the Floor of the Chamber.

To me, the big question is to what degree the authority to tax and to spend—in order words, the fiscal powers—would leave the House if we joined a single currency and an economic and monetary union. That problem is well reflected in the Kingsdown report. The experts are divided, but in the course of the inquiry it was said that monetary union would not remove the fiscal powers of individual national parliaments. For instance, it would still be possible for any national parliament to have either a high-spend, high-tax posture or a low-spend, low-tax posture within the Maastricht restraints. If one had to stay within the convergence criteria, however, it would not be possible to have a high-spend, low-tax posture, but within those restraints Parliament would retain as much fiscal authority as it had before. To me, therefore, the fiscal question is still an open one and I should like it to be further examined in the debate on this key issue in the months and years ahead.

Against that background of general approval, but a great deal of understandable worry about the detail, it seems to me that the Prime Minister is absolutely right to defend the Maastricht option—an option either to go in or to stay out. Equally, there is no need for the Government to make a decision yet. No other European leader is making a decision on the issue at this stage, so why on earth should the British Government do so, however often they are pressed by those who criticise them on European matters? "Wait and see" is not a heroic posture on such a complex issue, but there is no doubt that on this issue it is the right posture.

There is also the difficult question of how many more decisions should be taken by qualified majority voting rather than by unanimity. Clearly, as the number of countries in the Community enlarges—the next countries likely to accede are Malta and Cyprus, whose membership will be considered immediately after the intergovernmental conference, and then the Baltic states—it is difficult to

[Mr. Renton]

continue to give a right of total veto to each country. A small state such as Malta might, for example, block the accession of Lithuania until it received some particular agricultural concession.

I know that my time is up, Mr. Deputy Speaker, so I say to the House—

Mr. Deputy Speaker: Order.

5.47 pm

Mr. James Molyneaux (Lagan Valley): In this season of commemoration of the end of the second world war it has been claimed by several people that the achievement of the European Economic Community, as it originally was, has been to keep the peace and to preserve us from a repetition of that war. The right hon. Member for Chertsey and Walton (Sir G. Pattie) said something about that, and in view of his long experience in the Ministry of Defence and the Northern Ireland Office we should pay close attention to his opinions. If time permits I may later be able to quote something for the benefit of the right hon. Member for Mid-Sussex (Mr. Renton).

It is now suggested that the European Union should assume the role of NATO—complete with a European army, if you please. We need say no more than that the European Union's dry run in Yugoslavia has illustrated the folly of any such ideas, including the notion that the EU could ever in any circumstances be an effective peacemaker. Equally flawed is the absurd notion that the European Union could work magic on social issues. I do not have time to quote the leader in today's edition of *The Times*, but it is well worth reading in that regard.

My party has consistently supported free trade in the widest sense of the term, but we can never understand the logic of those who in 1970 and much earlier advocated membership of a free trading bloc in Europe but then proceeded to erect tariff barriers all round it. We support the concept of GATT and its removal of barriers, but we must ask whether the signatories—particularly in Europe—will honour their obligations to remove all the irksome restrictions on, for example, British companies in the service sector.

As we move into the pre-IGC discussions, we must take account of the enormous shift in global trade in the quarter of a century since we joined the Common Market, which all of us knew very well in 1972 was only the cover name for what is now the European Union. Capital investment is flowing at an ever-increasing rate from high-cost economies in America and Europe to Asia and the Pacific rim, and the coming IGC cannot ignore that global flow. The UK in particular must accept that the assumptions of 25 years ago that British trade would be focused within the European Community are now greatly out of date—so out of date that by the end of the century the related notions of monetary and political union will also be obsolete.

Only last week, we saw how some of the leading advocates of a common currency were lowering their targets and extending their expectations from 1997 to 1999. My party's fixed position on exchange rates has been based on something more solid than arguments about Europe. Since 1974—when we were forced by an authority not now in the House to become a separate parliamentary party—we have counselled against experiments in fixing the rate. That has remained our consistent position.

It strikes us as very odd that every time the Government—of whatever party—get a bloody nose, they eventually come back for more punishment. Plain common sense supported by experience proves that once an exchange rate is fixed, the burden of support falls on the Treasury—the taxpayer's agent.

The younger and enlightened generation of industrialists and business men—I come here to the tradition referred to by the right hon. Member for Mid-Sussex—are now well aware of the fatal consequences of a single currency. Today we have read a contribution from the chairman of the Institute of Directors in Northern Ireland, Mr. Howard Hastings, a young man making his way in the world and particularly in the world of business and industry. He says:

"The main cost to the UK of a single currency would be relinquishing control over monetary policies . . . If it is too tight, there are the costs of lost output and employment.. too lax, and there would be the costs of inflation . . . A single currency is forever . . . We were able to leave the ERM, albeit in a far from dignified fashion, because we had our national currency.

Adopt a single currency and that option is removed. Not only is the case for a single currency not proven—it doesn't have a leg to stand on."

I need add only a few other considerations. To maintain a single currency, there has to be a single Government. If there is a single Government, it follows that there has to be a single nation. In such a single nation, democracy itself becomes impotent and obsolete. Some forget or ignore that a single currency in Europe would still have to float on the world markets, and I am afraid to leave that out of my calculations.

5.53 pm

Sir Peter Hordern (Horsham): I wish to say a few words about the single currency. As my right hon. Friend the Member for Mid-Sussex (Mr. Renton) said, it is true that a number of commissions and business leaders such as the CBI have found in favour of closer European co-operation and, on balance—so far as I can tell—of a single currency. But it will be a matter for intense debate within this House, both in the rest of this Parliament and, I am sure, in the next Parliament.

In an excellent speech, the hon. Member for Livingston (Mr. Cook) seemed to suggest that he had the total support of his Labour colleagues, but I believe that the Labour party is far more split on this issue than my party is—difficult though that is to believe.

When we reach 1999, it is certain that those countries within the European Union which meet the economic criteria set out in the Maastricht treaty will join the single currency. I shall leave aside for the moment the transitional arrangements, which will be extremely difficult. The House will agree that there is a real political will in Germany, France and the Benelux countries to form that single currency. The House must also consider where we, and our business and industry, would stand if there were to be a core currency—that is what I think it would be—in 1999 and thereafter. That currency would certainly be widely traded in this country, as we do 40 per cent. of our physical trade with Germany, France and the Netherlands. That being so, it is certain that

transactions would be settled in that currency—whatever it was called—and, increasingly, private transactions would also be settled in that currency.

We would have at least a common currency operating within this country, and I do not believe that there is any way in which that could be prevented, even if anyone wanted to do so. A common currency would operate with sterling and because of its considerable strength due to the economic criteria the common currency would be inclined to have somewhat lower interest rates than sterling, and would consequently become over time a rather more attractive currency. One must take into account the pressure on sterling in those circumstances, as it would be in competition with a very powerful common currency in which business would increasingly be transacted.

A future Parliament will have to consider those issues, and the right way to settle the matter is to see how the initial process goes and then decide what the impact on our economy will be as a result. That is why I am so glad that we have the opt-out. The best way to settle the arguments about sovereignty would be by a free vote in this House. I do not think that a common currency operating strongly in this country is a good subject on which to have a referendum and, because of the enormous constitutional implications of a referendum, I do not go along with my right hon. and hon. Friends who believe in a referendum.

I wonder what will happen when the core countries form a single currency. There will be considerable pressure, because of our opt-out, either to conform or to create within the European Union some kind of mechanism which will be adverse to our trading interests. I hope that we shall resist any such suggestions.

I am glad that we have an opt-out from the social charter, as it is bad enough to hear suggestions that we should go along with that. Labour Members today have repeated their adherence to that charter. A report in today's edition of the *Financial Times* referred to the impact of the OECD report on pensions within the European Union. I believe that it will be profound. One thing that it shows is rather comforting: we are by far the best provided for by pensions of any of the European Union countries. It will unquestioningly be the case—

Mr. Salmond: What?

Sir Peter Hordern: The hon. Gentleman does not seem to understand. I refer him to the OECD report. I am talking about total pensions, which of course include occupational ones.

The idea that we should have to contribute to a shortfall in other countries' pension funds must be anathema to us. I am quite certain that we should remain as we are and maintain an opt-out from the social contract in that respect.

Mrs. Currie: I remind my right hon. Friend that the United Kingdom has the largest proportion of elderly people in Europe, with the exception of Sweden. Would he feel the same way if Sweden were to contribute to our funds?

Sir Peter Hordern: I draw my hon. Friend's attention to the OECD report, which she will find interesting and illuminating. We should not be party to making large extra contributions to countries which have not made proper provision for their elderly people.

I have a clear idea of how we should proceed within the European Union. We are in favour of an ever-widening single market to include the eastern European countries and to provide maximum competition. I am sure that that is the case.

There is a costly downside to maintaining an independent currency. The Government cannot finance themselves through the bond market without having to pay a full 2 per cent. more than the Germans now pay. We even have to pay 1 per cent. more than the Belgians; despite the fact that Belgium has a huge debt compared with its gross domestic product and our own, it is clearly determined to go along with the deutschmark. There is therefore a cost attached to maintaining our currency which must be borne in mind.

I do not think that a single currency necessarily leads to a federal state. There is no question of our losing control of the power to raise income tax. In that respect, it is important that we should always retain that power within the House. We should not yield it to a European Parliament because national parliaments most nearly represent the people—much more so, at any rate so far, than the European Parliament does or is ever likely to do. We should not promote the European institutions too far, but we should promote unity among the European peoples through free trade, competition and the removal of national barriers.

I should like to offer one suggestion to my hon. Friend the Minister. Europe will be a matter of supreme importance in the next Parliament. Although I am not in favour of a referendum, I wonder whether it would be a good idea to appoint a commission to look at every aspect of the matter, both from our monetary and economic point of view and from our constitutional point of view. People should be invited to give evidence so that if there is to be a free vote it can be taken after a proper assessment of all the important matters involved.

6.2 pm

Ms Roseanna Cunningham (Perth and Kinross): Thank you, Mr. Deputy Speaker, for calling me so early in the debate, especially when I know that a number of other hon. Members are in the queue waiting to speak.

I wanted to speak in this debate because the subject is of enormous importance to the Scottish National party and Scotland. Our party has a policy of independence within Europe, so we are firmly on the side of the pro-Europeans in the Chamber. My predecessor, Sir Nicholas Fairbairn, might also have wished to take part in the debate, but perhaps not for the same side of the argument.

I had occasion, in a number of different capacities, to meet Sir Nicholas, because as well as being involved in politics, I am a member of the Scottish Bar. I recall that he contributed to a book in 1992 in which he described the creation of the city of Edinburgh as being done in a "creative, roistering spirit". I believe that that quotation, rather than describing Edinburgh, is probably a more apt description of Sir Nicholas, because his impact was such that, once one met him, one never forgot him.

Sir Nicholas made an impact not only in politics but through his work at the Bar. As a Member of Parliament, however, he had an enormous impact. In my travels around Perth and Kinross, I have met many people who have a little story to tell about him. They spoke of some cause that he had taken up or some particular intervention

[Ms Roseanna Cunningham]

that he had made on their behalf, which they remembered clearly, particularly because of the way in which he made his interventions.

Other hon. Members who are also members of the Scottish Bar—not all of them are in the Chamber—would agree that when one first arrives at the Scottish Bar, it is noticeable that one of the people about whom one hears the most stories is Sir Nicholas. I regret to say that those stories are generally not suitable for inclusion in a speech, particularly in a maiden speech. The one thing that characterised every one of them was the enormous affection with which they were told. The political views of the individual did not matter, because the affection in which Sir Nicholas was held at the Bar in Scotland and on both sides of the House came through strongly. That also came through in the constituency, because wherever I went, from Kinross to Comrie, and from Milnathort to Muthill, the affection in which Sir Nicholas was held was evident.

That affection is also tempered with amusement, because after many years of being in total political disagreement with Sir Nicholas, I found myself in total agreement with him at the very end of his life, when he gave his opinion on the likely result of the by-election that he knew was about to be called in Scotland. The result of that subsequent by-election bore out the prophetic abilities of Sir Nicholas. It at least highlighted the fact that, in the people of Perth and Kinross, one has an electorate who prefer a Member of Parliament who is just perhaps a little different from the norm. Although I cannot promise to go on in precisely the same way as Sir Nicholas, I shall provide the people of Perth and Kinross with the same distinctive voice.

That by-election was of enormous importance for Scotland. We in the SNP had the opportunity to put forward our entirely positive vision—an independent Scotland within Europe. I could contrast that with the vision of the Conservative party, if I could ascertain what it is. I am afraid that I cannot. Such is the Tories' disarray, their only response to Europe is to delay. We could characterise their approach as "back to Baldwin" rather than "back to basics". I am afraid that at the moment our Conservative colleagues appear to be both anti-European and anti-Scottish at the same time. I hope that they will not try to save themselves in the coming general election by displaying insularity, xenophobia and parochialism, because that would be a great shame.

An attempt is being made to press emotional buttons harking back to an empire that no longer exists in order to combat Brussels and to deal with the awkward squad on the Celtic fringe. That approach can be contrasted with the openness and inclusive nature of my party, which we demonstrate so vigorously in our campaigns. That contrast is bound to benefit my party, as it will benefit Scotland, because Tory strategy will not work in Scotland. The by-election made that clear.

Our policy also contrasts just a little with that pursued by our colleagues on the Labour Benches. They may not be quite as anti-European or as anti-Scottish as Conservative Members, but their rhetoric is directed to what I would describe as the soggy centre. They still want to whistle "Land of hope and glory", but they want to do it quietly and in the dark. They are equally irrelevant to Scotland's political debate.

Scotland is lucky because it has a real alternative, which we laid out at the by-election. We fought a hard campaign in one of the most beautiful constituencies of Scotland, where, everywhere one walks, history is all around. It is a Scottish history, not a British nor an English history. There is certainly prosperity in my constituency, but there is also poverty, in spite of the way in which it is frequently portrayed.

There is also an enormous thirst for change and a fresh start, which my constituents have discovered that only the Scottish National party can provide. Our by-election campaign laid out detailed policies directed towards economic and social decency. They are the type of policies that ordinary, decent Scots, not only in Perth and Kinross but throughout Scotland, find energising, because Scotland does not regard proper social provision and a culture of care as in any way extreme. The real extremists and the real separatists are those who wish to separate us in Scotland from the rights and benefits that should be part of a normal working life.

In the context of the debate, I am speaking especially about those who wish to separate Scotland from the benefits to be accrued from the social chapter. I believe that it is the Government's intransigence in continually opposing the social chapter that has led or is leading directly to a low-skill, low-wage, low working standard culture.

We are on the verge of becoming a sweatshop in Europe. There are private fortunes for some, but for the majority there is low job security, low commitment to employers and low standards of service and of production.

Scotland does not believe that Government policies are providing a sound future for that country. Security and prosperity can come only from full and willing participation in a Europe-wide social chapter and a commitment to the people.

The most successful European economies are those in which the work force is motivated and supported. It is short-sighted to neglect that work force and to neglect the people. An example of that short-sightedness, if I may digress slightly, is intransigence towards a minimum wage. The Government show total resistance to that, and it was one of the principal arguments in the by-election. I found that strange because the agricultural minimum wage exists, which protects rather than destroys jobs.

That is also the case elsewhere. Study after study has shown that the 60 years of a minimum wage in the United States have not destroyed jobs. I also find it amusing that the right-wing platform of President Chirac included a commitment to increasing the French minimum wage. Indeed, Sir Winston Churchill, I believe in this very Chamber, in 1909 called it "a serious national evil" for anyone to receive less than a living wage.

Those are the benefits that we can accrue from the European Union—tangible benefits. The concept of a people's Europe and the social chapter helps to bring us those benefits, and it can and should be coupled with a minimum wage, set by Government. It can be introduced during a transitional period to help small businesses, and I believe that, in 1995, it should be set at not less than £4 per hour—a pity that my friends on the Labour Benches will not also fix a figure.

An opinion poll early this year showed that Scots were more enthusiastic about Europe than were people in any other part of the United Kingdom. The message of that by-election is that it is time for Britain to pull over, get out of the slow lane and let Scotland past.

6.12 pm

Sir Richard Body (Holland with Boston): I congratulate the hon. Member for Perth and Kinross (Ms Cunningham) wholeheartedly on a notable speech. I do not know whether Sir Nicholas was up there, but I believe that, if he were, he would have been grinning amiably at those reminiscences. The hon. Lady spoke with great generosity towards him and with wit, both of which the House always much appreciates.

The hon. Lady spoke of her constituency in glowing terms, which was only right, because we all envy her that constituency and she is lucky to be there. I do not know whether her constituents are lucky to have her. So far, no doubt they are, but the hon. Lady will strive hard to hold that seat and, if she continues to make speeches like that, she may be there longer than some of us would wish.

I am tempted to tread on the controversial element of the hon. Lady's speech, but that would be to depart from the traditions of the House. Instead I shall allude, if I may, to one industry in which morale is now very low, an industry that was once the greatest of its kind in the world—our fishing industry.

Our fishing industry is becoming smaller day by day. That is literally so, as fishermen are becoming fewer by the day and as one boat after another is being decommissioned. The industry has two parts—inshore and deep sea.

I shall refer to the inshore sector first. We have a leasehold on what were once our British waters, but that leasehold expires in 2002. That is seven years ahead. It is an eternity away to politicians—all of us—as we never like to think of seven years ahead, but it is tomorrow to the fishermen who are contemplating whether it will be worth their while to renew the boats that they have—and many need to be renewed now—or to advise their sons to join them in an industry that has traditionally gone from generation to generation.

In my constituency, we now have only 40 boats—40 boats, I should say, from Boston. We have none from Fosdyke and Sutton Bridge now. There are only 40 boats left going out from Boston, when not so many years ago we had more than 100. We have only 80 fishermen left, when not so many years ago we had about 500, earning a living out of the fishing industry.

That figure can be repeated all round the coast of the United Kingdom. That is the scale on which the industry is diminishing. We really must decide very soon whether we intend to have a fishing industry. Unless we make that decision soon, morale is so low that we shall not have the investment coming in to enable boats to be rebuilt and to recruit the younger men to come in, to enable the industry to carry on in the next century.

I beg the Government to have regard to that, even at this stage, for the intergovernmental conference. Unless we make a decision soon, we shall simply not have more people willing to enter the fishing industry to replace those who are retiring and the others—and there are quite a number of them—who see little hope for their industry and are leaving.

Dr. Norman A. Godman (Greenock and Port Glasgow): Does the hon. Gentleman agree that a campaign for the reform of the ramshackle common fisheries policy that we have now must call for regional management and regional preferences in terms of the indigenous fishermen and communities?

Sir Richard Body: I would go a little way along that road, but my conclusion would be more radical, as the hon. Gentleman may understand.

May I now refer to the deep sea sector. What has happened in the past 24 hours will not be lost on deep-sea fishermen—that a little militancy on the high seas can bring its reward. Having visited many deep-sea fishermen in the past few months, I must report to the House that there is rising anger, because they feel deeply let down. They feel that their industry is being treated as expendable and that they, and those who depend on them, have little future in an industry that could be great.

It has been calculated that our fishing industry might be worth £6,000 million a year. That could make it a major industry, as indeed it used to be. We must ask ourselves seriously whether we wish to see that go—and go it will, unless the House resolves very soon that it should not go, and that requires the repatriation of fishing policy.

One of the arguments for the common fisheries policy is that it conserves fish. I shall give one statistic that the House will not believe. Fishermen whom I have spoken to in the past few months have calculated how many fish round our shores are tipped back, dead, into the sea once they have been caught. Nobody will believe me when I say that those fishermen tell me—it is not just one view, but the view of many, including marine biologists and others who have kept an eye on what is happening—that about 1,000 million fish are tipped back in the course of a year. I do not know how many fish one could get into the Chamber—perhaps 1 million or 2 million.

When our fishermen go out to fish, they have to keep to a quota. If they exceed it, they know that they will almost certainly be caught and fined up to £50,000. As a result, they dare not take the risk. In my constituency, it is seldom that as many as 16 boats go out in one day, but no fewer than 16 fishery officers police the Wash ports. The chances of exceeding the quota and getting away with it are nil.

If one is fishing in the midst of a shoal of fish such as herring, one can easily, so I am told, bring on board 20 tonnes of herring. One cannot limit the amount as the nets come in; all the fish will come on board, although the quota may perhaps be only 10 tonnes—it may be anything from 8 to 12 tonnes. One will probably have to tip back half the herring. They will be fed to seagulls, but there is no other advantage in tipping them back. That process, which is far from conservation, is happening with one species after another.

The common fisheries policy has failed to meet its objective. It is a disgraceful and wicked waste that so many millions of tonnes of food are being thrown back into the sea. The amount of waste is far worse than anything that has so far been recorded due to the common agricultural policy—and enough food has certainly been wasted as a result of that policy.

I hope that the House—particularly my hon. Friend the Minister, who I know is sympathetic to, and understands, the problem—will urgently consider the issue. We need some resolve to ensure that the industry does not perish.

[Sir Richard Body]

It is slowly dying and it will die unless the House has the resolve to ensure that we have effective control over our waters. That will not be achieved by reform—reform is Euro-speak for more bureaucracy.

6.22 pm

Mr. Ken Livingstone (Brent, East): I should certainly like to echo the kind words of the hon. Member for Holland with Boston (Sir R. Body) on the maiden speech that we have just heard from the hon. Member for Perth and Kinross (Ms Cunningham). I particularly welcomed her speech as I thought that it had a decidedly socialist tinge to it and I suspect that we are not getting as many socialists in the House as we did in the past. I hope that being generous to the hon. Lady in that way will do her no more damage in her party than it is likely to do me in mine.

I was struck in the debate on two or three occasions by Tory Members grasping at straws and expressing the hope that the Labour party is as deeply split on Europe as the Government. They were misguided because there has been a tendency not to examine the detail of the speeches that were made by many of us in the Maastricht debate. I consistently voted against the Maastricht treaty, largely because the Government were stupid enough to make it an issue of confidence. Therefore, irrespective of what was in it, I would have voted against it.

I also voted against the Maastricht treaty largely because I am opposed to an independent central bank—a strong motivating force for many Labour Members who opposed it. I have not the slightest doubt that, whether we are in or out of Europe, that issue will return in the next Parliament and will have to be fought over. I did not spend so much of my life trying to get elected to this place, then to conspire to give bankers vast powers over the British people.

The recent conflict between Eddie George and the Chancellor shows that, ultimately, one person has to be responsible to the House for interest rates. It is nonsense to have dual responsibility carried between an unelected official and an elected official. Interest rates are central to the lives of British people and accountability for those interest rates should lie in the Chamber, not with an unelected official or an independent central bank. I have no problem in voting against it.

Mr. MacShane: I shall ask a quick question as we are limited to 10-minute speeches. Who is more powerful in determining our interest rates—Eddie George, the Chancellor of the Exchequer or Mr. George Soros?

Mr. Livingstone: George Soros and his like around the world, who, with their ability to manipulate currency flows, largely determine such issues when one is dealing with a currency that is not as large or important as it used to be.

I want to deal with the subject of the splits in the Labour party. Shortly before the election in 1991, my right hon. Friend the Member for Chesterfield (Mr. Benn) came to the Campaign group as the Maastricht debate was building up and presented a paper of total opposition to the European project. He was surprised to discover that two thirds of the members of the Campaign group were in favour of the federal project. It should not be a surprise to the Tory party to discover that those of us with roots in internationalism, Marxism or even Methodism are open to the idea of supranational, international and global methods of organisation and government. In a world that is becoming more and more crowded with people and in which there is more competition for resources, international organisations will become more important.

When I was on the national executive committee of the Labour party, I attended a party conference in, I think, 1988, at which there was a vote on whether to withdraw from Europe. I noticed that the constituency Labour party delegates voted overwhelmingly against it. I do not think that Conservative Members should think that the Labour party's change of attitude on Europe is a manoeuvre or a device. That change of approach has come up through the party from the grass roots, so it is irreversible.

The Labour party contains people, on both the left and right wings, who are genuinely opposed to the European project, but they form a small minority. I do not think that we shall face the same problems in government as the Prime Minister is having with the Conservative party. We must find a way of getting Europe right, not whinge about whether to stay in it.

One has only to examine the aspects that the intergovernmental conference will be discussing over the next couple of years as we move towards the next stage of the European project to see that there is no role for a major nation outside Europe. We know full well that Britain has a major impact on foreign affairs only when it agrees with another major power or bloc of powers. We learnt in Suez that we can no longer strut the stage. Instead, we must co-operate with our European neighbours so that there is a European dimension to global affairs, which we can pose against the policies that often emerge from the White House or the far east. We must ensure that we have that interest. It is nonsense that we are still armed to the teeth in western Europe, as if we might one day fight a war. There are major savings to be made for European peoples if we co-ordinate and co-operate on defence issues.

Clearly, the most important question for most hon. Members is that of a currency. I was struck by the Bruges group's 19th occasional paper, which I was kindly sent by Bill Jamieson of *The Daily Telegraph*. It made the case that we should not be constrained by Europe but, with our vast capital holdings around the world, we should be genuinely international. I read through the paper and it decided me in favour of the European project. The Bruges document is a restatement of Britain's traditional financial perspective: to invest abroad and to neglect home investment. It convinced me more than ever to favour a single currency. We should concentrate on investing in Britain and in our European neighbours in order to build a strong industrial base, which has been neglected so badly and to which the hon. Member for Southend, East (Sir T. Taylor) drew attention with regard to the collapse in our exporting ability.

I have no doubt that there will be a European currency. The European project has been clear: since Messina 40 years ago the Europeans have not had the slightest doubt that they were talking about a united states of Europe. The British people have been ill served by politicians constantly trying to emphasise the economic issues. It was a much wider project. It is absolute nonsense for anyone to say that a single European currency can be created

without recognising that that is another step towards creating a wider European union, and eventually a united states of Europe.

I welcome that. I remember when Harold Macmillan first applied to take Britain into Europe in 1961. I was about 17 at the time and I was excited by the project. The debate then was that, although we would not necessarily enjoy tremendous economic benefits, there were wider political and military issues to consider. We wanted to create a genuine European dimension. When Kennedy in the White House gave the Union his support, it was seen as creating twin pillars either side of the Atlantic. It was viewed not simply in economic terms, but in political and military terms.

We should now be honest to the British people. I do not believe that we were honest in the referendum, which purported to be only about the economy and so on. There is a political dimension, and we are deceiving the British people if we try to deny that. I am proud of it and I am happy to tell the British people that Europe is moving gradually—it may take a generation—towards the creation of a federal structure. Our role, as socialists, is to ensure that it is the correct structure and that Europe is devolved, decentralised, open and democratic. It must not be centralised and undemocratic and it must not turn its back on the rest of the world. That will be the subject of future debates.

There is no way that Britain can stand apart because the rest of Europe will go with that project. The issue is whether it will be a small core based around Germany, or whether the whole of Europe will be brought together. I do not want to see a small German core with the rest of us stuck on the periphery where we have little influence; I want to see the wider European project open out as rapidly as possible, to draw in the nations of eastern Europe.

If the rest of Europe creates a single currency and Britain opts out of it, every minute of every day the George Soros's and the international markets will test the strength of the pound against the next European currency. Every minute of every day, British citizens will have to pay more in terms of interest rates in order to fend off those attacks. The exchange rate mechanism failed because we were stupid enough to go in at an unsustainable rate. *[Interruption.]* I remind those hon. Members who are dissenting that I said that in the speech that I made when they voted to go in at an unsustainable rate. I said at the time that if we entered at that rate, another million people would be thrown on to the dole. I was right. The fact that the ERM failed us is irrelevant because the Government were stupid about the rate at which they entered.

Mr. Deputy Speaker: Order. The hon. Gentleman's time has expired.

6.32 pm

Mrs. Edwina Currie (Derbyshire, South): I add my words of congratulation to the hon. Member for Perth and Kinross (Ms Cunningham). It is particularly nice to hear that sort of speech from a new woman Member. She may know that her predecessor, Sir Nicholas Fairbairn, very kindly described some women Members in the House as "old slags". I am sure that he would be amused by the irony of his being replaced by one who is not only so capable but also so attractive—and I am allowed to say that.

On Monday I had the honour to be elected as the new chairman of the Conservative Group for Europe. The group came into existence 20 years ago to fight for the yes side in the referendum. It has supporters all over the country, including in both Houses of Parliament.

For those of us who are pro-European, it has always been a great reassurance to be members of the Conservative party. The original idea for modern Europe came from Churchill in Zurich in September 1946, when he spoke of creating a

"structure under which the European family can dwell in peace, in safety and in freedom".

He talked about giving

"a sense of enlarged patriotism and common citizenship to the distracted peoples of this mighty and turbulent continent".

It was the efforts more than 30 years ago of the then Tory Prime Minister, Harold MacMillan, to take us into Europe that inspired me and many like me to join the Conservative party. Since then, Tory Prime Ministers have brought about our entry into Europe; pushed through the single market; developed the notion of subsidiarity, which is now widely accepted; and pressed for the accession of other countries, especially those which once suffered under communism. I think that Tories can be very proud of those achievements.

Most of that was done in the teeth of bitter hostility from Labour. From Attlee onwards, through the leadership of Michael Foot and Neil Kinnock, Labour's natural tendency to trudge backwards with its head down has led the party in the wrong direction. The new Labour leader, the right hon. Member for Sedgefield (Mr. Blair), says that he is pro-European now. In 1983—the year that we were both elected to this place—he wanted to pull out and leave the European Community entirely. In his 1983 election address he said:

"We'll negotiate a withdrawal from the EEC which has drained our natural resources and destroyed jobs".

He now says in radio interviews that, privately, he was all in favour of Europe. That is very strange. In public he is now in favour of Europe, but perhaps he is against it in private. One wonders at a commitment that is so superficial. I will take some convincing before I believe that the modern Labour party is in favour of the European Union.

The Opposition's current conversion to the cause is very welcome, but what does it signify? It signifies only their realisation that an anti-European stance, along with their other batty policies, has made them repeatedly unelectable. There's the rub and there is the lesson for Conservatives as well. No anti-European party has ever been elected to office in this country. The voters, for all their grumbles, know on which side their bread is buttered.

The European Union is a living creature; it is like a teenager. We can no more tell it to stop and say that we shall go no further with it than we can tell a teenager to stop growing. The tight little knot of six countries 40 years ago has grown until the Union's population is now as big as that of the United States of America and Japan put together. Our combined gross domestic product is 20 per cent. larger than that of the United States. The European Union is a world player and we should be thrilled to play our part.

Sir Teddy Taylor: What is their unemployment?

Mr. Deputy Speaker (Mr. Michael Morris): Order. Injury time will be given. That sort of barracking from the Back Benches is not acceptable.

Mrs. Currie: In trading terms, we should make no mistake: Europe's strength is vital to us as a trading nation. We account for a quarter of total European Union trade. When there is a recession on the continent, we suffer; when continental economies grow, we benefit. Last year's figures show that we exported more to Germany than to the USA, more to Italy than to the whole of the middle east, and more to the small Dutch economy than to all the tiger economies of Asia put together. As far as our exports are concerned, the Australian market is roughly the same size as that of Denmark.

Of course, we should not ignore the rest of the world, but why go halfway around the world when the richest and most discerning buyers are on our doorstep and we are triumphant in their markets? That is now our home market. The belief that we would find life easier somewhere outside the European Union is simply crazy and it does not accord with the facts.

Churchill spoke of an "enlarged patriotism". Edith Cavell told us that "patriotism is not enough". I think that that is correct. I do not believe that we can improve our nation's position by taking a narrow view. Nor is it patriots who do so: it is those unpatriotic weak willies who are terrified of the challenge of other nations and who believe that we cannot meet that challenge.

As to the single currency, I must tell my right hon and hon Friends on the Front Bench that if patriotism is not enough, nor is pragmatism. It is always necessary to ask the shrewd question: will it work? It is unwise to wait until others have designed the whole caboodle before putting the question. To insist upon "wait and see" is not a policy; it is a postponement of a policy. Worse still, it carries with it the serious danger that we will not like what we see eventually simply because we lacked the nerve or the taste to get involved at the start.

My right hon. Friend the Member for Horsham (Sir P. Hordern) Horsham called for free votes on the issue and he was right. My right hon. Friend the Prime Minister is correct to say that we cannot take a decision on a single currency until we see what is on offer, and to insist that it must be workable before we consider joining. However, true patriotism would assume that of course we will be capable of joining when the time comes and that we are capable now of active engagement in the massive amount of detailed planning that is required. That is the view of the CBI in its paper, "A Europe that works", which was launched yesterday.

If we stand back and let other countries take the initiative, the result will be a creation from which our experience and knowledge will be excluded. It will be worse without us. We must be involved and engaged.

I have one or two old-fashioned views. I believe that it is the job of Government not only to govern as widely as possible, but to inspire. I should like to see the Conservative Government expound the principles on which modern Europe is founded, as Churchill and Macmillan did. I should like them vigorously to promote radical change and growth in Europe, including a flexible labour market, instead of appearing to oppose it at every step.

The Government have an obligation to inform the public of how we benefit from our membership of the European Union. The ignorance of ordinary voters is a major stumbling block to our playing a full role. It is up to the Government to tackle it and not leave it to others.

I should like to hear words of hope and enthusiasm from the Government about Europe, not the nit-picking and criticisms which have become so many Ministers' stock in trade. Otherwise, we may find that the voters in some future referendum have absorbed the lukewarm attitudes of some of our leaders and Back Benchers and will vote no, whatever the question is. That would be a disaster for Britain, for our partners and, in my judgment, for the free world.

I pray that a principled, long-sighted and positive view will prevail over policy in Europe as it has in the Conservative party up to now. We must at all times seek what is good for the nation and for our constituents. Only in that direction lie the targets we desire: the wealth and security of our country and success in the next election.

6.41 pm

Mr. Mike Gapes (Ilford, South): This morning, the Foreign Secretary made it clear to the Foreign Affairs Select Committee that the Government have made no formal submission of their position to the inter-governmental conference and study group. So far, they published a paper on defence policy in March and a document on the common foreign and security policy. Both those documents would be broadly welcomed in the House as they contain what most people in Britain would consider eminently sensible proposals that take us towards greater European co-operation. However, some of us wish that the Government had provided a more explicit, clearer statement of the need for a common European approach to stand up to the stupidities from the other side of the Atlantic.

It is significant that this morning the Foreign Secretary was not prepared to promise a White Paper before the IGC. The reason is clearly demonstrated on the Conservative Benches. The Foreign Secretary is unable to produce such a White Paper because of the divisions within the Cabinet and the Conservative party. It is clear that the Government are suffering from immobility.

Mr. Duncan-Smith: Not Mobil, what about Shell?

Mr. Gapes: I shall come to Shell in a moment.

The sceptics are on the rampage and the lunatics are taking over the asylum. The Inter-Governmental Conference Study Group will be an important test of whether the Government can survive into 1997, but the outcome in 1997 will not necessarily be what is envisaged at the moment.

The German representative on the reflections group, Werner Hoyer, said a few weeks ago that from the German viewpoint it would be preferable for discussions to continue into 1997 because of the political uncertainties in Britain. He went on:

"but the schedule could be kept only if elections in Britain have by then strengthened the decisiveness of London."

That can be read in two ways, but I suspect that what he had in mind was his hope that there will be a Government with a clear majority led by my right hon. Friend the Leader of the Opposition before the conclusion of the negotiations. That has consequences not just for Britain

and the other members of the European Union but for other potential members with the enlargement to the Visegrad countries and other central and eastern European states as well as Malta and Cyprus.

The Select Committee recently visited Finland and Poland as part of our work in reporting to the House on the issue. We had detailed discussions with representatives of the Polish Government. There are concerns in Poland that the process of enlargement will drag on and be delayed because of the ratification process after the IGC.

I therefore welcome what the Foreign Secretary told us this morning. His view was that within six months of the IGC, discussions with potential new members should then start and that we should not have to wait for the ratification of the new treaty, which could delay matters perhaps a year or more and make it more difficult for that enlargement to take place before the end of the century, causing growing uncertainty in Poland, Hungary and elsewhere for several years.

It is also clear that applicant countries will join the European Union when the debate on the single currency is becoming central. If the discussions of the last few days lead to the single currency being introduced in 1999, and if the Commission's proposal for a four-year, three-phase process to bring it in is met, by about 2003 there will be a fully fledged single European currency. That will have big ramifications even for countries which have decided to opt out.

The Commission's document envisages the single currency operating throughout the single market. That has serious implications. Hon. Members have already referred to the potential costs of staying out of such a single currency, if it were introduced.

My constituents who travel to work in the financial institutions in central London—in banking, insurance and associated industries. The single currency will have significant consequences for a part of the country with higher than average unemployment and massive job losses in those sectors in recent years. It will be worrying if we stay out of the process and the focus of European banking, finance, insurance and information technology shifts away from London towards other European cities. It would be appear to me that, in the German sense, the matter is being driven by politics. That is clear from what Chancellor Kohl has said and from what everyone else in the Social Democratic party is saying. Indeed, I met a member of the SDP this week, and he confirmed the fact that a majority in the German Parliament is committed to establishing a single currency. German public opinion may be registering some suspicion and hostility, as expressed in the polls; but I agreed—if only on this—with my right hon. Friend the Member for Llanelli (Mr. Davies) that there will be a single currency, and the Germans will be at the core of it.

The choice that we in this country face is: should we sit on the sidelines, believing that we can operate from outside, with all the attendant risks of speculation to which my hon. Friend the Member for Brent, East (Mr. Livingstone) referred earlier? That would pose great dangers to our economy, our interest rates and our stability. We have been here before, in the 1960s and at other times. We must not repeat the mistakes of the past.

I believe that the Labour Government who will be in power between 1999 and 2003—and beyond—will have to confront these issues positively. I am confident that they will do so, in the interests of the long-term future of employment, stability and living standards in this country.

6.50 pm

Sir Teddy Taylor (Southend, East): These debates are usually dull and boring; it must be even more boring for the Speaker to have to sit and listen to the same old people hurling abuse at each other and at each other's opinions.

Today we heard a considerable speech by the hon. Member for Brent, East (Mr. Livingstone), who rightly pointed out why the Labour party has changed from the grass roots up. It was not a case of some clever leader deciding to stand on his head. What has happened—it should have happened years ago—is that the average socialist has realised that the EC is about things he cares about—subsidy, intervention, social conscience, market management, protectionism, artificial prices, and boards, councils and commissions running everything. Certainly, if I were a socialist that is the kind of society that I would support. If an industry was collapsing, we would not let it go down. We would call someone to come in, sort it out and keep it going. And there would be calls for subsidies here, there, and everywhere.

It would seem that, for perfectly good reasons—certainly not out of nastiness—people do crazy things which always end up in mass unemployment and bankruptcy. But the Labour party has certainly changed. As for the Conservative party, we have heard today how it and the rest of society have changed dramatically. When I was coming in here this afternoon I met an hon. Member who abused me when I voted against the Maastricht Bill. He called me stupid and mad. Now he tells me that he has written an article for a newspaper called *The Sun*, Saturday's edition, in which he intends to argue for total withdrawal from the European Union. That is quite a big change.

Some of my colleagues have referred to that ridiculous, highly subsidised body known as the CBI. I realised when I read the CBI report that I had never seen anything like it in my life. I do wish that the CBI would state at the front of its documents how much cash it gets from the EU. Many organisations basically do no more than a PR job for the EU—but they should say how much they get in return.

Anyway, the CBI document is quite astonishing. It says that the CBI is very concerned about the distorted competition in the EU. It goes on to say that the European agricultural policy needs to be replaced with a completely new one. Further, it says that business shares the general concern about the huge sums being spent on fraud and financial irregularity. All this represents a dramatic change from the usual rubbish which amounts to no more than PR for the European Union.

The European Parliament is also changing. I hope that the small minority of Euro-fanatics that we still have in the Conservative party will read the massive report due to be published by the European Parliament's employment committee next week. Based on costly and detailed advice, the committee states that convergence—the first of the three stages—will cost another 10 million unemployed people. The committee is right. Forcing all the currencies together will create unemployment, just as another 500,000 people were made unemployed while we were in the ERM. This view represents a massive change too.

[Sir Teddy Taylor]

People's attitudes to legislation from Europe are also changing. My colleagues and I get cascades of letters from industry and commerce saying that they are fed up to the teeth with the costly and nonsensical legislation from Europe. Some of it is truly unbelievable. In the past few days, we have had the infant formula regulations, bringing in for the first time official censorship, with fines to be imposed on anyone who argues that a product that does not involve breast feeding can be good for babies—crazy but true.

Next comes the new chocolate directive; it has almost gone through even though the Government oppose it. It will go through on majority voting, and it will change our chocolate. On 1 October the crazy regulations governing the use of the metric system will come into play. People selling products in British shops without metric labelling will be subject to fines of up to £5,000. This proposal went through a Committee of this House in 21 minutes, because there was nothing that anyone could do about it.

Of course, a tiny minority in our party still shout about the EU. Earlier, we heard the hon. Member for Derby, South delightfully saying that we should be telling the people of Britain what the EU is doing to them. I wish to goodness that she would do that—

Mrs. Currie *rose—*

Sir Teddy Taylor: I shall certainly not give way. She should tell the people of Britain the truth instead of talking all the rubbish that we heard from her today. She should tell them the cost of VAT to poor families. VAT is a filthy tax on the poor, and there is nothing that she nor I can do about it. Will she tell her constituents, many of whom are poor, that we spend £1 billion on growing high tar tobacco and dumping it on the third world? There is nothing that we can do about that scandal. What about telling families about the £28 extra a week that they are paying in higher food prices and taxation because of the absurd common agricultural policy? There is nothing that she or I can do about that either.

Mrs. Currie: On a point of order, Mr. Deputy Speaker. I rise merely to point out that the hon. Member for Derby, South (Mrs. Beckett) sits on the other side of the House. I am the hon. Member for Derbyshire, South—and I continue to be proud of my membership of the pro-European faction.

Sir Teddy Taylor: Ridiculous. Everyone knew who I was talking about. What about the £5 a week that families in Derbyshire have to pay as their net contribution to the EU? What good is coming from money going to waste and fraud?

Conservatives are beginning to wake up, and the Government must take that into account. But what the blazes are we to do? First, I ask the Government not to try to resolve the matter with silly reassurances—all that stuff about moving away from federalism and about things going our way—"No one is talking about a United States of Europe", and so on. It is all nonsense and the Government know it. We are slipping ever further into Europe and, because of the courts, we cannot stop it—unless something new happens.

Secondly, I must ask the Government to abandon their pretences over issues such as border controls. The Government say that they will go to the brink over them, but those of us who live near the sea and the ports of entry know that we have already agreed to uniform visas, to the principle of mutual recognition and so on. More than half our illegal immigration now comes from Europe. I could give more details from the unions about this—the hon. Member for Thurrock (Mr. Mackinlay) knows exactly what is happening.

We cannot hold back this advance so, if we are to achieve change, we must give authority to the Prime Minister, be he Conservative or Labour. We must not try to change the leadership; we must face up to the issue. The only way in which the Prime Minister can get the necessary authority is by sorting out that small band of dissidents who are trying to pull us away from our new Conservative policy of giving the people their say. But the idea of a referendum on a single currency is the biggest joke ever. By the time we come to that, everything will have gone except the Scottish pound note. If we are to ask for people's views, it must be done before we get involved in the two years of fixed exchange rates—anything else would be a fraud. If I were to try to talk to people in a referendum about whether they are for or against keeping the Euro equivalent of a Scottish pound note they would think it an absolute irrelevance. What should we look to for the future? Europe, we should appreciate, is going down the plug hole economically and politically.

Mrs. Currie: Rubbish.

Sir Teddy Taylor: There is mass unemployment, as my hon. Friend the Member for Derbyshire, South should know—20 million unemployed, and more to come. It is a disastrous situation. The economic situation of European countries is appalling. As we see in France at the present time, extra seats are being provided for the fascist parties. That is worrying and appalling. We should be avoiding Euro-xenophobia. We should be looking out to the world, for relations with countries like those in the North American Free Trade Agreement, which believe in free trade and nothing else.

I would appeal to my colleagues to appreciate that we are in danger of going down the plug hole. Britain should be seeking to disengage so that we can pursue Conservative policies once again. While a small minority of my colleagues are still here laughing and chortling at what we say, they should realise that, unless something happens soon, Britain is destined, unfortunately, to the miseries of the European Union, to the disappearance of democracy and to a future that will deprive the House of bringing in Conservatism—

Mr. Deputy Speaker: Order. Time is up.

7 pm

Mr. Roy Hughes (Newport, East): It is rather interesting to follow the hon. Member for Southend, East (Sir T. Taylor), because I have always admired the principled stand that he has taken on this issue over many years.

I welcome the debate on the European Union. It is accompanied by the usual shoal of documents, which I have tried to browse through. I confess that I have not participated much in European debates in recent years, although I did play a fair part in the 1960s, when all the

agonising took place about joining, and in the 1970s, including the referendum campaign, when, with Neil Kinnock, who is now the Transport Commissioner for the European Union, I campaigned for a "no" vote. After that, I rather felt that I was knocking my head against the wall a bit. That view was reinforced for me at the time by Viscount Tonypandy, or George Thomas as he was then. He said to me, "Drop it, Roy. There are other issues."

For me, today is something of a look back. The first thing to note are the name changes over the years. It started off as the Coal and Steel Community, the amalgamation between Germany and France, the traditional enemies. Then Britain joined what was known as the Common Market, without, incidentally, the full-hearted consent of the people of Britain, which was promised us by the right hon. Member for Old Bexley and Sidcup (Sir E. Heath). Then there was the European Economic Community, the EEC. Now, of course, we have the European Union. I may have missed one or two changes in the meantime.

There are, of course, those to whom I shall refer as the Euro-fanatics, for want of a better term, and they, it seems, will not be satisfied until it becomes federal Europe. I was therefore glad to be reassured by my hon. Friend the Member for Livingston (Mr. Cook)—who, incidentally, I hold in the highest possible regard. He indicated today and on 30 January that Europe must be a community of free member states. Labour, he said, rejects the concept of a European super-state. I hope that I am not misquoting my hon. Friend in any way.

Mr. Robin Cook *indicated dissent.*

Mr. Hughes: I recall that our delegation to Europe was once nominated. Now it is elected. I note, too, that the name has changed from a European Assembly to a European Parliament. There is, I suppose, nothing constant but change.

In the 1960s and 1970s, when arguments were raging about membership, one of the main bones of contention was undoubtedly the common agricultural policy, so I was rather interested to receive a few days ago, from my hon. Friend the Member for Edinburgh, East (Dr. Strang), the shadow Minister of Agriculture, a communication that pointed out:

"The recently released CAP fraud statistics show how badly we are being ripped off by CAP fraudsters".

The figures, he said, are a scandal, and no fair-minded person could disagree, for the figures, far from getting better, are actually getting worse.

In 1993, 1,284 cases were recorded, amounting to £235 million. Yet for the first nine months of 1994, the number of recorded cases had risen to 1,597, amounting to £340 million. Those figures are from official European Union sources. As my hon. Friend points out, they are merely the tip of the iceberg.

I shall quote some of the cases involved in 1994. Italian companies claiming to be exporting tobacco were in fact shipping containers full of waste paper, plastic and mouldy tobacco waste. They received £2 million in subsidies. Criminal organisations were collecting butter export subsidies—and not exporting butter. Subsidies were paid out to export beef to Egypt, even though the beef had such high levels of bacteria that it was rejected by Egypt. Fourteen million pounds was spent in subsidies for grape must because it was going to Sweden. It was in fact going to the USA and Canada, where these subsidies do not apply. Those are examples of fraud in the European Union.

My hon. Friend said that only radical CAP reform can stop the scandal of CAP fraud. The Minister of Agriculture, Fisheries and Food should be saying that to President Chirac and Chancellor Kohl, but perhaps he is too busy defending himself over the Scott allegations.

The fact is that the CAP swallows half the European budget. It pushes up food prices in this country for every family. The cost for the average family in Britain is currently close to £20 per week.

Sir Teddy Taylor: Twenty-eight pounds.

Mr. Hughes: I stand corrected.

In addition, it is doing endless damage to the British countryside. We need to switch spending to support farmers' incomes, and stop subsidising endless production.

The Government have been in office for 16 years. They have certainly had little success in reforming the CAP. In fact, they seem to have given up the fight, and claiming it as their own policy. The Library has provided me with figures that show that the average number of unemployed in the European Union in 1995 is some 18.5 million—11.3 per cent. of the total labour force. What figures these are. They are for ever rising.

Twelve months ago, Sir Michael Perry, the chairman of Unilever UK, pointed out that Europe, judged by its ability to provide jobs for its people, was a palpable failure. In the 1960s, only 2.5 per cent. of Europe's work force was unemployed. Unemployment increased to 4 per cent. in the 1970s. It was nearly 10 per cent. in the 1980s. It is likely to be 11.3 per cent. in 1995. Is it any wonder that the Trades Union Congress has put unemployment back at the top of the agenda, and rightly so? We need a Britain at work, not one on benefits.

The issue of a common currency looms on the horizon. Such a currency could turn out to be a huge disaster. Within the European Union, there are large differences in prosperity and levels of employment. Some areas have high unemployment, while others fare much better. A degree of flexibility in wages and social costs obtains. A single currency could close off the avenues of regional devaluation and run the risk of locking in—

Mr. Deputy Speaker (Mr. Michael Morris): Order.

7.10 pm

Mr. Peter Temple-Morris (Leominster): I cannot agree with what the hon. Member for Newport, East (Mr. Hughes) said and was saying, but it is a pleasure to be able to take up his remarks. I say that sincerely, as the Conservative candidate who opposed him before he first became a Member of this place. As it was Newport on the one hand and the 1966 general election on the other, he will not be surprised, as the House will be, that I firmly lost.

I come to the debate as a vigorous European. I think that my views are pretty well known. They have been expressed in the House from time to time. I have clashed, I hope honourably and never personally, with my hon. Friends of the more sceptical element. We have always respected one another's views.

[Mr. Peter Temple-Morris]

I have been a pro-European all my political life. I see the Union now, as I always have, as both political and economic. I put those words in that order deliberately. I accept the notion of shared—I am tempted to use the word of the hon. Member for Livingston (Mr. Cook)—interest, but I prefer to take terminology by the scruff of the neck and declare that I support the notion of shared sovereignty within the institutions of Europe. I take that view because that is exactly what we are sharing now. The debate will focus increasingly on the amount of that sharing and the areas in which it takes place.

I want Britain to play a world role. We have much to contribute. The only way in which we can make our contribution now is within Europe. We waste far too much time clashing with one another about whether we shall be actively within Europe when we should actively be leading Europe. The tragedy of the entire debate, which transcends the adversarial nature of the Chamber, is that we are losing the opportunity to lead. Our position within Europe with our potential allies is diminishing almost as I speak.

I want a single currency. Some of my hon. Friends have already said that that is what they want. They think, with various degrees of balance, that we should get into it. In a difficult world and a difficult Europe, it would mean increasing security for our country. It would mean also security for individuals, in everything from their private finance to mortgages and everything else. A feature of a strong currency is not having to worry about every international breeze, let alone wind, that might cause the pound to rock. That is something that has been going on for most of my adult life.

I very much agree with what my right hon. Friend the Member for Horsham (Sir P. Hordern) said about the development of a core currency. I think that it is coming, as surely as night follows day. If we are not part of it, we shall have to conform with it. Increasingly, our trade will be done within it in any event. If the pound is away from it, it will most certainly have to follow it.

When we argue about a single currency and everything else, Europe tends to go into cores, tiers or concentric circles. There are so many buzz words. I want Britain in the top tier. We do not belong lower down. I was amazed when my hon. Friend the Member for Colchester, North (Mr. Jenkin) mentioned Switzerland. I like to think that I am in a country that likes Switzerland. Indeed, I enjoy Switzerland. The hon. Member for Livingston (Mr. Cook) talked about niche markets. I do not think that we are a nation of chocolate or watch makers, and we are certainly not neutral. We like to be in there, as it were, pursuing our policy and influencing others.

That leads me to investment and the City. It is my firm belief—I know that there are disagreements about this—that in the longer term the future of the City will increasingly come under challenge if we are not actively part of a financial and economic Europe, and that means most certainly a single currency. At present, the City is pre-eminent. It is one of the finest things that we have to contribute to the rest of Europe and the wider world.

It is all very well for many in the City to say, "If we are outside developments, it will not make any difference. We are just like Hong Kong or Switzerland, for example. We shall manage." With that attitude, I believe that City business will move away from us. That will happen in the medium to longer term, unless, as I have said, we are in there.

I move on to foreign and defence policies, and, I hope, the increasingly common nature of them. I welcome co-operation in procurement—for example, the closer relationship that the Government are seeking and securing with France. We need, however, to develop efficient decision making. I do not mind how we proceed in that direction, whether it is nation to nation, intergovernmental or within the EU. There must, however, be increasingly an efficient decision-making process. That brings me to the United States.

There has been only one reference to the United States before mine thus far in the debate. We cannot rely indefinitely on Uncle Sam to dig us out of trouble and to pay the bill. He is becoming increasingly unpredictable. The imbalance of power between the United States and the other elements of the world is becoming positively frightening, given the burdens on the US. It is the only nation that is executing foreign policy by means of measures that require a strong defence policy—in other words, military capability. It is the only nation that can act as a world power. Europe must rapidly provide some balance, for the sake of a strong twin pillar and a more equal alliance with the US.

We are in an international world. It stares us in the face that the powers of the nation state are increasingly being challenged. Indeed, it is becoming increasingly a dated concept. We must co-operate, whether we are in or out, financially, commercially, militarily and environmentally. The European Union is a reality. The Franco-German axis will remain. There is no point in conning and kidding ourselves that, because of a change here or there, the fundamental nature of that axis will change meaningfully for us.

A single currency will become a reality, as will enlargement. Enlargement equals institutional reform. That must be faced. We are inextricably tied by geographical and trading interests. If we are not part of the rest of Europe, we shall have to follow it.

I regret the internal disputes that we insist on having. They are damaging, and confusing to the British people. Our people are receiving inadequate leadership and guidance. They have been in that position for many years, under, dare I say it, successive Governments. If it ever comes to it, I shall welcome a referendum. I would accept it and fight it, on the basis of a single currency or anything else.

I believe that the pro-Europeans would win the debate and the referendum. It is all very well talking about there being only a few pro-Europeans left. There are many of them outside the House. The concept of a free vote, which has been raised by my hon. Friend the Member for Harrow, East (Mr. Dykes), my right hon. Friend the Member for Horsham and my hon. Friend the Member for Derbyshire, South (Mrs. Currie), proves that. It is almost embarrassing that I have been able to agree with some Opposition Members' speeches. Equally embarrassing is the fact that I have disagreed with some of my hon. Friends' speeches.

I support Government policy wholeheartedly. I recognise reality, however, and when it is a matter of wait and see, we encourage a continuing argument and debate about what we are waiting to see and the course that

should be taken at the end of the day. I think that my Euro-sceptical hon. Friends would agree with that. It is vital that there is no further slippage. It is vital that the United Kingdom preserves, protects and furthers its options within Europe. There must be no slippage, only preservation of options.

7.20 pm

Dr. Tony Wright (Cannock and Burntwood): It would be easy for us Labour Members simply to sit back and take pleasure in watching the antics of Conservative Members. Watching the visceral hatreds that have appeared even in the debate today could simply cause us pleasure, but we would be most misguided if we were to settle for that. The tragedy is that the debate on Europe that takes place here on occasions such as this bears ever less resemblance to the feelings about Europe outside.

We may like to pretend that it is simply a Conservative problem, that the issue about Europe interests us only because it divides the Conservative party, and therefore makes it easier for us to get elected, but that is not so. It is a Conservative problem, but it is wider than that.

The way in which the issue is discussed and reported suggests always that there are simply two sides. That has been replayed in the arguments today: there are pros and antis, there are Euro-fans and Europhobes, and there shall be nothing in between. The reality is that most British people and most of the House are precisely in between. The tragedy of the way in which the argument is conducted is that the majority position—the critical, friendly European position, if I may put it like that—is never heard.

We are approaching a moment of truth, not only for Europe, but absolutely for this country in its relationship with Europe. This is the moment that will test us. It will decide what sort of society we will be, certainly what sort of England we will be.

It is interesting that Europe comes as a solution to all sorts of other people's problems. As we have heard, it comes as a solution to the Scottish problem. In a way, it comes as a solution to the French problem, the Belgium problem and the German problem, but it does not come as a solution to our problem. It compounds our problem, or so we believe. Unless we can resolve that, we shall make no progress.

Mr. Wilkinson: What did the hon. Gentleman mean by the German problem? Germany's problems were essentially solved with reunification. I recognise that the reconstruction of the east's economy has proved difficult, but what is the German problem? To what is he alluding?

Dr. Wright: Would that I had more than 10 minutes. That is a most extraordinarily interesting intervention. Here we are at the end of the 20th century, and a Europhobe says, "By the way, what is the German problem?" The German problem is the history of Europe in the 20th century; it is the foundation of the European Union; and it is at the heart of every discussion that we should be having about the European Union. Any hon. Member who suggests, knowing all that, that we can detach ourselves from the European project and leave a unified Germany at the heart of that project simply has not understood the history of this century.

Options are opening up. One option, which the hon. Gentleman's intervention reminds me of, is the "out" option—the disengagement option. Let us hear it clearly. We are beginning to do so, but people must accept the answer that I have tried to give to the question. That option means accepting the Europe that I have described, of which we shall not be part. That disengagement carries with it the most momentous and dangerous implications for us, but let us at least be clear and honest about it.

A second option would be the "old European project, business as usual" option. One might even call it the pure integrationist model. Problems are also associated with it. Given everything that has happened, including enlargement and the end of the cold war, to think that that project is on course in the old way is profoundly misguided.

The "out" model and the old, pure integrationist model do not work. What else are we being offered? The Government offer the "let's muddle through as best we can" model, whereby we try to avoid taking any strategic view on these matters and live day to day, week to week. Labour Members watch the agonies of that policy. It is not a pleasant sight. We may take some perverse pleasure in it, but it does not help this country or the cause of Europe. None of those positions is adequate.

We are at a moment when Europe needs a new foundation that takes on board the environment in which we live. Real issues exist in relation to the balance between regulation and deregulation, social costs and social solidarity, and the virtues and the stability that a single currency would give and the worries about its deflationary consequences.

There are big questions, which have surfaced once or twice in the debate, about whether the old route, and political integration proceeding by means of economic integration, were right. The time may be coming when we must return finally to the original project—the political one, involving the German and European problems—and go for it directly, but we should not do so in ever more circuitous and different ways.

In that process, we may finish up with a project that is more confederal than federal, or certainly with a softer rather than harder federalism. All manner of questions are being discussed about the shape of a possible European constitution: is it possible to define competences in a new way, to involve the judges of national states in defining competences in a new way—which we can do—and to involve national Parliaments in European institutions in a new way? Again, around Europe interesting ideas are emerging on those questions. We shall divorce ourselves from the argument if we simply go for disengagement or make it up as we go along.

A Europe is opening up that enables us to do things at a European level that we cannot do at a national level. To achieve a Europe of many tiers, we want more power to go not only upwards, but downwards. I say to people who are most ferocious in their defence of national sovereignty that they were not ferocious in defending the rights of the House and of Parliament against an overweening Executive; nor have they been alert and attentive as power has departed from the House to all manner of unelected bodies.

If we accept that the world is not divided between those who are for and those who are against, but that people are somewhere in between, we need a new vision for Europe. Those arguments are being heard throughout Europe, not

[Dr. Wright]

just here. The question is: will we be part of those arguments? We need a new sort of politics to enable us to contribute to the shaping of that new vision.

In Denmark, where many of the arguments in which we are currently engaging also feature, the parties—in preparation for the IGC—are preparing what they call a consensus position to articulate and defend Danish national interests in the context of Europe. That approach to the IGC is a million miles away from its antithesis—the unreasoning and unsensible approach adopted here.

We must conclude by asking what Europe is for, and providing an intelligent answer. The Government seem to think that dressing up in union jack boxer shorts will somehow get them through the next general election; but I am afraid that it will fall to new Labour to provide a new vision for a new Europe.

7.30 pm

Mr. William Cash (Stafford): We have heard the articulated claptrap of Labour at its best: a new Labour, and a new vision for a new Europe. What the hon. Member for Cannock and Burntwood (Dr. Wright) does not understand, and what the Labour party—including its leader—does not understand, is that the prescription at which the party has connived will produce massive unemployment among the very people whom it purports to represent. Worse, if a single currency were ever introduced it would be just as vulnerable to one simple solution as the dollar or the yen.

Labour wants the borders removed. It wants a single currency and—like Germany—it wants a single state. We can tell that from the enthusiasm of the hon. Member for Cannock and Burntwood for the German position; I shall return to that shortly. The combination of those factors, and the movement of other currencies against a single currency, with the highest unemployment that we have seen for 30 years, would inevitably produce bad results. As my hon. Friend the Member for Southend, East (Sir T. Taylor) pointed out, the European Parliament has just considered unemployment. It will know that further movement towards currency links will lead to a further increase in unemployment—an increase of as much as 10 million.

That is Labour's prescription. It is about time that Labour voters knew that it is Labour Members who will create havoc followed by disorder. In the welter of chaos that will accompany the absence of national Parliaments that is advocated by Labour, we may well face a new form of incipient fascism owing to the removal of the safety valves provided by such Parliaments. *[Interruption.]*

Madam Deputy Speaker (Dame Janet Fookes): Order. I do not expect to hear seated conversations between members of different parties, or even between members of the same party.

Mr. Cash: I am grateful for your ruling, Madam Deputy Speaker, but when Opposition Members try to interfere by chuntering among themselves I always know that it is because they do not want to hear what is being said. They are guilty men: they have connived in this project. The evidence is there for all to see. We need only look back to the exchange rate mechanism. We know perfectly well that that caused a massive loss of businesses, produced a public sector borrowing requirement of £50 billion and, regrettably, led to an increase in social security and other domestic costs that then had to be repaid by the breaking of our own tax promises. That is why we are electorally unpopular. Not for one minute can Opposition Members be seen as other than guilty of having agreed to the arrangement—and, furthermore, of not having repudiated that agreement subsequently.

Mr. MacShane: Does the hon. Gentleman recall that the biggest surge in unemployment over the past 16 years occurred early in the 1980s, when we were not in the exchange rate mechanism, thanks to this national Government's policies?

Mr. Cash: The hon. Gentleman is not really considering what is actually happening under the current European project. He is trying to look into the distant past without focusing on the high interest rates incurred by the ERM.

Only today, Mr. Theo Waigel made it clear that the Germans are fed up with paying money into the cohesion and structural funds. Indeed, a leaked internal paper from the Dutch Finance Ministry that came into my hands the other day suggested the same. The net contributors are fed up with making the payments, and all the promises made to countries in the south Mediterranean and elsewhere will come home to roost. People will discover that all the promises that they were given will disintegrate; a web of deceit and dishonesty is being woven on a scale that has not been seen for generations.

The plain fact is that, if I know that such things are going on, other hon. Members must as well. None of us has that amount of knowledge; we all have access to the same information. Why are we not told openly what is really happening, and what the consequences of monetary union would actually be?

Furthermore, under article 10 of the own resources decision, the Fontainebleau rebate, to which my right hon. Friend the Foreign Secretary referred, is on the table for consideration, having being put there by our Government. It is intended that the Fontainebleau question, as well as proposals for a fixed uniform rate of VAT and for a new own resources decision, should be discussed and decided by 1999.

Some of my hon. Friends are looking at me with a certain amount of interest, because they know that what I am saying is true. I beg them to take account of this: I am not trying to be difficult, but merely trying to bring some of the information into the public arena. Why should the people of this country not be told the truth about what is happening? We sold the pass at Maastricht, and Labour and the Liberal Democrats were party to that.

During the debate on the Maastricht confidence motion, I told the Prime Minister, "You have presented the British people with the unnecessary question of whether, in 1996 and 1999, we may have to leave the European Community." That has not been said only in the past week or so; I said it to the Prime Minister when he entered the Chamber during my speech on that motion. The analysis leads us inexorably in that direction. As one who voted yes in 1975 and—with some criticism—voted in favour of the Single European Act in 1986, and would do so again, I think it deplorable that we should be put in this position.

Time after time, we are presented with the covert passing of more and more powers to the European Union. A German paper published only a few days ago specifically states that, over the next decade, the development of integration in "constitutional" matters must progress, within the Union, "step by step" from the state of community of law to that of what is described as "constitutional community". What the Germans are actually saying is that they want a written constitution for Europe. We are up against it. With the tremendous power that Germany is acquiring as a result of the economic dependency of other member states upon her, the majority voting that goes with it is going get worse and worse.

I challenged my right hon. Friend the Foreign Secretary on majority voting this afternoon. I did so not only with good reason but accurately because I quoted from a paper to which he is a signatory on behalf of the British Government. The paper was adopted by Foreign Ministers and by the British Government. It includes a proposal that increased majority voting is to be regarded as a positive factor in terms of efficiency.

We are not talking about efficiency; we are talking about democracy. That is the point. We are selling out. We are not being told enough and only as a result of the tremendous efforts of a number of Conservative Members do we manage to discover things from time to time. We are not being given the full picture—

Madam Deputy Speaker: Order.

7.41 pm

Mr. Nigel Spearing (Newham, South): The hon. Member for Stafford (Mr. Cash) has certainly discovered things. I pay tribute to him for having made it clear that he voted for the Single European Act treaty, because a treaty is what it was. It further intensified and expanded the treaties that are, in fact, already a written constitution of the European Union. He has been humble and frank enough to make that absolutely clear.

The right hon. Member for Old Bexley and Sidcup (Sir E. Heath) said that he would negotiate, no more and no less. He did not; he went the whole way. He talked of the wholehearted consent of Parliament and people, which he did not get. It is clear that from that time as we have gone down that road, more and more people have begun to understand the fundamental nature of the original common market, the European Community and the European Union. The public are uneasy.

One of the interesting features of the debate has been the use of the word "Europe". Europe is a geographical continent. If hon. Members meant the European Union, that is another matter but they have not been saying "European Union". If someone asked me, "Nigel, what is the European Union?", I would have to say that it is the treaties.

The European Union was sold, especially to younger people—my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) has gone—as having being formed to create prosperity and peace for Europe after the war. Let people read the treaty that was made at the start and they will see that it was nothing of the sort. It was first an attempt at a rapprochement on iron and steel between Germany and France and then an economic union. I will return to the constitution that was adopted because it was that of the European Coal and Steel Community, which had the high authority and decision-making powers necessary to run such an organisation.

As one who went through the war as a boy and pupil, I give three cheers for the rapprochement and three cheers for a European view. I am very pro-European but very strongly anti-treaty. Extension and intensification of its authoritarian structure will further disintegrate not only Parliament but societies and the Union that has so far been established.

It has been a failure of hon. Members on both Front Benches that they try to pretend that that is not so. Perhaps they do not read the treaties. They should come and listen to the Select Committee on European Legislation and try to understand the stuff that is thrown at us and the powers that already exist.

The Foreign Secretary said that it was a good thing when we can all agree—we will do things better if we can. However article J.1 of the treaty states:

"The Union . . . shall define and implement a common foreign and security policy".

It does not say that we should agree where we can and act together where possible. No, there must be an authority. It may be done in future, some say, by qualified majority voting.

My hon. Friend the Member for Livingston (Mr. Cook) tried to take it as logical that because there is enlargement, there must be a change in the institutions. I do not follow that logic at all, if the European Union is that free association of free member states in an international sphere to which we all looked.

Many hon. Members, including the hon. Member for Leominster (Mr. Temple-Morris), talked about internationalism. It is because there should be internationalism that the treaties are no good. Why change the institutions just because of enlargement? There is no logic in that principle.

People have often said that it is a bankers' Europe and it is. For those who regard a single currency as the culmination of European Union, it must be. Some people do not appear to be concerned about keeping the bankers' criteria under public control. What is good for bankers is not necessarily good for us or for industry and the leaders of industry. It is not necessarily good for people at all and nor is competition good for people all the time. Economically, competition is imprinted into that treaty.

I shall close quickly with two points. The first concerns federalism. There is no separation of powers in this Union and talk about subsidiarity is a mirage. It operates in the treaty only where the exclusive powers of the Union do not run and those powers run pretty well everywhere. Where it does operate, I would claim that, as article 3(b) of the treaty says, we should judge subsidiarity on the basis of a complex of multiple balances, probabilities, predictions, hypotheses and value judgments incapable of resolution by judicial procedure. I think therefore that we misunderstand the nature of the EC.

I close on this point. I mentioned iron and steel earlier. If we consider the history of the Community, we see that at the meeting after Messina, a group in Rome was asked to produce a constitution. That group adopted almost without question the constitutional structures of the European Coal and Steel Community for the coming common market. That has been expanded treaty by treaty.

[Mr. Nigel Spearing]

It may have been good—and I would have probably agreed, as I said at the start of the my speech—to create a common market for iron and steel. The treaty is not for the people and, in the end, the treaty will break itself if it is enlarged. Even if it stays as it is, it is unworkable.

7.47 pm

Mr. Ray Whitney (Wycombe): Those of us who participate regularly in these Euro-debates seem to have adopted set-piece roles for ourselves. Certainly, the hon. Member for Newham, South (Mr. Spearing) adopted the role of the voice of old Labour and he reminded us that the differences on the vital issue of Europe go across the party Benches. By doing that, if in no other matter, he does the House a service.

We in Britain take a pride in a propensity to ask questions and challenge everything. We think it right and honourable to adopt an attitude of healthy scepticism. However, there are occasions when scepticism can be carried too far and is no longer healthy, but negative, destructive and corrosive. I believe that, sadly, those who adopt what they choose to call a Euro-sceptic attitude—many of my hon. Friends and, as I have observed, many Labour Members and all too many in the media—have got to the point where their scepticism, far from being healthy, is destructive and damaging to Britain's national interest. It is useful to analyse the divisions within their ranks, such as they are. They are greatly exaggerated by my hon. Friend the Member for Southend, East (Sir T. Taylor).

The thinned ranks of Euro-sceptics contain several categories of animal, if I may use that word. First, many are not sceptical at all. Their mind is completely made up. They have decided that Britain's future is not in Europe and that they cannot find a modus vivendi with the 14 other nations and the 10, 11 or 12 others that may join later. They want us out. Most of them do not have the courage to say so, although one or two are approaching it.

Secondly, those who lack the courage to say what they think tend to set out a number of conditions which, they are quite aware, are completely outdated, unacceptable not only to our European partners but to most people in this country, and incompatible with any policy pursued by the Conservative party for a generation.

The third category claim that they thought that the Community was a free trade area and that, when we voted in 1975 or whenever it was, we thought that that was what we were entering. That is clearly an untenable position. My hon. Friend the Member for Scarborough (Mr. Sykes) referred to the leaflets that he was distributing at the time of the 1975 referendum. They made it clear that it was not a free trade area but something with a political dimension.

Indeed, this country tried a free trade area, discovered that it did not suit our national interests and applied to join the Common Market. That discovery has subsequently been made by the other European Free Trade Association countries—our erstwhile partners—and they, too, concluded that membership of the European Union served their interests.

Lest there should be any doubt about whether the Common Market was simply a free trade area or whether anyone could sensibly have had any illusions, I refer the House to a memorandum that Baroness Thatcher, as Prime Minister, addressed to her fellow Heads of Government in August 1984. She called on them for

"a series of new policies to promote the economic, social and political growth"

of the then European Community. She went on to say that it must be our objective

"to aim beyond the Common Commercial Policy through Political Co-operation towards common approaches to external affairs."

We seem to have forgotten what she said. She also said that the Commission was central to the functioning of the Community and Europe needed to advance its internal development. One of the objectives that she enunciated was to

"heighten the consciousness among our citizens of what unites us."

I wish that people would remind themselves that that is crucial in our attitude to Europe.

The Euro-sceptics genuinely believe that it is they who stand up for Britain and that they are the true patriots but, in reality, it is they who are selling Britain short. They lack confidence in Britain being able to carve out for itself in the European Union a role that is and will continue to be of huge advantage to the people of this country. Underlying that attitude is a complete lack of national self-confidence.

The Euro-sceptics believe that the British economy can never stand up to or live with the German economy and that the pound can never look the deutschmark in the face. That is why they run away from the idea that they should give up the right to devalue or increase interest rates. Fundamentally and instinctively, they seem to believe that we cannot live with the German economy. I reject that notion.

Some also seem to believe that the wily continentals will always run rings round British politicians and bureaucrats negotiating at Brussels. The reality is otherwise. For example, the Maastricht negotiations were a triumph for the Prime Minister and recognised as such by all our European partners. However, they were certainly not recognised as such in this country or by the Euro-sceptics.

The Euro-sceptics should have much more confidence, the sort of confidence that the French have. I do not know any Frenchman who believes that an active and positive membership of the European Union will somehow rob him of his national identity. I am enough of a patriot to believe that the British national identity does not need to be and will not be jeopardised or threatened by a sensible relationship with our European partners.

At the IGC and afterwards, we must continue to develop that positive relationship, and we have many allies. As was proved recently, we need the self-confidence to go into the negotiations with the fundamental belief that, as the Prime Minister said, Britain should be at the heart of Europe. It is not fair to expect him, my right hon. Friend the Foreign Secretary or any other Minister to go in to bat in what are inevitably very difficult negotiations when, behind their backs, doubt is constantly being expressed about whether we shall be in Europe the next day or the next month.

The difficulty was highlighted in yesterday's report by the Confederation of British Industry, which said that the United Kingdom is committed to Europe, but that

"to be fully effective it needs to work from within and participate in full in the EU's political and economic decision-making, creating a positive agenda and support for it amongst all member states. This will be possible only if the UK re-establishes its credibility as a constructive force committed to the European Union."

We can do that.

A good example of the possibilities open to us was provided when my right hon. Friend the Prime Minister met President Chirac the other day. President Chirac said:

"Europe being what it is, the quality of the Franco-German relationship is essential . . . We shall not build Europe without England. It is therefore essential to understand England's specific problems and France may play a role in finding the synergy indispensable for European construction between the countries of Europe, and notably between Germany, England and France".

With the new France and the new entrants from Scandinavia, Britain has a great opportunity to play a constructive role. We must not allow that opportunity to be missed because of negativism or the destructive attitudes of Euro-scepticism.

7.57 pm

Mr. Harry Barnes (Derbyshire, North-East): In debates on the European Union, two positions are inevitably adopted, which never engage with one another: the position of the Euro-sceptics and that of the Euro-fanatics. They were to some extent reflected in the clash between the hon. Members for Southend, East (Sir T. Taylor) and for Derbyshire, South (Mrs. Currie). I think that we should seek a new and superior position.

The Euro-sceptics' position has weaknesses and strengths. It clearly depends on who is putting the case and from what point of view they are arguing, but, if it is insular, based on chauvinism and causes us not to mix but to worry excessively about, for example, immigration, it is a cause for concern, as are the values that flow from it. However, when the Euro-sceptics point out the massive shortcomings in the European Union, they do us a great service, for example, when they highlight its economic shortcomings and its inability to tackle unemployment or to develop policies for economic regeneration. When they point to the anti-social nature of the operation of the common agricultural policy and when they point out, as has been said in the debate, that VAT is a regressive form of taxation, which is foisted on us by being a member state, it is of value.

Fraud in the European Union has been stressed considerably. The work of the Court of Auditors, in illustrating the nature of that fraud, is very important. The Court of Auditors is one of the underfunded institutions in the European Union. It should be doing a fuller job and we should be basing many activities on the work that it produces.

It is important when the shortcomings of this country in failing to engage in social provisions and our opt-out are pointed out, although the importance of social chapters is sometimes exaggerated. Social chapters provide channels through which we can later introduce regulations and directives. They do not produce an alternative social agenda that comes to the fore automatically. Much work needs to be done to produce that.

Above all, these debates are valuable when democratic shortcomings are highlighted. It has been pointed out that the Commission is a bureaucratic organisation and that the Council of Ministers is a secretive body, even though it is really the parliament of the European Union, making decisions on directives, regulations and legislation, which impact all across Europe.

The Council of Ministers does not operate according to the norms and values of an official decision-making body such as a parliament, with the openness that goes with it. The final vote taken at meetings of the Council of Ministers and the position of our country have begun to be reported only recently. But there was a very long battle before that minor advance was achieved. We are still not given details on amendments and how debates in the Council of Ministers are developed.

The Euro-sceptic view is strong when it points out those many shortcomings: the great lack of openness, the problem—often expressed—over qualified majority voting and doubt over who has the say in decisions. We have a weak Parliament, and some have tried to turn the nonsense of a notion of subsidiarity—a philosophical and social doctrine—into a constitutional and legal provision, yet there are no grounds for doing so.

The question, therefore, that the Euro-sceptics ask us is, with all those weaknesses, what should we do? Should we, as some Euro-sceptics have said, come out in such circumstances if that is necessary just to stop further development, or should we go in to seek democratic change, to overcome those great difficulties?

The position of the Euro-fanatics has its weaknesses and strengths as well. When they encourage us down a bureaucratic, centralised road, with creeping competences that cannot be clawed back because power is passed to the Commission and to the Council of Ministers, they are seriously wrong. They look for central banks that will not be democratically controlled and they stress subsidiarity as some way of clawing back authority when, as has been suggested, subsidiarity is meaningless. If subsidiarity was to be given meaning at future intergovernmental conferences and if it enabled distinctions to be drawn between European Union and national matters, it would become a form of federalism. Subsidiarity is a type of federalism that is frightened to speak its name. We should be prepared to speak in the name of federalism on occasion.

The strength of the Euro-fanatic lies in talk about integration, mutual self-dependence and a political framework in which peoples can be drawn together to make decisions and be allowed to extend and mix. In such divided circumstances, we should look for the best in the Euro-sceptic argument and the best in the Euro-fanatic argument and build a different position—not a compromise. I am frightened that my party is assuming some sort of compromise between the two views.

What would the synthesis be? The strength of the Euro-sceptic argument would overcome the economic, social and democratic shortcomings, but from a Euro-fanatic viewpoint, it could be done in the framework of an economic European Union. I grant that, in doing that, the points that have been made about the treaty—read what is in the treaty—add to the Euro-sceptic argument and must be taken on board. If we talk in that way, we are talking about a new treaty and a new constitution for the European Union. People should be prepared to grasp the high ground and argue for it.

I am reminded of Britain in the 19th century, when it lacked many democratic controls. Chartism argued for extension of the franchise for social and economic

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reasons, so that betterment would come for working people. In the late 20th century, the argument for developing Europe should be based on arguing for democratic extensions—not by requiring the vote, because it is usually available, but so that the vote does something and it elects parliaments with power in different areas. Parliaments should have all the power in formal decision making. Matters for the European Union should be decided by the European Parliament. National matters—many more matters could be determined nationally—should be decided by national parliaments.

We could be establishing democratic principles as part of a programme towards full social democratic federalism in the House in the meantime. For instance, the Select Committee on European Legislation, of which I am a member, is attempting to scrutinise what takes place in Europe, but there are problems about the avenues of authority that it has. In deciding and debating European matters, nobody is able to concentrate on Europe and conduct investigations such as those carried out by other Select Committees, because the responsibility is spread between agriculture, transport, foreign affairs and so on. The House should give the European Legislation Select Committee authority to carry out such functions.

European Standing Committees A and B check material out. The House should learn some of the lessons of those Committees and take some of their work on board, and enable the questioning sessions in those Committee sittings to take place on the Floor of the House before debates such as this.

8.7 pm

Mr. John Wilkinson (Ruislip-Northwood): I hope that the House will forgive me and will understand if I do not follow the remarks of the hon. Member for Derbyshire, North-East (Mr. Barnes). I turn my attention to the hon. Member for Perth and Kinross (Ms Cunningham), who is now absent, whose speech added distinction to the debate. The hon. Lady made a maiden speech of rare quality. In particular, I admired her generosity of spirit in paying tribute to the late Sir Nicky Fairbairn. How much we have missed one of his interventions on this occasion in the bland remarks of my right hon. Friend the Foreign Secretary.

There were moments of real insight in the comments of the hon. Member for Perth and Kinross. She accused the Conservative party of harking back. In matters of European affairs, I fear that may be true of the mainstream of the Conservative party and of our Government. It was well exemplified in the extraordinary speech of my hon. Friend the Member for Derbyshire, South (Mrs. Currie), whose mind-set—the term repeatedly used by my right hon. Friend the Secretary of State—was fixed in the era of Churchill, Schuman, Monnet, de Gasperi and Adenauer—the founding fathers of what is now the European Union. The world has moved on since then, and when my hon. Friend went on to criticise patriotism I could only imagine that she must be very remote from the electorate, who are bemused and wonder how a party, our own party, can seem to care more about European matters than about the everyday preoccupations of earning a living, securing and keeping a job, maintaining a house, making mortgage payments and sending a child to school—activities totally remote from the abstract themes of high European policy to which we devote so much attention.

There was another moment of insight in the speech of the hon. Member for Perth and Kinross when she emphasised the paradox of a Conservative party whose rhetoric professes unionist credentials but the effect of whose policies in favour of closer European integration inexorably militates against the unity of our own kingdom.

I was somewhat amused to see the large number of official papers held to be relevant to the debate. Such a plethora of paper is a feature of all matters relating to the European Union. I feel that our people are being bored into submission. There is a feeling that they are powerless against the process of ever closer European union. The sense of powerlessness and frustration is building up and will eventually become a dangerous feature of our democratic politics unless we adapt our policies to accommodate our people's apprehensions.

It is not as though the issues were complicated; they are perfectly plain. One does not need to be an economic wizard, or even to have the intellectual gifts of the right hon. Member for Llanelli (Mr. Davies), who spoke so well on the subject, to realise that if we were to give up our own pound sterling and through membership of an economic and monetary union participate in a single currency, our country would no longer be an independent sovereign state. We would not set our own interest rates. We would not have our own reserves. Inevitably, we would be forced into much closer integration of indirect taxation, and we would have lost the features that make us a nation and make us distinctive.

If that is what people wish, if that is the majority will, I will go along with it, but until that will is democratically expressed I shall fight the prospect with all the strength of my being. I do not believe that we have the right to take away our people's birthright: it is for them to decide—that is why my hon. Friends and I have campaigned so vigorously for a referendum. My hon. Friend the Member for Derbyshire, South was rather scathing about the electorate and their opinions, but our duty is to serve the electorate. It is as simple as that. It is because we appear not to serve them well that we lose by-elections and are so poorly placed in the polls.

If there were a fundamental choice between liberty and the hypothetical greater prosperity that it is claimed that membership of EMU and participation in a single currency would bring, the risk to our democratic liberties would be such that, even if that prosperity were certain, it would not necessarily be worth gaining. If there were a choice between liberty and prosperity I would always choose freedom—every time—and so would our people, as they have done ever since the Norman conquest.

There probably will be an inner core of countries which will create a single currency around the deutschmark. They could call it a shilling or whatever they liked, but to me it would be all the more reason for our country to stand aside. Whenever there has been a predominant power on the continent we have sought to create a balance. We have looked to the wider world and tried to create coalitions of power and influence to offset that dominant power. There have been times when it must have been tempting to join the predominant power, and

when we could have done so—1940 might have been one of those times—but at great cost we have always thought that our liberty was more important.

I do not think that the issues are complicated—far from it. Our Government should declare now where they stand in principle on the question of a single currency. In my judgment this is not an issue on which there can be equivocation: it is a matter of principle. Our people long for our party to display principle, to demonstrate decision and not to imply that procrastination is a political virtue. I do not believe that by putting off awkward decisions our party will gain electoral credibility and be better placed to win a general election. But if our party said that we would always put Britain first, that we would seek to regain powers and competencies that we ought never to have lost, that we would make British law supreme again rather than being inferior to European law, and that we would regain control over fishing and agriculture, we should again become a party that was authentically Conservative and, I believe, worthy of re-election. Above all, it would become worthy of the aspirations and traditional aims and objectives of the British people.

8.16 pm

Mr. Denis MacShane (Rotherham): It is a pleasure to follow the hon. Member for Ruislip-Northwood (Mr. Wilkinson), and I join in his praise for the maiden speech of the hon. Member for Perth and Kinross (Ms Cunningham). In a calm, rational and courteous way, the hon. Gentleman put the Europhobe position without the ranting that we heard earlier. None the less, his argument is pernicious and dangerous and it would be a disaster if this country were to follow him.

I am pro-European because I want to reclaim sovereignty for our people. In political philosophy, it is the people who are sovereign—not the House of Commons. We have heard much today about the importance of the House of Commons, about the centrality of its representative nature and about its debates. Yet look at us: out of 650 Members of Parliament, fewer than 20 are here to debate the issue. I want to see sovereignty reclaimed for the British people, and I believe that that is best done by working in co-operation with our partners both in Europe and in a wider world.

I strongly oppose the new and rising tide of isolationism which the Europhobes so perfectly represent. I was horrified at the humiliation suffered by the Prime Minister yesterday. I suppose that I might have taken some political pleasure in that humiliation, but never in the 20th century has a multinational company shown such contempt and disregard for a British Prime Minister. I support the idea of dismantling the Brent Spar on land rather than sinking it, but it is a strange state of affairs when a handful of Trotskyist ecologists in Germany can so frighten Shell that it dictates a change to what a British Prime Minister has decided to do. The Prime Minister defended Shell's original decision here on Monday, and defended it even more strongly at 3.15 yesterday afternoon; yet by 4.30 he was the most humiliated Prime Minister this country has had this century. As a British citizen, I find that deplorable.

Mr. Austin Mitchell (Great Grimsby): The Prime Minister was wrong.

Mr. MacShane: It is not a question of the Prime Minister being wrong, although his decision was wrong. The plain fact is that our Government are so isolated and so wrong in much of their approach to Europe that they have no understanding of the new forces and powers that are sweeping Europe.

We must look, for example, at France where 20 per cent. of the vote in the recent presidential elections went to the extreme right led by Jean-Marie Le Pen's National Front, and to Philippe de Villiers' party. What unites the extreme right is an absolute hatred of and hostility to Europe. And whom do we see as Philippe de Villiers' companion in the recent European parliamentary elections but Sir James Goldsmith, who is bankrolling the Europhobe isolationist right in our country?

A rising tide of anti-European isolationist filth is poisoning European politics and someone must provide the leadership to lift the debate out of the swamp into which it has sunk. The hon. Member for Harlow (Mr. Hayes) talked yesterday about the dogs barking while the caravan moves on; I only wish that it was indeed moving on, but it is stuck still in the sand. To paraphrase Chesterton, the European ideal has not been tried and found wanting—it has been found difficult and left untried.

In Conservative Members' comments about Switzerland I detected an invitation to make a little specialist contribution, but I resisted it. I have to say that I have no sense at all of Germany, France, Italy or Sweden becoming any less German, French, Italian or Swedish as a result of their membership and active participation in the European Union.

I would like the debate to be widened and taken into the country. I have said in this House that I am not opposed to a referendum on the basic question of our membership of the European Union. I draw hon. Members' attention to the very interesting survey contained in a report in the *Sunday Times* last Sunday which showed that if we give people the chance to discuss the issues free from the poisonous filth that we see now in the Murdoch press and in the *Daily Mail*, for example, they will take a rational—not united, but rational—decision in favour of Europe.

To the pro-Europeans on the Conservative Benches, I would say that the Government—through the opt-outs obtained at Maastricht—have excluded the working people of this country from any sense of a stake in Europe. The Prime Minister took a fateful turn when he put the interests of his party before the interests of the nation. And not much good it did him, as we have seen from speeches from Conservative Members this evening.

If we do not put economic and social issues at the forefront of the debate and policy of Europe, we may well be lost, and we shall not claim any more sovereignty back for this country. I am glad to see that business in the shape of the recent CBI report at least is taking the lead. The Prime Minister believes that he obtained an opt-out from the social charter, but every day the *Financial Times* reports that more British companies are agreeing to European works councils.

My hon. Friend the Member for Livingston (Mr. Cook) made it clear in his speech that the Labour party's position on European monetary union is that it must be based on the economic convergence criteria. The failure of the Kingsdown report and other important contributions to the debate is that they do not mention the central problem of

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unemployment. The hon. Member for Stafford (Mr. Cash) thought that I was alluding to past history in my earlier remarks on this subject, but it is in the history of the Conservative Government since 1979 that our unemployment shot way above European averages before we joined the ERM, and certainly before there was any question of the single European currency.

The question of the single European currency has now been put back to 1999, and I fear that it may be soon entering the Greek calends because the massive social ill of unemployment is now dominating all policy-making minds in France, Germany and other countries—except, alas, in this country. I was attracted by those who talked about the possibility of free voting on this issue. I put it to my right hon. and hon. Friends on the Opposition Front Bench that when we take power we should look at how we consult Members of Parliament and also the country at large on Europe.

If we wish to reclaim our sovereignty, we must share power. If we want to be effective again and to rise up in the ranks of world powers instead of declining on every available index, we must do so in partnership and co-operation and through shared sovereignty with our friends and democratic allies in the rest of Europe.

8.26 pm

Mr. David Lidington (Aylesbury): I share the views of the hon. Member for Rotherham (Mr. Macshane) in one respect only—the priority he rightly attached to the importance throughout western Europe of tackling the stubbornly high levels of unemployment. For that reason, I rather regret the fact that so much ministerial and official time and energy is having to be spent in preparing for the IGC in 1996—which I believe is premature—rather than in concentrating on the priorities of tackling unemployment on the one hand and dealing with the urgent necessity of enlarging the European Union into eastern and central Europe in a way that accommodates greater diversity on the other.

When we look at the patterns of employment in western Europe, we see more than the straightforward results of an economic cycle and a deep world recession. We are seeing much more fundamental shifts in the global economy. I believe that there is a risk that western Europe today is behaving like 18th century Venice—still trading, but trading off a reputation and wealth built up by former generations while ignoring at our own peril developments in economic organisations in other parts of the world. In the case of the serene city, those developments quickly overwhelmed both its wealth and reputation.

Listening to Opposition Members, I find myself not surprised, but startled by their insistence on the importance of the issue of unemployment in Europe which is contrasted with their stubborn advocacy of measures which seem purpose-built to add to, rather than reduce, those levels of unemployment. Labour spokesmen advocate the sort of labour market regulations through the European social chapter which damaged the British economy in the 1960s and 1970s. Those regulations are damaging western European economies today. I sometimes wish that the Opposition Members who rightly remind us of the misery and degradation that unemployment causes the men and women who experience it would also look at the experience of countries such as France and Germany. Their Governments not only advocated but implemented enthusiastically the social and economic policies that Opposition Members now wish to see imposed upon the British people, whether at a national or European level.

Mr. MacShane: Will the hon. Member give way on that point?

Mr. Lidington: I will not give way, because time is short and other colleagues wish to speak.

Opposition Members say that they want the unemployment rate to be reduced, but that is belied by their uncritical acceptance of a European single currency. Whatever the advantages that may be argued by the most ardent advocates of a single currency, it is surely inevitable that acceding to membership of a European currency system would involve giving up national control of both fiscal and monetary policies. That would make it virtually impossible for a British or other national Government in that system to balance economic policy at a time when national economic circumstances diverged from those of other European national economies.

I would like to see the Governments of the member states, the European Commission and the European Parliament devote the energies that are being expended on the IGC towards the completion of the single market. It is clear from the steel and aviation industries that there are still many gaps in that market. I should like to see them devote time and energy to continuing to resist the dangerous trend towards global protectionism, because in that way Governments and the Commission would offer the best possible service to the peoples whom they exist to represent.

I have already argued that the second priority for the European Union is to provide for enlargement to the east in such a way as to accommodate the greater diversity which such enlargement would bring. I listened carefully to the attack of the hon. Member for Rotherham (Mr. MacShane) on examples of isolationist political trends in various western European countries. I certainly agreed with some of his analysis and criticisms of those trends, but I fear that the great federal leap forward which he and some of his colleagues have advocated would almost certainly have the reverse effect from that intended. It would tend to heighten the trend towards isolation and extreme nationalism. If Europe is to develop further, it must do so in a way that goes with the grain of national loyalty and national affection. It should not try to pretend that those loyalties and feelings are no longer of any account.

The hon. Member for Livingston (Mr. Cook) offered a false antithesis when he implied that the choice for the United Kingdom was either to roll over in the face of whatever was argued by our partners, or else to get out. The purpose of British membership of the European Union is to sustain and advance the national interests of the United Kingdom. That is what our Government have done at meetings of the Council and what they are trying to do in the reflections group, and at the forthcoming IGC.

We need enlargement to the east. It is vital to strengthen the free markets and democratic institutions of those east European countries in order to ease local political and economic strains, which, otherwise, would have a serious impact on us in western Europe. That enlargement will work only if it is accompanied by a

reform of the common agricultural policy, the European Community budget and the decision-taking structure of the community.

Although there is some coherence and logic in the arguments of those who say that the decision-taking arrangements should be set in a more federal direction, that would definitely be harmful. The French and Danish referendum results and German concerns over the deutschmark reveal a widening gap between the vision of the self-styled political elite of the Community and the wishes of the peoples they represent. If we want greater understanding and co-operation, Europe must evolve in a way that respects national political realities.

My hon. Friend, and neighbour, the Member for Wycombe (Mr. Whitney) talked about the political dimension of the European Union. I agree with him about that dimension, but it should be primarily intergovernmental and not supranational in character. It would lose none of its worth if it developed along those lines.

When we consider the gap between the so-called political elite and European public opinion, we find that Labour Members of the European Parliament, without exception, are voting at Strasbourg to abolish the intergovernmental arrangements governing home affairs and foreign policy. They have instead placed those areas of policy within a supranational legal and institutional framework. I can think of no better recipe for future tension and division.

Whether we call the Europe that we want a Europe of variable geometry, a Europe à la carte, or a multi-speed Europe, the term is less relevant than the reality of a Europe that develops in line with the diverse wishes of the diverse nations that make it up. I believe that my hon. Friend the Minister, through the reflections group, is seeking to shift the European Union towards that end, and in doing so, he will have my support.

8.35 pm

Mr. Austin Mitchell (Great Grimsby): I join those other hon. Members who have complimented the hon. Member for Perth and Kinross (Ms Cunningham) on the quality of her maiden speech, which was outstanding.

I should now like to turn my attention immediately to the issue of the single currency, because so much of the rest of the argument about Europe invokes history, theology, high idealism or total nonsense—all evident in the debate. We have gone over all those other arguments many times, but the single currency is now the single dominant central issue. It has been the central subject of most of the documents that have been published in the past year, as Europe has been squeezed to meet convergence criteria, which have prolonged deflation in most of the European economies. It is the central issue in all those documents that have flooded in, containing recommendations for the IGC next year. I thought that the IGC would be a kind of 3,000 mile service, but it has turned out to be a total reconstruction of the car. People are sending in huge manuals on how to do just that. The single currency is central to that.

The single currency is also central to the Maastricht treaty, because it attempts to use the exchange rate—the single currency—as a means of political union. That is the other way round from the way in which everyone else has developed; people have achieved political union first and a single currency has followed. In Europe, we propose to build unity through a single currency. The idea is to establish that single currency, then the institutions. That is supposed to build unity, but it will be a disastrous way of doing so.

The single currency is also the central issue in the outpouring of documents on monetary union. In the past few weeks, we have had the Commission's report and the Kingsdown report on that subject. I am frankly horrified that someone who was Governor of the Bank of England could write a report that reveals so little knowledge of the role of the exchange rate. What do they know of economics who only banking know? People who come to review that report in the future will say that Lord Kingsdown's contribution to monetary union is much the same as his former deputy, Mr. Pennant-Rea's, to banking. Such is the quality of his report. The CBI has also published a report on monetary union.

The common thread throughout all those reports is the argument that the wonderful people who gave us the ERM and recommended it to us, are now recommending monetary union. The authors of those reports seem to have forgotten the disastrous consequences of the ERM. They seem to believe that if a proposal comes from Europe it must automatically be a good thing. All those reports are characterised by a well-developed lemming mentality—if everyone else rushes over the cliff, we must join them. It is essential that we all go over that cliff together. That is the economics and politics of lemmings.

There has been no consideration. No one has done any research on, or developed any economic analysis of the effects of a single currency. That is a huge gap in our knowledge because, as far as I can see, the economic consequences will be disastrous.

First, one obviously cannot put two economies at different levels of productivity, investment, economic growth, training, skills and strength, together in a single currency without ripping the weaker economy apart. That is the inevitable consequence. The introduction of a single currency, in a Europe as diverse as this, will produce disaster for the weaker economies, one of which is ours.

Secondly, one cannot have monetary union without a massive machinery of redistribution because, if a country cannot take changes on the exchange rate, it must have direct subsidy to condition the consequences in unemployment and industrial distress. No one is proposing a machinery for redistribution to cushion those consequences.

The McDougall report, in the 1970s, recommended that between 7.5 per cent. and 10 per cent. of Europe's gross national product would have to be used in redistribution if we were going to have a single currency. That was before Spain, Portugal and Greece joined the European Union. It would now have to be much bigger. There would have to be redistribution of a proportion similar to the amount that West Germany redistributed to East Germany to cushion the consequences of their monetary union. One can do that within a nation state, as they did in Germany. In Europe, who will pay for it? The Germans certainly will not. Where will the money come from? So what redistribution is there?

Thirdly, obviously we must reconstruct the exchange rate mechanism bridge—put our head back into the furnace—to get to monetary union in the first place. There is no other way there. The Commission's document speaks of an approach known as "the immediate big

[Mr. Austin Mitchell]

bang". Well, merger of currencies immediately would certainly be a big bang, and a horrible, crashing, grinding of gears.

The only way to do it is to reconstitute the ERM. That means that every country, especially us—it is more crucial for us because we do more trade outside Europe—would have to have its economic policy dominated by the need to keep the exchange rate at an externally determined level. In other words, interest rates and everything else would have to be sacrificed to that, whatever the damage to the economy.

These are the arguments against a single currency. A single market does not need it—it is not necessary in the North American Free Trade Area, for instance—but, if there is a single currency unit, it follows automatically that those who are outside it would have to be forced into some type of ERM straitjacket to prevent what the others will then call "competitive devaluations". So it will apply to everyone, in or out, and one cannot devise a structure as powerful as that.

All that springs from the folly of trying to use the exchange rate for political purposes. It cannot be said often enough that the exchange rate is simply a market-clearing mechanism. In an ever-changing world, the exchange rate needs to change too. One cannot fix it in that fashion without damage to the economy.

It is nonsense to say, as the Commission does, that we cannot control our own destinies. Of course we can. We can control our own destinies by managing the exchange rate through interest rates, by taking shocks on the exchange rate rather than in terms of unemployment and industrial closure.

The exchange rate is what connects us to the rate of inflation or deflation of other economies. It is therefore a crucial instrument of management. We cannot give it up, and especially the Labour party cannot give it up, if we are going to reduce the level of unemployment and regenerate the economy.

The exchange rate sets the terms of our competitiveness with other countries. British industry needs a sustained competitive exchange rate, so demand can be channelled to production in this country instead of to exports. It gives industry the prospect of long-term growth in which it will invest, to grow. British industry needs to be profitable. For that, it needs a competitive exchange rate. We shall not achieve expansion without that. We cannot rebuild the British economy without that.

In conclusion, it is obvious that monetary union "ain't gonna happen"—certainly not Europe-wide. If a single currency does happen, it can only happen in Germany plus a few acolytes such as Austria, and perhaps the Netherlands; a small group of currencies.

The question is, will France go in? Obviously, President Chirac cannot have it both ways; he cannot have the franc fort and reduce unemployment. The question that the French must confront is, can Chirac continue to maintain the crucifying effect on the economy of the franc fort or will the French electorate rebel, turn to the right and produce the growth of fascism that we have witnessed in the past few years?

I doubt that France can make it. If France does not make it, the adventure never gets off the ground. If it does get off the ground, our position is obviously to stay outside and profit from their disadvantage. We shall benefit from the self-produced, do-it-yourself disaster that those countries will inflict on themselves if the single currency does go ahead, because the consequences will be disastrous. That is the sensible strategy for this country to maintain.

8.44 pm

Mr. Nigel Forman (Carshalton and Wallington): I am glad to have the opportunity to take part in an interesting debate, which has demonstrated, among other things, the way in which both main political parties are now acting on the European issue as though it were more of a straitjacket than a creator of opportunities. That merely emphasises something that I have known for a long time, as someone who has been involved in the European issue at least since the late 1960s—that the two main political parties no longer adequately mobilise or reflect the main currents of argument on these issues, and in the later 1990s that may well have its effect on the cleavages in British politics.

The main argument that I wish to make tonight, which is more short-term, is to emphasise the growing extent of common ground between this country and our key partners in the European Union. To give a few examples, we agree with the French about the need for an effective common defence and security policy, which is based on an international, not a supranational, method of operation.

We also join the French in emphasising the paramount importance of the Council of Ministers and a relatively restricted role for the European Parliament, so there is a good deal of common ground with the French in those facts alone.

We agree with the Germans about the importance of the subsidiarity principle and between us and them we were largely responsible for getting article 3(b) into the Maastricht treaty. One has only to read annex II of the report of the Council of Ministers on the functioning of the treaty on European Union, Cm. 2866, which was mentioned earlier, to be aware of the way in which competences are already rightly being repatriated to the national authorities and away from the supranational level where it is not appropriate, according to the subsidiarity principle that they should be exercised.

Equally, we agree with the Germans about the importance of observing all the convergence criteria attached to progress towards economic and monetary union, and about the attractions of enlarging the European Union to include the new democracies of central and eastern Europe, whose cultural and historical antecedents qualify them every bit as much as London, Paris or Berlin to belong firmly in the European family.

Indeed, we have a common interest, with all the other large member states of the European Union, in ensuring that the process of institutional reform, which is bound to accompany the forthcoming intergovernmental conference, gives relatively greater weight to the wishes of the larger member states, with the larger economies and the larger populations, compared with the smaller member states, which have so often formed effective, and to some extent unrepresentative, alliances with the Commission and the European Parliament against the interests of countries such as Britain, France and Germany.

The same principle applies with regard to the European Court of Justice, which I happen to believe, as a firm European, has got slightly out of hand and now finds itself in a position in which, relatively speaking, it is unchecked, whether by political or popular factors. Unless this issue is tackled as well, we shall find ourselves being taken towards further and deeper integration of a type that our peoples perhaps would not support and without the political consent that is a necessary prerequisite for all these developments.

I believe that the intergovernmental conference, due to start in spring 1996, should be an occasion for consolidation in the European Union—something closer to the 3,000 mile service than the general overhaul to which the hon. Member for Great Grimsby (Mr. Mitchell) referred.

I believe that, in the run-up to that conference, all the member states should concentrate on how best to implement the new hybrid institutional structure, which is what the European Union now is, and what has emerged from the Maastricht treaty. This means that we should urge our partners to redouble their efforts to reform the common agricultural policy so that it can be afforded within an enlarged European Union. We must make no mistake about it: it could not be afforded on the present basis were the European Union to be enlarged to 18 or 20 members.

It is also important to tackle the issues of Euro-fraud and non-compliance with European legislation because they undermine consent and trust in the arrangements, and, if allowed to continue, breed cynicism. We must also take forward the intergovernmental policies, which form the new pillars of common security policy and common approaches to law and order, migration and terrorism. On those points I agree with my hon. Friend the Member for Aylesbury (Mr. Lidington).

Above all, we should try to improve our own performance and the policy outcomes in the European Union decision-making process. We must defend the use of the national veto when vital national interests are involved in those areas of European Union policy not covered by qualified majority voting. At the same time, we must learn how to achieve more European solutions in the areas which are covered by qualified majority voting and which also coincide with our own national interests.

One of the Library research papers, which is relevant background to the debate, shows that over the brief period covered in the paper—October 1993 to March 1994—Britain and Germany were each outvoted on eight occasions on issues of qualified majority voting, whereas France was outvoted on only three occasions and Italy on only two. There is a moral in that tale: we need to work even harder and more effectively to ensure that the European Union interests and outcomes coincide with our national interests and objectives. To do that, we must practise a deliberate policy of placing our best people in European institutions—a point that has not been made this evening. We must also try to have a disproportionate influence on the first draft of vital documents. This is exactly the lesson that the Italians and French—involved in the two examples that I have given—have learnt very effectively.

When we approach such matters, we must understand the Community method. As my hon. Friend the Minister will know, that method involves essentially saying, "Yes, but" rather than "No, unless". We would not have to adopt the latter approach—the "No, unless" approach—so often were we more successful in practising the former approach, which is the essence of the Community method.

The two propositions are linked. We must understand that the successful operators within the Community—I speak with some experience as I went to the College of Europe years ago and have lived with Europe ever since—are those who know almost instinctively how to operate the politics of coalition-building case by case and issue by issue. That is painstaking and necessary, and it is the best way forward.

One sphere in which the pay-off for greater success in the Community method would soon become apparent would be that of the preparations for European monetary union, which have been at the heart of much of our debate today. Our sensible influence has been diminished by our image in the eyes of our partners as a potential free rider or a semi-detached participant. As a result, our sound reservations and policy principles are too easily dismissed or ignored by our partners. Examples of that attitude include the wisdom of a lengthy stage 3(a)—irrevocably locked exchange rates. Such a policy is completely daft—anyone who has studied it knows that it would be a recipe for disaster. Another such example is the credibility of the no-bail-out rule in article 104(b), which is critical to the success of the venture.

Another example involves the supervisory implications of monetary union for the financial services sector across Europe—the extent to which we can leave the central bank in charge of supervision as well as the control of inflation. Another such example is the practical improbability of any European central bank being able simultaneously to achieve lower inflation for the European Union as a whole, external stability for the European currency vis-a-vis the dollar and the yen, and monetary conditions appropriate for the whole of the single monetary area.

All those points are too easily dismissed or ignored by our partners. They are more likely to be dismissed or ignored if we do not build our European credentials in the way that I have suggested.

Her Majesty's Government's policy in the run-up to the next intergovernmental conference is broadly on the right lines. We want to sustain our pressure for a more globally competitive European economy. We must continue to strive for sensible institutional reform. We must ensure that we understand the value and effectiveness of following a genuine Community method.

8.55 pm

Mr. Andrew Mackinlay (Thurrock): I am pleased to follow the hon. Member for Carshalton and Wallington (Mr. Forman), and I was interested to hear what he said in his thoughtful contribution. Before the hon. Member for Wycombe Wanderers leaves the Chamber, I want to refer to something that he said earlier—I shall come to that in a moment.

An awful lot of claptrap is talked about the European Union in this place. The suggestion that Labour's policy is for federalism is tommy-rot. Nobody in the mainstream of our political parties would suggest that we could move to a federal state of Europe. That needs to be stated, despite what people might say for electioneering purposes.

[Mr. Andrew Mackinlay]

The importance of the social chapter is also exaggerated on both sides of the argument. Some of my colleagues in the Labour party, in this place and outside, think that it is the greatest thing since sliced bread and will be a wonderful breakthrough for working people. I think that it is important, but its importance can be exaggerated.

Some people, including the present Prime Minister, say that we shall not sign up to the social chapter, and that he has secured a cast-iron guarantee that we shall never do so. That is rubbish—as we know, such matters are being pursued through the courts and the European courts and, gradually, much of the social chapter is entering our statute book by stealth. In the long term, the so-called opt-out is not worth the paper it is written on. With these two examples, I wanted to show that things are sometimes grossly exaggerated in this place, and must be put into perspective.

I hinted that the hon. Member for Wycombe (Mr. Whitney) should return. I was interested to hear what he had to say about Lady Thatcher—it is amazing how people rewrite history. Madam Thatcher signed the Single European Act, which, in my reckoning, was an important benchmark—a threshold. Once it was signed, much was surrendered.

I am not too uncomfortable about the Single European Act, but to suggest that it was anything other than a major move in terms of European integration is to deny history. For Lady Thatcher to try to pretend otherwise is disappointing from somebody who held high office. Those who complain about European integration must tell Lady Thatcher that she is to blame. Margaret Thatcher has played a part in European integration.

I notice that the hon. Member for Wycombe used to be a Minister at the Foreign Office. The problem is that Foreign Office Ministers do not properly acquaint this place or the British people with the ramifications of what is happening. I have recently come to learn that the endemic problem within the Foreign Office is one of appeasement towards British interests. The Foreign Office does not dish out the cards from the top of the pack. That has happened over Europe and over many other policies.

That is happening now in relation to one part of the European Community that is under the stewardship of the Minister of State, the hon. Member for Boothferry (Mr. Davis). I refer to Gibraltar. It is claptrap to suggest that there is total free mobility within the European Union. Freedom of movement does not exist with regard to Gibraltar, and the Minister is not doing anything about that.

People from Wycombe, Thurrock, Huntingdon, Livingston and elsewhere are being frustrated from travelling through Spain to Gibraltar, and I want to know what is happening about that situation. Those difficulties are symbolic of the nonsense that is put about regarding free movement within the European Union and the suggestion that somehow we have a robust Foreign Minister. We do not. The Government are not protecting and promoting British interests.

I turn now to our current position within the European Union, and look ahead to 1996 and the intergovernmental conference. I think that the British people are broadly content with where we are in terms of European integration. They do not share the nightmare view that somehow we are about to lose our 1,000 years of sovereignty, but they do want to see some consolidation.

I think that the electorates of western Europe also want to see that consolidation. They have had about as much integration as they can digest: to that extent, I agree with the thrust of the speech by the hon. Member for Aylesbury (Mr. Lidington).

The IGC must reassure British and other electorates—many of which agreed, in referendums, to sign the Maastricht treaty only by some very narrow majorities—that there will be a bedding down and a period of consolidation for a decade or 20 years. I agree with the hon. Member for Aylesbury that the IGC should also allow the states of central Europe—particularly the Visegrad countries—the opportunity of early admission into the European Union.

I had the privilege of visiting Poland recently, and I was profoundly moved by the importance that the Polish people attach to joining the European Union. As an aside, I think it is wicked that, for nearly half a century, the west told the countries of eastern Europe, "Look over the wall and see how wonderful capitalism and democracy is." If one had believed the propaganda, one would have thought that in the west the sun always shone and the rain never fell. What happened? Communism collapsed, the wall came down, and when the central and eastern European countries asked to join the clubs, we said no.

The other club to which I shall refer quickly is the North Atlantic Treaty Organisation—although it is not the subject of this debate. Membership of NATO is vital for Poland and the other Visegrad countries. It is an important symbol, along with EU membership, of their emerging and developing democracies, of which they are justifiably very proud. The IGC must find a way of granting political membership of the European Union to the Visegrad countries as soon as possible. If the price we pay for that is that issues such as monetary union will be kicked into touch, then so be it—in fact, that might be a helpful spin-off; although I do not suggest that that should be the primary intention.

It is vital that those countries are given the opportunity of political membership of the European Union, even if there is a long transitional period. After all, the United Kingdom and Spain had transitional periods. Given the circumstances of the countries of central Europe, I do not see why they cannot be given a transitional period, albeit of some length—perhaps a decade or more—with built-in stages. When each of those stages was achieved, they could then participate in certain defined areas of decision-making. The shibboleth of membership of the European Union is very important to those countries.

It is also a moral issue. In this place some 54 years ago, Winston Churchill said:

> "The gratitude of every home in our island, in the empire and indeed throughout the world—except in the abodes of the guilty—goes out to the Airmen who, undaunted by the odds, unwearied in their constant challenge of mortal danger, are changing the tide of the war by their prowess and devotion. Never before in the field of human conflict was so much owed by so many to so few".

Some 17 per cent. of the "few" were Polish pilots and many others were Czechs. It may sound old-fashioned, but I think that is rather important. They fought for their freedom, their democracy and their membership of western Europe, and that is yet to be realised.

The aggressor state—I mean no disrespect to Germany—is a member of the European Union. The then German Democratic Republic was allowed to enter the European Union because it joined the then Federal Republic of Germany. The fact is that the GDR was allowed to join the Union in special circumstances. Surely the Polish state has at least an equal right to be allowed early admission, as well as some buttressing and funding to assist its integration with western Europe. I think that that is extremely important.

I make no apologies for appealing to those fairly basic, but I think important, instincts of fairness. I ask the Government to be much more robust in protecting and promoting our interests—particularly in respect of Gibraltar and access to that country, which is being treated abysmally.

In a few weeks' time, the Island games will be held. It is an international athletic competition that is very important to places such as the Scilly Isles, the Western Isles, the Isle of Man and so on. The Princess Royal is the patron of those games, but it might surprise you, Madam Deputy Speaker, to learn that she will not be attending this year, although she was invited to attend two years ago. That is the fault not of the Princess Royal, but of the craven Foreign Office, which is frightened of causing any consternation in our relations with Spain, and of any knock-on effects in the European Union.

How pathetic that is. What a weak, shambolic Foreign Ministry we have. It is time we had a change. My hon. Friend the Member for Livingston (Mr. Cook) will be much more robust in protecting and promoting British interests.

9.4 pm

Mr. Barry Legg (Milton Keynes, South-West): We have had an interesting debate and as the evening progressed, the speeches became more interesting. My hon. Friend the Member for Aylesbury (Mr. Lidington) made a valuable contribution to the debate, and his comments about the national interest have been well made. My hon. Friend the Member for Carshalton and Wallington (Mr. Forman) also made an interesting speech.

The debate started rather curiously with speeches from two highly intelligent men—one trying to avoid the obvious and the other trying to bury his head in the sand. In respect of the highly intelligent man trying to avoid the obvious, it is unlikely that we can make progress with our European partners unless we accept the European Union and its institutions for what they are. Unless we do that, phrases such as "net retrieval" will mean nothing. First, we have to recognise that currently the institutions have a momentum which is driving the European Union towards further integration.

We also have to accept that we are not pooling sovereignty through the Council of Ministers, since the ultimate political authority in the European Union is the European Court. We know from previous debates that the European Court is a highly political body with a vested interest in extending its authority.

Once we accept those basic propositions about the nature of the Community and its institutions, the British Government can put forward an agenda that is credible and advances British interests.

Some of my hon. Friends want to drive ahead with economic and monetary union regardless. I found the speech of my hon. Friend the Member for Derbyshire, South (Mrs. Currie) quite breathtaking for a Tory. She was totally committed to the concept of the single currency, come what may. She wanted politicians to fix exchange rates irrevocably. That would be a tremendous gamble and I would not expect such reasoning from a Tory, since Tory attitudes are pragmatic and Tories do not believe that politicians have a monopoly on wisdom.

Many hon. Members do not go as far as the hon. Lady in supporting a single currency come what may. They tend to say, "I like currency stability. I think that it is a good thing.". It is a good thing; it is rather like motherhood and apple pie, but if we make currency stability the focus of our economic policy, if we peg our currency or fix it, that has to be the number one economic priority and all the other economic variables have to adjust around it. Interest rates, unemployment and the level of nominal wages have to adjust around it. Although it is a worthy objective, currency stability cannot be the priority.

Although currency instability can cause problems for businesses, at least businesses can insure against currency instability. Products are available to provide security. I would be interested if any hon. Member could tell me of one other variable in the real economy for which business men can get a form of insurance. I do not believe that there is one.

Pursuing currency stability for its own sake is a great mistake: as we learned from our membership of the exchange rate mechanism, it can damage an economy. Neither politicians nor central bankers can guess the right exchange rate for a currency.

We are also missing a point by failing to realise how diverse the British economy now is. Many medium-sized businesses in my constituency trade with 30 or 40 countries across the world: they are global players. That is what is so good about the British economy; we have businesses going out and selling throughout the world. If we tell these businesses that we want a fixed exchange rate with Germany, or that we want to abolish sterling in favour of a single currency with Germany, trading relationships with Germany may or may not be made easier, but the businesses will have been put at risk vis-à-vis the rest of the world's markets.

There is no clearer example of this than the dollar-sterling rate. If we could have stayed in the ERM at DM2.95, the sterling-dollar rate would now be $2.12, and the competitiveness of British businesses operating around the world would be badly disadvantaged. That is my message to hon. Members who seek to put currency stability at the forefront of our economic policies.

My right hon. Friend the Member for Mid-Sussex (Mr. Renton) referred to his membership of the Kingsdown committee which drafted the report of the same name. I suggest that every hon. Member read it, because it offers an interesting insight into economic and monetary union. The most interesting phrase in the whole report comes on page 30:

> "To start with, very few monetary unions have ever been formed anywhere and there is probably no precedent for a monetary union with a single currency being formed by sovereign states which nevertheless retain independent political, economic and fiscal systems."

[Mr. Barry Legg]

Thus the Kingsdown report spells it out: there are no examples of independent sovereign states joining currency unions and irrevocably fixing their exchange rates. Taking such an action would mean that a state was no longer independent or self-governing. That goes to the heart of the contradictions in the Tory—

Mr. Whitney: Will my hon. Friend give way?

Mr. Legg: I cannot; time is short. My hon. Friend has had ample opportunity to make his points.

I come next to the core of one of the contradictions in the Government's policy on Europe. The Government tell us that they want a Europe of nation states but that they want to keep open the option of entering into a single currency and abolishing the pound sterling. Those two propositions are contradictory. If we give up our national currency and other states give up theirs, they will no longer be sovereign states. Until the Government wrestle with that contradiction, recognise that it is one and come up with a clear policy on monetary union, they will have difficulty presenting a coherent European policy to the British people.

The time cannot be far off when we must make a clear statement on monetary union and the British attitude to it. I do not believe that the Tory party can become the advocate of a policy that would abolish the pound sterling and would enter into a single European currency.

9.14 pm

Mr. Iain Duncan Smith (Chingford): I am fully aware that we have limited time, so I shall keep my comments short.

I am intrigued because, as ever in these European debates, we seem to spend one half of the time abusing each other with a certain amount of name calling, which always strikes me as not getting to the heart of anything, and the other half claiming territory that we think will persuade others that we are somehow better than we are. I am also intrigued by my hon. Friend the Member for Wycombe (Mr. Whitney), who used his speech to claim massive patriotism, as though that was territory that nobody else could claim.

I say to the House generally that I wish that we would get past all this nonsense about patriotism or massive self-interest, and try to deal with the honest problems that exist, and understand the argument. I feel that, if we dealt with the subject honestly, with a desire to get to the truth of the problems—for example, of the single currency and what exactly the corpus of law that exists in Europe is all about—we would begin to understand it far better.

I am aware that we have recently been discussing the economics of the single currency. It seems to me that those who are desperate to go to the single currency have now accepted, not only through the Kingsdown report, but through a number of other reports, that the best that can be said for it is that it "might" be okay.

On the basis of an economic "might be", we are now expected to launch into the great experiment as though we could gamble away all our constituents' livelihoods on the basis that, economically, it might be all right. That really gets to the heart of the problem, because the truth is that it is not really about economics. It is a political matter. It is a political decision. Even the Kingsdown report said that. So let us stop the nonsense that, somehow, big business says that it is okay, because the IOD says that it is not. We should accept that the jury is out.

We must understand the nature of the beast with which we are engaged. Europe. European Union. What is it about? The most important feature of that, surely, is European federal law. I use the word "federal" most definitely, as that is precisely what European law is. Let us not play around and pretend that it is not. It is about a federal concept of law. European federal law, as it currently exists, is precisely that. It is structured in such a way that it will develop of its own will, guided by the European Court of Justice and the other institutions, so that Europe attains an identity that is wholly federal.

If we can accept that process, at least we know either that we are in favour of it, and the eventual destiny that that takes us to, or that we are not. If we are not, it is no good pretending that things are not changing. If the body of European law has a clear focus and direction, mere words and the odd change in policy here and there will not stop the essential ratchet from moving in that direction, because the nature of the European Court of Justice is always to interpret in that direction. Therefore, the only way in which one should deal with it, if one does not believe that we should eventually have a federal destiny, is to define what it is we want.

If we want a Europe of nation states, in which I firmly believe—I am very positive and pro-Europe, and that is not something that others can claim for themselves—I say, let us now engage in the argument about what makes a Europe of nation states. We must define what it is about European law that moves against the concept of a nation state; the powers that a nation state should have unto itself; and powers that should be ceded for, perhaps, in this case, the working of a marketplace.

We must discuss that and arrive at a conclusion. It is important, before we go to the IGC, that we work out a template for the nation state. We then talk to our colleagues in other countries, at the discussions, in the reflections group, and say to them, "There are whole areas here which, frankly, run counter to the concept."

Let us take the concept briefly, before I conclude, on social policy. The whole principle of the social chapter is, to some degree, nonsense, because the real body of social policy comes through what we already have in the treaty of Rome. It is all there. All the articles will do it for us.

Therefore, I say to my colleagues and to my hon. Friends on the Front Bench, we should not accept that social policy is a general across-the-board policy for all of Europe. Individual states, depending on what their electorates want—if they choose, for example, the Labour party, it is presented to them in the manifesto—must decide whether that is the policy they want. Whether it increases or decreases the productivity of companies is in the balance.

The marketplace must be about the competitiveness of goods and services. We cannot add to it the concept that everyone must take away one of the areas of competition—social policy—because of the costs it adds. In other words, that is a power and an area that the nation state must hold to itself.

We must engage in the debate properly. We must say to the other states in Europe that we cannot continue endlessly pretending one thing or another. Acceptance of the present, an ever-present ratchet under European

federal law, would be to say, "Yes, that is the destiny we want." If we were to say no, we would have to ensure that we had an alternative policy. What we have at present is not, I believe, such a policy.

9.20 pm

Ms Joyce Quin (Gateshead, East): This has been a lively debate and many hon. Members have contributed to it. Despite the varied comments and contributions that have been made, I am sure that we can all agree that the European Union affects many aspects of our lives. The breadth of the issues that so affect us has been raised during the debate and illustrates my point. Such issues include the effects of the EU on our economy, on social matters, on agriculture and on fishing. Other issues concern us for the future of our continent, such as enlargement of the EU. All these matters have been mentioned many times during the debate.

We were pleased to hear the maiden speech of the hon. Member for Perth and Kinross (Ms Cunningham). She entertained us with references to her predecessor and spoke about her political convictions. I shared her feeling of confusion when she tried to analyse the Government's European policies. I shared her views on the social chapter. Many of us in England agree with her comments, which were much in line with official Labour party policy.

A variety of views have been expressed about and towards the European Union on both sides of the House. We have seen on the Government Benches especially how much internal damage the issue of Europe is doing. It has been described as the San Andreas fault of the Conservative party, and it seemed much that way today. The Foreign Secretary seemed beleaguered during the competition to make hostile interventions on him that was raging on the Government Back Benches. It was made clear during those interventions that both he and the Minister of State will have a bumpy ride in seeking to put the Government's views in the run-up to the intergovernmental conference.

I had sympathy with the Foreign Secretary during some parts of his speech. He referred to the recent interview of Baroness Thatcher and her description of her Government's policy on Europe as being, "No, no, no", and that of the present Government as being, "Yes, yes". As the right hon. Gentleman said, it was the then Mrs. Thatcher and her Government who were responsible for the large increase in qualified majority voting that took place under the Single European Act. I remember, shortly after becoming a Member, that she was saying, "No, no, no" to the proposition that the European structural funds should be doubled. In the end, the funds were increased by over 90 per cent. The "No, no, no" did not seem to be very effective in practice.

Conservative divisions have been reinforced by events in recent days and weeks. It seemed sad that, after he returned from Halifax, the Prime Minister had to appeal once again for unity in his own party. Once again, however, he sounded very much like the boy who cried wolf. We have heard it all before and it does not seem to have any effect. Whatever tactic is used—begging, cajoling, threatening—it is ineffective. I know nothing about rugby, but trying to stop Euro-rifts and divisions in the Tory party is like trying to stop the All Black, Jonah Lomu, in a match.

There has been a balance in Conservative Members' speeches. Those of the hon. Members for Stafford (Mr. Cash), for Southend, East (Sir T. Taylor) and for Ruislip-Northwood (Mr. Wilkinson) have been balanced by those of the hon. Members for Leominster (Mr. Temple-Morris), for Derbyshire, South (Mrs. Currie) and for Wycombe (Mr. Whitney), among others.

We have had some analysis of the rifts. The hon. Member for Wycombe spoke of the nature of Euro-scepticism in his party and highlighted its divisions. Among some Conservative Members, there was a hidden agenda, perhaps not so hidden on occasions, of withdrawal from the European Union; among others, that was not on the agenda. Obviously, that is yet a further factor for division in Conservative ranks.

Understandably, the intergovernmental conference dominated many speeches. Many Conservative Members sought to tie the Government's hands in advance of the negotiations, which will not help British interests. I note that the chairman of the Tory Members of the European Parliament said a couple of days ago that

"To get a successful negotiation"—

in the IGC—

"the government should not be ruling out too many options under pressure from Bill Cash."

The difficulty for the Government, however, is that it is not that simple. They have to worry not only about the hon. Member for Stafford, but about several members of the Cabinet, who have also sought to tie the Government's hands in advance of the negotiations. Last year, the Secretary of State for Employment stated that he did not want any changes in the veto and in the weighting of qualified majority voting and no new powers to the European Parliament—comments that have not been reinforced by the Foreign Secretary or by the Minister.

My hon. Friend the Member for Livingston (Mr. Cook) rightly talked about the danger of Britain's isolation because of the Government's attitude. It is hard to see who the Government's allies will be for their views on the intergovernmental conference process. The Minister has already begun to represent Britain in the IGC reflections group, but we heard from my hon. Friend the Member for Livingston about the Minister's isolation there and the fact that his proposal, whereby he was hoping to scrap a body of European legislation, had

"a reaction which was said to be lukewarm amid suspicions that the UK is seeking to roll back Brussels in favour of a looser, more flexible European Union."

That is not a very convincing start if the Government are really serious about building up allies.

It does not seem likely that the Government will receive much support from the European Commission—they will certainly not receive it from the head of the Commission, Jacques Santer, whose appointment was a particularly spectacular pyrrhic victory by the Government.

As for France, although it is true that President Chirac instinctively shares some Conservative ideas on Europe, the reality is that, within 48 hours of taking office, he was taking part in a Franco-German summit. It seems that the logic of the position in France is to reinforce the Franco-German alliance.

On social issues, which one or two of my hon. Friends have mentioned, it is true that, during the election campaign and after, President Chirac talked in terms of a

[Ms Joyce Quin]

strong social policy, a high minimum wage and issues that do not seem to have much in common with Tory views on the social chapter.

Other important themes have surfaced in the debate. Transparency and democracy, for instance, give rise to a concern that straddles both sides of the House. My hon. Friend the Member for Derbyshire, North-East (Mr. Barnes), in particular, has campaigned vigorously for a more open European Union, and has frequently drawn attention to the secretive way in which the Council of Ministers operates.

I urge the Government to do much more than they have so far to encourage debate and give information to hon. Members on both sides of the House. I note that the European scrutiny Committee, for example, has asked many times over the past year for debates on European affairs to be taken on the Floor of the House; certain wide-ranging matters are beyond the remit of either of the European Standing Committees. On most occasions, however, the Government have rejected those representations—presumably because they want to minimise the number of embarrassing European debates on the Floor of the House. Opposition Members are concerned about that.

I understand that the Minister for the Environment and Countryside had difficulties today with the scrutiny Committee, which feels that it was not adequately consulted in advance about important matters that will be considered by the Environment Council this week. The Government must ensure that we see the proposals in good time, and can scrutinise them effectively.

In what ways will the Minister promote greater openness in the Council of Ministers? We should like the Government to support the Dutch, Danish and Swedish Governments' efforts to open up proceedings in the Council. Although we want the pillar structure to continue under the Maastricht treaty and want it to apply to the justice and home affairs section, we are concerned about the secrecy and lack of openness in that sector. The Government should give urgent consideration to ways of ensuring that we are involved and informed.

Not surprisingly, the principle of subsidiarity featured in the debate. There remains a clear distinction between Government and Opposition views. Opposition Members believe that subsidiarity must mean making decisions at the lowest appropriate level, which will have consequences for decision-making within the United Kingdom as well as at European level. It was heartening to learn that, in another place, Lord Cockfield had the courage to criticise the Government's policy on subsidiarity, saying that they ignored decentralisation and subsidiarity within Britain at their peril.

We want the Government to give much more recognition to the work of the Committee of the Regions. During the Maastricht debates in the House, the Government made it clear that they wanted to nominate members to the committee rather than having any local authority or direct representation from the regions. We still consider that an important issue: we want the committee to play a useful and representational role in the workings of the European Union.

Many hon. Members mentioned the single currency and general economic issues. I was glad that my hon. Friend the Member for Livingston stressed the importance of trade and the future of inward investment, and I echo all that he said about the motives of inward investors in the United Kingdom. What he said has been very much reflected in my part of the country, the north-east. We have seen inward investment, but as far as I am aware—I have had contact with the firms in question—none of it has involved any concern about the social chapter. Certainly, firms have not come to our part of the country because Britain did not subscribe to the social chapter; they have come for all kinds of other reasons. The English language is one obvious factor in American and Japanese investment; the Japanese are used to working in English.

One matter that perhaps was not mentioned as much as I would have liked was environmental co-operation in Europe. We feel strongly about such co-operation. We think that Europe can be an environmental trendsetter and we deplore the Government's efforts to try to get out of various environmental commitments that they have made at European level. The environment is a European and international issue and certain decisions about it need to be taken at those levels.

Mr. Spearing: I endorse entirely the importance of the environment, but can my hon. Friend confirm my impression that most of the articles that relate to the environment are already subject to qualified majority voting and therefore subject to an international dimension?

Ms Quin: My hon. Friend is right that most of the articles are subject to qualified majority voting, but we are concerned about the fact that, simply to avoid meeting European standards, the Government have been, in their words, trying to repatriate some of the legislation. Many of the directives were agreed a number of years ago. It is important that if we make such commitments we are prepared to fulfil them. Many people in my part of the world and elsewhere are concerned that our environmental standards will drop behind some other European countries. In some cases, they already have.

Agriculture was mentioned by many hon. Members, including my hon. Friend the Member for Newport, East (Mr. Hughes) and the hon. Member for Holland with Boston (Sir R. Body). I agreed very much with their criticisms. Agricultural reform needs to be a good deal higher up the agenda. As the hon. Member for Carshalton and Wallington (Mr. Forman) said, that is imperative if we are serious, as I hope we are, about enlarging to the countries of central and eastern Europe.

I endorse some of the comments on enlargement made by my hon. Friend the Member for Thurrock (Mr. Mackinlay), who spoke very much from the heart, especially about the situation in Poland. Of course he is right. It would be quite tragic if, having encouraged changes in such countries, we seemed to turn our backs on them economically, politically or in any other way. That is a very important aspect that we must all understand and on which there is fairly wide agreement across the House.

I make no apology for saying to the Minister, as he has heard me say in Committee, that it is terribly important for the United Kingdom to get involved economically with the countries of central and eastern Europe. I feel

that we are lagging way behind Germany, Italy, France and even the Netherlands in the volume of our trade with those countries.

I was extremely disappointed, having tabled a question about direct investment by Britain and certain other European Union countries into central and eastern Europe, to receive the tired old answer that the information was not available and could be obtained only at disproportionate cost. Surely it is extremely important for us to know how much direct investment other countries are making in the countries of central and eastern Europe.

In a very short space of time, by ringing up the Library, I obtained the information that in the past two years investment by Germany into the countries that I was asking about has been 10 times higher than British direct investment. I urge the Government very strongly to examine the pattern of trade between us and the countries of central and eastern Europe and to direct investment because it is terribly important if we are to make our relationship with those countries a success.

Various comments were made about Labour policies: most were the usual misrepresentation of them. The comments about the social chapter were certainly wholly unjustified. I was at a meeting the other day that was also attended by a Conservative Member. I was listening to the Prime Minister of Malta, whom the Conservative Member asked about the social chapter—would not it cause Malta all kinds of difficulties if Malta joined the European Union? The answer was that it would not and, in any case, Malta had a good minimum wage system, although almost everyone in Malta earns at least twice as much.

Mrs. Currie: Will the hon. Lady give way?

Ms Quin: I apologise to the hon. Lady for not giving way but I have only one minute left; I should have been happy to give way otherwise.

As I said, there were misrepresentations of the Opposition's policy, especially by the hon. Member for Aylesbury (Mr. Lidington) about our position on the veto. He described our policy as a choice between rolling over and agreeing to everything that Europe said or coming out of Europe. That is an absurd distortion, and I hope that it will carry no weight as it is a complete misrepresentation of our position.

We contend that Government policies have weakened Britain in Europe. They have marginalised and isolated us, which has been bad for the country. It is no wonder that the hon. Member for Derbyshire, South accused some of her colleagues of not being patriotic. The British people as individuals have lost out, too, because of the Government's attitude to European social and environmental policies and to economic and employment initiatives in Europe.

Labour wants to give the British people a good deal from their membership of the European Union by adopting a different approach, with different ideas and policies for co-operation and reform. It is clear that the British people have not won that good deal under the Conservatives; they will do so under Labour.

9.41 pm

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis): Before I deal with the substantive debate, I must congratulate the hon. Member for Perth and Kinross (Ms Cunningham) on an impressively confident maiden speech. She was extremely generous about Sir Nicholas Fairbairn, for which his many friends will be grateful. I hope that she will take it in the spirit in which it is intended if I say that, were he here today, he would, with his usual pungent wit, have quoted Winston Churchill and said, "Maiden speech? That was no maiden speech; that was a brazen hussy of a speech." It was exceptional. If she continues to make such speeches, I suggest that the hon. Member for Banff and Buchan (Mr. Salmond) should look to his position—and we shall support her.

The preparations and negotiations for the 1996 intergovernmental conference are a major challenge for this country, and the Conservatives had a vigourous debate about them. A number of my right hon. and hon. Friends made powerful and insightful speeches. The shopping list is so long that I am almost bound to miss out someone, but it includes my right hon. Friend the Member for Guildford (Mr. Howell), my hon. Friend the Member for Wycombe (Mr. Whitney), my right hon. Friend the Member for Chertsey and Walton (Sir G. Pattie), and my hon. Friends the Members for Chingford (Mr. Duncan Smith), for Carshalton and Wallington (Mr. Forman), for Holland with Boston (Sir R. Body) and for Milton Keynes, South-West (Mr. Legg), who all made excellent speeches. In their very different ways, my hon. Friends the Members for Derbyshire, South (Mrs. Currie) and for Southend, East (Sir T. Taylor) gave different perspectives on the outcome. Of course, I must also mention my hon. Friends the Members for Stafford (Mr. Cash) and for Ruislip-Northwood (Mr. Wilkinson).

The Government's goal is simply stated: to move the European Union in the direction that serves British interests. Some have argued today that we have no choice but to concede the further integration that some of our partners desire. Others have argued, today and previously, that we cannot achieve our goals and should instead prepare to leave the Union altogether. I believe that both groups are profoundly wrong.

One of the lessons of our involvement with the European Community is that, if we fight hard enough for what we want, we can achieve success. We have done so with the British rebate, enlargement, the single market and many other matters. I understand some of the doubts expressed about the European Union today, but I do not believe that we should throw in the towel.

We want a Europe that is committed to free trade, a Europe that seeks to bring the countries of eastern and central Europe within its boundaries and a Europe that respects nation states and does not attempt to supersede them. Some have suggested that it is time to leave the European Union and that membership is no longer compatible with our national interests. That approach is a counsel of despair.

We have never been starry-eyed about the Community. There are costs associated with membership: the waste of the common agricultural policy, as my hon. Friend the Member for Southend, East commented, frustration at the continued protectionism of some member states and the tendency of the Commission to expand its reach far beyond its grasp. But the balance of interests weighs heavily in favour of our membership: the peace, prosperity and democracy that the Community has helped so to foster, the progress towards free trade and a single market, with the massive boost that inward investment has brought this country.

[Mr. David Davis]

In recent weeks, some have suggested that we could leave the Community and join the European Economic Area instead. I do not believe that that would be in the interests of this country. Members of the EEA are subject to all the rules of the single market, but have no say in their development. What would they say to the aerospace or engineering companies desperate to liberalise public purchasing in the Community? What about the commercial television companies worried that restrictions on advertising will take away their revenues? What about the next time that we have to face down a works council directive, a parental leave directive, or a part-time workers directive that will burden business and cripple companies?

Those companies want a British Minister at the table fighting for Britain. I and my right hon. and hon. Friends intend to fight that fight and to continue fighting it until we get the Europe that we want, that the British people want and that the peoples of all Europe want.

The challenges facing Europe do not require a rush to further political union. That is what we should be saying at the IGC over and over and over again. As the Prime Minister has explained many times, it is time for Europe's leaders to put away the utopian dreams about a united states of Europe and to concentrate on a Europe that works. We should look at the countries of Europe today. There is sluggish growth, high unemployment and instability in the east following the break-up of the Soviet Union and the Warsaw pact.

Those are the principal problems facing Europe. They will not be solved by blueprints for a federal Europe. Indeed, nothing can be more damaging to the peace and security of Europe or more harmful to the health and welfare of its citizens than an ill-judged and unpopular lurch towards a federal Europe. It would fly in the face of what the people in this and other countries want. It would lead to bitterness and resentment. It would end in collapse and failure. That is why this Government will never support it.

As some of my hon. Friends have pointed out, some Governments in other member states do not share that analysis. There is no point whatever in trying to brush away that fact and pretending that differences do not exist—they do. That makes the task of the Government in negotiating on Britain's behalf all the more important. It means that we must be prepared to stand up and say no to centralising proposals put forward in the negotiations and it means that, even if we find that few around the table agree with us, we must go on saying no.

The task for the next IGC should be to make the Union work better. It should not be a great leap forward. Those who think that it should be have learned little from the Maastricht process. They seem to think that if Europe does not head somewhere, it will go nowhere; if it does not integrate, it will disintegrate. That is why we hear endlessly about catching buses, riding trains and missing boats. Unless we like the destination, we shall not buy the ticket.

A senior business man participating in the BBC's recent debate about the future of Europe said that the Union was like a business: unless it was heading rapidly in a particular direction, it would falter and fail. I could not agree less. Many of the most successful businesses flourish because they stick to their core activities and avoid launching into the unknown. The European Union should do the same.

Mr. Mackinlay: Hands up everyone who agrees with him.

Mr. Davis: We would not notice the hon. Gentleman, that is for sure. It means that we should reinforce subsidiarity and make sure that Brussels does not attempt to do what should properly be done by the nation state.

The democratic legitimacy of the European Union rests first and foremost on the national Parliaments and national Governments of member states. Those who talk about the democratic deficit have got it wrong. They assume that the Commission should be the executive and the European Parliament the legislature, but they are wrong on both counts. It is the Council of Ministers that should take the lead in Europe, and national Parliaments that should call it to account. That is why we have reinforced the authority of the Council of Ministers over that of the Commission, and why we shall oppose attempts to give the European Parliament massive new powers.

A Community operating along those lines is not a negative vision but a practical one—tackling crime and drug trafficking on an intergovernmental basis, co-operating over foreign policy on the basis not of majority voting but of unanimity, and co-operating on defence in a way that reinforces rather than undermines the transatlantic links embodied in NATO.

As my hon. Friend the Member for Carshalton and Wallington pointed out in an especially cogent speech, there is much that we can achieve by working together. But we shall achieve nothing by forcing countries to act against their will. More centralisation is not inevitable, it is not acceptable and it is not in the interests of the British people.

The idea of European monetary union and a single currency has dominated much of the debate. We heard wise and thoughtful speeches by my right hon. Friends the Members for Guildford, for Mid-Sussex (Mr. Renton) and for Horsham (Sir P. Hordern), by my hon. Friends the Members for Leominster (Mr. Temple-Morris), for Derbyshire, South and for Milton Keynes, South-West and even—I shall exercise my characteristic charity here—by my right hon. namesake the Member for Llanelli (Mr. Davies)—[HON. MEMBERS: "Hear, hear."] It got through.

Our position remains clear—no decisions now or in the lifetime of this Parliament. Our protocol negotiated at Maastricht by the Prime Minister ensures that we shall never be forced to join a single currency. I must tell my hon. Friends that that would not be the case had Labour negotiated the Maastricht treaty.

My right hon. Friend the Member for Guildford, with his usual perspicacity, identified the key problems that would arise if a small group went ahead with a single currency in the wrong circumstances. I reject the implication in the Commission's recent Green Paper that countries outside such a small group would have to tie their national currencies to the single currency so that, in the Commission's definition, the single market could continue to work properly. I reject that idea because it would mean bucking the markets, and because it would

be artificial and ineffective. Our warnings about the divisiveness of a single currency introduced in the wrong circumstances are beginning to hit home.

The Labour party's approach to all that is markedly different.

Mr. Duncan Smith: Stop there.

Mr. Davis: Yes, I could stop there.

The Labour leader said recently that he would never allow this country to be isolated in Europe. What a good time he would have had at Messina. Give up the veto in important areas of national interest? Fine. Give away our rights to make our own decisions on joining a single currency? Certainly. Collapse the pillars of the Maastricht treaty and the treaty of Rome? Absolutely. The meeting would have been a short one. He could have sold the country down the river in the morning and sat on the beach in the afternoon.

I must tell the right hon. Gentleman that being willing to stand alone is often necessary to defend Britain's interests. This is not the first time that Britain has stood alone. In the past decade and a half, every negotiating success has been marked in the early stages by Britain's standing alone, or in a small minority, for its principles. It was Britain that fought for the single market; it was Britain that fought for enlargement and for subsidiarity. We stood alone, we fought our corner and we won our argument.

Mr. Charles Kennedy: And then we ditched our leader.

Mr. Davis: It is interesting to hear from the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy). I was touched by his earlier concern for our party, since he is now a member of the wholly owned subsidiary of the Labour party.

Jacques Santer said a few weeks ago:

"It is British initiatives that end up being mainstream Community policy".

We are still at least seven months away from the beginning of the IGC, and negotiations have not even begun. Yet what has the leader of the Labour party done? For no conceivable reason, other than to conform with his Euro-socialist friends, he has said that he is willing to give up the veto in four areas: social policy, environmental policy, industrial policy and regional policy. There is no trade-off and no negotiation—just capitulation. So much for the man who would be Prime Minister. Charting the right course for the European Union, and our relationship with it, is one of the great questions.

Mr. David Harris (St. Ives): I hope that my hon. Friend will go on to tell the House about the declared position of the leader of the Liberal Democrats, who would give up the veto in all areas.

Mr. Davis: My hon. Friend is right. It is not clear whether subsidiarity applies between the Labour party and the Liberal Democrat party, and we may not know what the right hon. Gentleman's policy will be in the future. At the moment, however, it is to give up everything.

We have heard a lot from Opposition Front-Bench Members about the splits and debates that take place on Conservative Benches. Yet they know full well that the same divisions exist among Opposition Members. There was a brave attempt by the hon. Member for Brent, East (Mr. Livingstone) to explain away the 59 votes against the Labour Whip on Maastricht. He might have been more persuasive if we could not have seen the faces of his hon. Friends during his subsequent federalist rant. The right hon. Member for Llanelli and the hon. Member for Newham, South (Mr. Spearing) made a pretty picture during that speech.

Those hon. Members have at least been consistent in their views. That is more than anyone can say about the leader of the Labour party. If his policy, as clearly stated in his 1983 election address, had been carried out and Britain had left the Community, we would have been having a very different debate today. In the future, the right hon. Gentleman should start every speech in Europe with an apology.

The Labour leadership has been wrong about Europe at every turn. When it was in Britain's interests to join, it voted to stay out. When tough negotiations to fight for reform were needed, it wanted to pull out. Now, when the people of Europe are saying no to a European super-state, Labour's policy would bring one closer. It has swapped outright hostility to the Community for blind acceptance of whatever comes out of Brussels. Companies across Europe are groaning under the weight of regulation, bureaucracy and social costs, yet Labour wants the United Kingdom to sign the social chapter and to give up our veto rights. The party that wanted out now cannot wait to sign up to any piece of Euro-nonsense on offer.

Why does the Labour party do it? Because, after four defeats, it has nothing left to believe in. All that brought Labour Members into politics has been ditched, shelved and thrown overboard. The message about the Labour party that the British people should take away from this debate is that those who stand for nothing will fall for anything.

When the historians look back in 30, 40 or 50 years' time at what we are doing today, I am sure that they will see this time as a critical juncture in the history of Europe. Their judgement will be driven by whether what we do in the next few years creates a Europe that achieves a number of things. First, we must succeed in bringing to the Community of western, liberal and capitalist democracies the massive free states of central and eastern Europe and in doing so, create a stable and peaceful community in the centre of Europe. That, above all, will be the key defining issue of the decade. What we do in dealing with the common agricultural policy, structural funds and the other key institutional issues in the next few years will be crucial to that.

Secondly, that judgment will be based on whether the European structure that we have created delivers prosperity, security and freedom to the people of Europe. That, of course, will depend on whether we are cemented together by the shackles of a federalist logic or held together by the joint belief of the peoples of Europe that it is in their mutual interest to remain in a co-operative and coherent Community. That will be achieved only if the European Union works with the grain of the nation state and not against it.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

STATUTORY INSTRUMENTS, &c.

Mr. Deputy Speaker (Mr. Michael Morris): With permission, I shall put together the motions relating to statutory instruments.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.),

EMPLOYMENT

That the draft Code of Practice on Industrial Action Ballots and Notice to Employers, which was laid before this House on 11th May, be approved.

PUBLIC HEALTH

That the Food Protection (Emergency Prohibitions) (Paralytic Shellfish Poisoning) Order 1995 (S.I., 1995, No. 1388), dated 25th May 1995, a copy of which was laid before this House on 31st May, be approved.

That the Food Protection (Emergency Prohibitions) (Paralytic Shellfish Poisoning) (No. 2) Order 1995 (S.I., 1995, No. 1422), dated 1st June 1995, a copy of which was laid before this House on 5th June, be approved.

That the Food Protection (Emergency Prohibitions) (Paralytic Shellfish Poisoning) (No. 3) Order 1995 (S.I., 1995, No. 1560), dated 19th June 1995, a copy of which was laid before this House on 19th June, be approved.—[*Mr. Wood.*]

Question agreed to.

LOCAL GOVERNMENT FINANCE AND LOCAL GOVERNMENT (SCOTLAND)

Ordered,

That the provisions of paragraph (2) of Standing Order No. 84 (Constitution of standing committees), paragraph (1) of Standing Order No. 86 (Nomination of standing committees) and Standing Order No. 101 (Standing Committees on Statutory Instruments, &c.) shall apply to the Special Grant Report (No. 14) (Grants to Surrey Police Authority and Receiver of the Metropolitan Police District) (HC 474) and the Local Government Finance (Scotland) Special Grant Report No. 1 (HC 517) as if they were statutory instruments; and that the said Special Grant Reports be referred to Standing Committees on Statutory Instruments, &c.—[*Mr. Wood.*]

Petitions

10 pm

Mr. Jim Dowd (Lewisham, West): Just a few short weeks before the 50th anniversary of VJ day, and the final end of hostilities in 1945, it is not just opportune, but essential that Parliament should remember the greatest unrelieved injustice that remains to be settled from the conflict of the second world war.

It is my great privilege to present a petition of more than 200,000 signatures from members of the Japanese Labour Camp Survivors Association and many other citizens of the United Kingdom. That petition states:

That we the undersigned, hereby:

acknowledge the terrible suffering of those former servicemen and Civilian Internees who were taken prisoner by the Japanese during the course of the Second World War;

express our deep concern that, despite the fifty years that have elapsed since the end of the War, the Japanese Government has failed to formally apologise for their actions and compensate the former Prisoners of War and Civilian Internees for their suffering;

Wherefore your Petitioners pray that your Honourable House do call on Her Majesty's Government to take whatever steps it can to support the former prisoners including refusing to agree to Japan being given a permanent seat on the UN Security Council until this matter is resolved and by calling on the Japanese Government to fully apologise to the former Prisoners of War and Civilian Internees and compensate them to the sum of £14,000 each.

And your Petitioners, as in duty bound, will ever pray, etc.

To lie upon the Table.

Mr. Hugh Bayley (York): I wish to present a petition on behalf of almost 2,000 of my constituents, who are seeking an end to the mahogany trade because of the damage it is causing to the rain forests of South America. The petition reads:

"The Petition of York Friends of the Earth and Residents of York

Declares that we wish to express our deep dismay at the damage and destruction caused to the Amazon rainforests by the mahogany trade.

As the world's second largest importer of mahogany from Brazil, the UK is a major contributor to the loss of these forests and the terrible consequences faced by the people who live there.

The petitioners therefore request that the House of Commons urge the government to announce a moratorium on mahogany imports until it can be established that the trade operates on an environmentally sound, socially beneficial and legal basis.

The petition is signed by Guy Wallbanks of York and 1,993 of my constituents.

To lie upon the Table.

Supermarket Development (Northern Ireland)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wood.]*

10.3 pm

Rev. Ian Paisley (Antrim, North): I wish to raise the subject of planning policy in relation to supermarket retail development in Northern Ireland. I will speak for 15 minutes and my colleague, the right hon. Member for Lagan Valley (Mr. Molyneaux), will speak for five minutes, and then we will let the Minister have the rest of the time. We will be gracious to him.

I want to make it crystal clear, at the outset of this Adjournment debate, that I do not oppose inward investment, new development, freedom of choice, private enterprise and healthy competition. It is, however, essential that all those things are operated in a context of fairness, and on an even playing field with no advantage to any section of the community.

As a public representative, I must be worried about fairness. When that concept of fairness is challenged, not by a mere suggestion, but by some secret agreement, or by some private understanding, then it comes into the public domain and I have a responsibility to comment on it.

Yesterday in Belfast, Mr. David Sainsbury announced plans to open seven supermarkets throughout Northern Ireland and said that his company was confident that a further five proposals would follow in due course.

It must be stated that, in the case of at least half those proposed sites, planning policy hitherto has been to refuse all planning permission for retail development on those sites. That planning policy was rigorously implemented in the case of various applications from local stores and developers who had sought to provide for their clients retailing facilities on the very sites now marked down for Sainsbury developments.

In some cases, applications were refused and in other cases, the applicants were discouraged from even daring to pursue their disclosed intention by a statement from the planning authorities that their proposals would not be considered with any favour whatsoever under the existing planning policy. The exception made at Sprucefield for Marks and Spencer was signalled as a "one-off" development, never to be repeated, and was not to be taken as a breach of the existing policy. There was to be no let-up in that policy.

In that very context, and in directing his attention to some of those very sites, Mr. David Sainsbury finds himself able to state with total assurance that he proposes to develop the seven sites with the prospect of five more. To add, as he does, the token formula "subject to planning approval" is simply to pay lip-service to statutory requirements and to suggest, disingenuously, that there is some element of uncertainty in the achievement of his proposals.

Any other person who had dared hitherto to say that they were going to develop those sites was shot down immediately and was not permitted even to suggest that they were going ahead to seek full planning permission on those sites.

In fact the proposals of Mr. Sainsbury go against the present planning policy in the rest of the United Kingdom about "edge of town" and "out of town" developments.

[Rev. Ian Paisley]

The reason for that is the imperative necessity to bring life back to the city and town centres to make them vibrant; hence the discouragement by the planners, because similar developments have already damaged the centre of other urban areas.

Yesterday, on Radio Ulster, Mr. Sainsbury was questioned by one Mr. James Kerr for the BBC. Mr. Kerr said:

"With 12 stores right across the province, it has been suggested that what you are doing is take the heart out of the town centres in Northern Ireland."

Mr. Sainsbury replied:

"Well, I don't think that's the case at all. In England that has not been the pattern. We only go to sites outside the town centres where that is the only way we can provide the kind of service we want in terms of car parks and size of store. By and large, that doesn't have an effect on town centres if they are healthy, vital centres anyway."

But Northern Ireland has had something which has told against the health and vibrancy of its town centres which generally has not applied to the rest of the United Kingdom—a campaign of barbaric IRA terrorist violence aimed at destroying the economic heart of Northern Ireland.

Mr. Sainsbury maintains that his plans will have no adverse effect on a healthy town centre or city centre provided it is already vibrant. But how can our town centres fall into that category after the mauling destruction that they have received? Surely, if there is one undertaking to which everyone should be dedicated it is that of the reinvigoration and re-establishment of the heart of urban Ulster. Anything that tells against that may give a cosmetic and short-term benefit, but it will be dearly paid for by long-term city decline.

I ask the Minister: has a Province-wide study of retail shopping impact been made? Is there a margin within the present retail shopping enterprises that must be met? If there is no margin, it is correct to conclude that existing businesses will go to the wall—ruthlessly crushed by the juggernauts of huge shopping centres set in motion by this breach of existing planning policy. But if, after such a study has been made, margins have been proved, the requirement makes developments such as Sainsbury inevitable. No matter what the finding of such a study or what margins may be discovered, we must establish the principle that a Johnny-come-lately developer must not be given special privileges or advantages—we must have an even playing field.

I have stood, both as a Member of the House and as a Member of the European Parliament, in the destroyed business premises of many of my constituents. Their premises were blasted by the bombs of those who are now in dialogue with the present Government. Today, in the House, I want to salute the moral resolution, the personal bravery and commercial courage of those business people, both men and women, who extinguished the flames, swept up the ashes, erected signs stating "business as usual" and carried on. Not one of those businesses received from the Government full reinstatement payments and, because of that, some of those involved were forced to see their family businesses brought to an end. I invite the Minister to come with me, when he has time, to the centre of Coleraine to talk to some people there. Perhaps that would be a good place to start.

Surely those who have borne the burden and heat of the day must not, by a sudden change in Government policy, be forced out of business now. The sort of development that is being envisaged with the evident lifting of what seemed impregnable planning restrictions will destroy some businesses as surely as did the IRA bombers. Furthermore, there are larger businesses which have sought, by development proposals amidst all the bombings, to give opportunities to the consumer. Those developers should not be discriminated against because a newcomer has arrived on the scene.

The question must be asked: why have others been refused planning permission on some of those sites while Sainsbury is in a position to make the announcement that it made yesterday? What about the constitutional rights of individuals under planning laws? I note that Mr. Sainsbury made no mention of public inquiries into any of his proposals. Does he have information that, even if such inquiries are held, the Minister concerned—who has the final word—will see to it that his objectives will be achieved? Tonight I am asking the Minister to give a solemn undertaking that, wherever there is resistance to any of those sites according to their locality, the people will have the opportunity of a full public inquiry.

I must tell the people of Northern Ireland, using the House as a sounding board, that the present Minister has set aside the findings of at least one public inquiry and that his immediate predecessor set aside the findings of another. Those inquiries have now become no better than a charade, with no credibility at all. To win at a public inquiry is now no guarantee that the battle has been successful. All gain can be taken away by a stroke of the Minister's pen. The very suspicion that the nod and wink has been given before an inquiry puts a question mark over the whole exercise.

I end in the way that I commenced: I fully support inward investment, new development, private choice, healthy competition and free enterprise, but only if the playing field is level. Otherwise it is not freedom, but dictatorship and slavery. Those who compete in the marketplace with Sainsbury require no favours. They are not asking for any advantages; they are simply demanding the inalienable right to justice and fair play. Looking at the record of their endurance, enterprise and investment, they have a right doubly to demand just that.

10.18 pm

Mr. James Molyneaux (Lagan Valley): The hon. Member for Antrim, North (Rev. I. Paisley) should be congratulated on securing the Adjournment debate on planning. This time next year we shall not be able to raise such matters on the Floor of the House if the Minister goes ahead with his plans to transfer responsibility for planning from his Department to some weird agency.

The hon. Gentleman made it very clear that we are not seeking to promote or to disadvantage any particular company in the debate; we are simply concerned to ensure that Department of the Environment planning authorities adopt an even-handed approach. The hon. Gentleman referred to the need for a level playing field, and I do not criticise him for doing so. Unfortunately, that phrase was used several times earlier today in a short debate about fisheries. It was never made clear whether the fish were rising on the level playing field.

Mr. John D. Taylor (Strangford): Fisheries brings me straight to Portavogie in my constituency, where I hope that we have a level playing field.

I represent a constituency which, thankfully, Sainsbury has selected for one of its locations. We welcome the arrival of Sainsbury in Northern Ireland. Not only is it building stores that will bring lower prices for our constituents, but it will purchase something like £80 million worth of goods per year from producers in Northern Ireland.

In respect of planning decisions in my constituency, Supermac already had planning permission for the development of that location. Apparently, it has now been acquired by Sainsbury. The good news is that Sainsbury will incorporate the road reconstruction at Forster Green junction. Does my right hon. Friend agree that as several hundred people will be made redundant in the changeover from Supermac to Sainsbury every effort should be made by Sainsbury to re-employ those who will lose their jobs in the process?

Mr. Molyneaux: I am glad that my right hon. Friend has obtained firm assurances that the vital road scheme for that intersection, for which he battled so long, will be safeguarded. I hope that my right hon. Friend and I can depend on the Minister to ensure that that promise is kept in all respects and that there is no slippage. I know that it is not the Minister's responsibility, but I would ask any successor company on that site to support my right hon. Friend's plea that the 700 employees of the present supermarket will be given some priority—never mind Mr. Bob Cooper—in applying for jobs in which they are well experienced.

In any community, perceptions are everything, and they are often produced by banner headlines that a company is to develop a site in a certain location. I should not say it in the presence of one, but editors have a horror of small print, so they tend to give the impression that a decision has been made and endorsed by the planning authorities. Unfortunately, such banner headlines imply that a dramatic statement of intent will be sufficient to bulldoze the planning authorities into granting the planning application.

I hope that the Minister will take the opportunity to dispel any such perceptions or impressions, not just in regard to the applications to which the hon. Member for Antrim, North has referred today, but for all such proposals which may come before his Department in one form or another before he cedes control of all such matters to the agency. I desperately hope that the Minister will change his mind about that, and that despite all their faults he and his Department retain answerability in the House for all planning matters in Northern Ireland.

10.24 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Malcolm Moss): I congratulate the hon. Member for Antrim, North (Rev. Ian Paisley) on his success in obtaining a debate on this important issue. I recognise that the Ulster town has traditionally been the centre of trade and commerce for its population and its rural hinterland. In towns such as Ballymena and Ballymoney, the commercial town centre provides many important services for both town and country.

I also acknowledge and pay tribute to the many local businesses to which the hon. Member for Antrim, North drew our attention today when he talked about moral resolution. They have maintained their services and provided important facilities for shoppers during the last 25 years, often in very difficult circumstances.

The right hon. Member for Lagan Valley (Mr. Molyneaux) spoke of transferring my Department to some "weird agency". I offer him every assurance that the agency will not be weird. It will be fully under my control. I shall still be accountable to the House for all planning issues—

Mr. Molyneaux: A quango?

Mr. Moss: Not in the absolute sense of the word. We shall debate that further. Furthermore, the director of the agency will be accountable to the Public Accounts Committee in a way that his predecessor never has been.

While the Government welcome the general growth of interest in economic and commercial investment in Northern Ireland, I appreciate local concern that incoming investment might threaten or destroy long-established local businesses. I can assure the hon. Member for Antrim, North that my Department is committed to protecting the vitality and viability of existing town centres.

I recognise that an attractive and flourishing town centre can enhance the quality of life of its citizens, stimulate economic investment and support and encourage a whole range of cultural, social and commercial activity. It is for this reason that my Department has been encouraging regeneration initiatives where they are needed in many town centres across Northern Ireland. In broad terms the Department's planning policy is to ensure an adequate provision of retailing and related facilities, accessible to the whole community. This includes support for and enhancement of established town centres as well as recognising the need for local food stores and specialist retailing facilities.

Retailing is an important sector in the Northern Ireland economy, providing some 57,000 jobs and around 10 per cent. of total employment. As in the rest of the UK, the retail industry in Northern Ireland is subject to dynamic change, as consumers expect a wide range of choice and competitive pricing and as retailers adapt and change their marketing methods to respond to consumer demand. Indeed, in the past five years Northern Ireland has seen a continuation of the upsurge in retail development witnessed in the late 1980s, with more than 300,000 sq m of retail floor space approved in major schemes since 1988.

In recent years shopping patterns have changed, with trends in consumer behaviour in Northern Ireland following a similar pattern to those in Great Britain. There is a growing tendency towards one-stop food shopping and greater use of the car for shopping trips.

I come now to the planning policies which relate to the recent announcement by Sainsbury. All proposals for new shopping development will be tested against the planning policies for shopping set out in the planning strategy for rural Northern Ireland and in the Belfast urban area plan. The planning strategy emphasises the Department's commitment to protecting the vitality and viability of existing town centres as a whole and contains detailed planning policies for the control of shopping development.

[Mr. Moss]

The main thrust of these policies is to favour development which would make a positive contribution to existing centres. My Department also recognises that out-of-town shopping development has a role to play in accommodating types of retailing which are unsuited to a town centre location, and in satisfying local deficiencies in retail provision. It can also contribute towards urban regeneration. However, such developments may seriously prejudice the vitality and viability of existing town, district or neighbourhood shopping centres.

Additional significant retail developments on sites outside existing town centres will therefore be carefully examined against a well established set of planning tests including the following: contribution to deficiencies in the overall shopping provision; impact on existing shopping centres; impact on amenity, traffic movements or road safety; accessibility to both public and private transport.

Mr. Peter Robinson (Belfast, East): Does it follow from what the Minister has said that if Stewarts or Wellworths have been refused permission for a site in Northern Ireland, Sainsbury's will be refused permission as well?

Mr. Moss: I can give an assurance to the hon. Gentleman that when we receive the planning applications which, I have to say, we have not as yet received, they will be carefully examined. If there is any objection from any quarter, the applications will go to public inquiry. It has been pointed out by the right hon. Member for Strangford (Mr. Taylor) that two of the seven sites that were mentioned already have existing retail land use planning permission, notably the one at Supermac at Forster Green junction in Belfast. I will give the assurance that if objections are raised the normal planning procedures will be followed and the matters will go to public inquiry.

Within the food retailing sector, the trend towards car-borne, one-stop shopping has led to the development of large, food-based superstores. Such developments rely on the close proximity of adequate car parking, and for that reason locations within existing town centres may be inappropriate. The Department will carefully examine each food store proposal received for edge-of-town locations and will grant approval only where they comply with published planning policies.

In the case of retail warehouse developments, I recognise that trading in bulky goods and do-it-yourself products is difficult to accommodate in town centres, given the parking and servicing requirements. The siting of such developments in out-of-town locations can have a beneficial influence on town centres through the provision of an alternative location for the sale of bulky goods, thus reducing traffic congestion, and through the attraction of additional retail custom to the town. It is said, for instance, that the development at Sprucefield has enhanced the viability of the town centre retailing in Lisburn town centre itself. I use that as an example of what historically has occurred in Northern Ireland.

Proposals for retail warehouse development within urban areas will normally be directed to sites in or adjacent to existing town or shopping centres, thereby complementing and reinforcing the role of the centre. Planning permission for retail warehouses may be subject to conditions setting a minimum floor space and restricting the range and type of goods to be sold.

With regard to transportation, I expect all types of proposals for major shopping developments in Northern Ireland to be assessed within the guiding principles for transportation policy that I announced in January of this year—the primary concerns of which are to reduce, where possible, the need for travel, to encourage the use of alternatives to the private car and to provide an efficient, safe and accessible transportation system offering better choice and availability to all its users.

I know that there have been recent announcements by a major United Kingdom retail chain of its interest in developing in Northern Ireland and I am aware of the speculation in the press about other prospective developers. It would not be appropriate for me to make any comment in relation to confirmed intent or speculation, but in answer to the main thrust of the speech of the hon. Member for Antrim, North when he talked about fairness, an even playing field, and no special privileges or advantages to any group or organisation, I am prepared to give him, from the Dispatch Box, a categorical assurance that what he is asking for will be delivered—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned accordingly at twenty-seven minutes to Eleven o'clock.

House of Commons

Thursday 22 June 1995

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

BELL'S BRIDGE ORDER CONFIRMATION

Mr. Secretary Lang presented a Bill to confirm a Provisional Order under section 7 of the Private Legislation Procedure (Scotland) Act 1936, relating to Bell's Bridge; and the same was read the First time; and ordered to be considered upon Wednesday 28 June [Bill 143.]

ACCOMMODATION LEVEL CROSSINGS BILL *[Lords]* (*By Order*)
Order for Third Reading read.
To be read the Third time on Thursday 29 June.

QUEEN MARY AND WESTFIELD COLLEGE BILL (*By Order*)
(Queen's Consent, on behalf of the Crown, signified.)
Order for Third Reading read.
To be read the Third time on Thursday 29 June.

CITY OF WESTMINSTER BILL *[Lords]* (*By Order*)
Order for consideration read.
To be considered on Monday 26 June at Seven o'clock.

LONDON LOCAL AUTHORITIES (No. 2) BILL *[Lords]* (*By Order*)
Order for consideration read.
To be considered on Thursday 29 June.

Oral Answers to Questions

HOME DEPARTMENT

Fire Authorities

1. **Mr. O'Hara:** To ask the Secretary of State for the Home Department what representations he has received on the reduction in services that fire authorities will have to make as a result of expenditure shortfalls. [28397]

The Secretary of State for the Home Department (Mr. Michael Howard): Representations have been received from a number of hon. Members and others. My approval is required under section 19 of the Fire Services Act 1947 when any reduction in the number of fire stations, fire appliances or firefighting posts in a brigade is proposed.

Mr. O'Hara: Is the Home Secretary aware that, according to figures provided by the Association of Metropolitan Authorities, our fire services face a funding shortfall of £90 million? The situation is so serious not only in my area of Merseyside but in other parts of the country that at least one authority, North Yorkshire, is considering charging motorists for attending car crashes—the so-called "cash as you crash" plan. When will the Home Secretary finally face up to the serious in-built underfunding of a vital area of our emergency services?

Mr. Howard: It is all very well for Labour Back Benchers to complain about underfunding, but the shadow Chancellor and the shadow Chief Secretary to the Treasury keep telling everyone that the Labour party will not spend any more money. Only one fire authority—South Yorkshire—sought a redetermination of its capping limit, and the application was successful.

Mr. John Greenway: Notwithstanding what my right hon. and learned Friend has said, is he aware of the grave concern in places such as Filey and Scarborough about the reductions in fire cover that have had to be made because the standard spending assessments for big shire counties such as North Yorkshire are inadequate? May we now have a thorough review of the Home Office fire standard and the standard spending assessments that should go with it so that the big rural areas get the fire cover that they need?

Mr. Howard: My hon. Friend will know that the standard spending assessment formula is being reviewed. Of course we shall take the concerns of North Yorkshire and others into account in that context. However, I see no reason why the nationally recommended minimum standards of fire cover cannot be maintained throughout the country.

Mr. Beith: What is the logic of a system under which the Home Secretary tells fire authorities what standard of cover they must maintain but the Department of the Environment then tells them that because of their SSAs or capping they cannot spend the amount necessary to achieve that level of cover? That happened in Northumberland and Shropshire, and it is happening in North Yorkshire. Are not the public, who are thus at greater risk, the sufferers of all that?

Mr. Howard: The right hon. Gentleman totally misrepresents the facts. It is the duty of every authority to provide fire cover in accordance with national minimum standards. I have made that clear time and again. Authorities that are not single-service authorities must assess the priorities for their budgets so that cover is provided. If single-service authorities were capped they had the opportunity to make an application for redetermination of the cap. As I have said, only one fire authority made such an application, and that was successful.

Sir Donald Thompson: May I make a special plea for the fire authority in my constituency, which has unusual topographical and geographical features? Will my right hon. and learned Friend reconsider my plea?

Mr. Howard: The special features of my hon. Friend's constituency—they are indeed special, and he has drawn them to the attention of every local government Minister for the past 10 years—will be carefully taken into account in the review of the SSA.

Electoral Registration

2. **Mr. Barnes:** To ask the Secretary of State for the Home Department if he will make it his policy to introduce a rolling electoral registration system; and if he will make a statement. [28398]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Nicholas Baker): The report of our post-election review concluded that more work was needed before a decision could be taken on a rolling register. Ministers are considering the report.

Mr. Barnes: Is not the current electoral registration system pathetic? An Office of Population Censuses and Surveys report showed that between 3 million and 4 million people are missing from electoral registers. People register in October, but the register—which lasts for a full year—does not come out until February and is 16 months out of date by the time it is completed. Does the Minister realise that the annual death rate among over-18s is 630,000, which means that about 800,000 names—some 2 per cent. of the electorate—should not be on the registers? It is disturbing for people to find that the names of their loved ones are still on electoral registers and that they are receiving electoral communications. Would not a rolling register be the answer to the problem?

Mr. Baker: I should like to take the opportunity to correct some of the figures that the hon. Gentleman has given. There is not enough information to give a wholly reliable and accurate figure, as the hon. Gentleman found out from correspondence with my office, but according to the best figures available there were 42.624 million names on electoral registers in 1994, compared with an estimated resident population of 44.780 million—a difference of 2.156 million. The working party has looked at a rolling register and while it certainly concluded that it might result in a more up-to-date register, it decided that it would not improve registration. We are considering a detailed analysis of a complex matter, but experience in Australia, which has a rolling register, suggests that house-to-house checks are still necessary. That experience hardly suggests that a rolling register is as accurate as the hon. Gentleman seems to think.

Mr. John Marshall: Does my hon. Friend agree that the real scandal of electoral registration was the campaign organised by certain hon. Members to discourage people from registering and to encourage them to become tax dodgers?

Mr. Baker: My hon. Friend is quite right. We spend a great deal of money on advertising the desirability of registering, and I am glad to have my hon. Friend's support for that campaign.

Mr. Trimble: Does not the issue require more urgent attention? In addition to the problems mentioned by the hon. Member for Derbyshire, North-East (Mr. Barnes), is there not an increasing problem in certain areas of England with false registration and other forms of electoral fraud? Does not that stem from the fact that registration officers and party workers who are dealing with extended families with similar names have difficulty in identifying who is who? Must not that issue be tackled? Could it not be tackled and cured by the adoption of identity cards—an additional reason for such cards that does not appear in the Home Office consultation paper?

Mr. Baker: We are certainly looking at all the ways of improving registration, although not at the particular example mentioned by the hon. Gentleman. According to the OPCS figures to which the hon. Member for Derbyshire, North-East (Mr. Barnes) referred, the number of people registering to vote in England and Wales rose in 1995 by 88,000 to a total of 38.765 million. I am pleased to say that—no doubt as a result of the hon. Gentleman's advocacy—electoral registration in Derbyshire, North-East rose by 0.5 per cent., more than the national average.

Prison Searches

3. **Mr. Barry Field:** To ask the Secretary of State for the Home Department what measures he is taking to prevent drugs from entering prisons and to ensure prisoners are properly searched. [28399]

The Minister of State, Home Office (Mr. Michael Forsyth): A number of measures are in place to ensure that we take effective action to prevent drugs from entering prisons. These include the greater use of sniffer dogs, closed circuit television in visits areas, the introduction of closed visits for people who are found to be involved in drug taking or handling in prison and the introduction of mandatory testing.

Mr. Field: My right hon. Friend will be aware of the exceptional case in one of the prisons on the Isle of Wight where a prisoner had drugs secreted up his backside. As the British Medical Association does not allow doctors to perform internal searches of prisoners, he was not able to be arrested and he got the drugs into the prison. Is he further aware that prisoners shuffle their chairs over to the other side of the table during open visits to partake in intimate embraces with their visitors, during which drugs are passed? Why cannot the chairs be nailed to the floor? Why should not closed visits be the norm and open visits be earned as a privilege?

Can my right hon. Friend explain why Judge Tumim continues to berate routine searching for drugs yet criticises the presence of drugs in prisons?

Mr. Forsyth: The judge must answer for himself on those matters. My hon. Friend wrote to me in, I think, November about the case that he mentioned in his question. I have been reviewing the policy on internal searches when drugs are believed to be concealed. We shall shortly consult on how we might strengthen the law in that regard.

My hon. Friend asks about closed visits. I can go some way towards meeting his request in so far as closed visits will apply where prisoners are suspected of taking drugs or where visitors have brought drugs in for prisoners.

My hon. Friend asked about visiting areas and I agree that we need to take further steps to ensure that visits are not used for any purpose other than those for which they are intended. The Director General of the Prison Service will see that surveillance and the strict enforcement of rules are carried out.

Mr. George Howarth: Is the Minister aware that Judge Tumim has reported that, for example, about 80 per cent.

of inmates in Styal prison were routinely involved in the taking of illegal drugs? What have been the results so far from the introduction of mandatory drug testing in prisons? He has already mentioned some ideas, but what further measures will he consider to try to stem this tide of illegal drugs in our prisons?

Mr. Forsyth: Of course I am aware of the comments about Styal prison. Mandatory testing, which is an important part of the fight against drugs, has been successfully introduced on the basis of a rolling programme. Evidence shows that it is not only identifying drug misuse but that it is welcomed by a number of prisoners who see it as a step forward. Mandatory testing will enable us to identify drug misuse and tackle the sources of drugs. It will also enable us to ensure that proper systems of treatment are in place. Prisoners will be given treatment and support to get them off drugs so that when they leave prison they do not continue to take them, reoffend and find themselves returning to prison.

Sir Ivan Lawrence: Is my right hon. Friend aware that we welcome his latest proposals to stop personal contact between prisoners and visitors in top security prisons and in prisons where drug offences have been suspected? It has been a source of puzzlement to many of us over the past few years why there is not a glass partition between visitors and prisoners sentenced for more serious cases. For some reason there has been reluctance to have such a partition. Will he take on board the fact that most people would like such a restriction to be imposed on prisoners?

Mr. Forsyth: As my hon. Friend the Member for Isle of Wight (Mr. Field) said, we have introduced closed visits for exceptional risk category A prisoners as a matter of course. We have said that we shall introduce closed visits where prisoners have been found to be abusing visits and are involved in drug taking or the handling of drugs. I do not think that it would be right to introduce closed visits for all prisoners. Where prisoners are found to be involved in illegal practices, closed visits are justified, but the purpose of prison is to punish the prisoner, not families, and it is appropriate that families should be able to visit prisoners in an open situation—provided the rules are observed.

Juvenile Offending

5. **Mr. Peter Bottomley:** To ask the Secretary of State for the Home Department what is his estimate of the offending rate and the detection rate of crime by 16-year-old boys and girls currently and 10 years ago. [28401]

The Minister of State, Home Office (Mr. David Maclean): For boys aged 16, the offender rate has fallen from 10,900 per 100,000 in 1984 to 9,300 in 1993. For girls aged 16, it has risen from 1,600 per 100,000 to 2,200 in 1993.

I am afraid that it is not possible to measure detection rates for different age groups.

Mr. Bottomley: I congratulate my right hon. Friend on joining the Privy Council and you, Madam Speaker, on your honorary doctorate. Monitoring the offending rate for different age groups is as important in respect of general crime as it was in the successful attack on changing the culture of drink driving. If we seriously want to reduce the number of victims, we have to stop the flow of 1,000 or 2,000 people a week who, for the first time, commit serious crimes.

Mr. Maclean: I thank my hon. Friend for his kind remarks. He has tremendous knowledge of and experience in dealing with young people through the Church of England Children's Society, where he was a leading expert. He is absolutely correct about the careful monitoring of young offenders and potential young offenders. I want to monitor not only 16-year-olds but those considerably younger who begin to go astray for the first time. We intend to see what measures we can take to keep them on the strait and narrow. If they wander off it, we shall need an appropriate range of penalties rising progressively up the scale.

Mr. Tipping: The Minister will be aware that a disproportionate amount of crime is committed by the persistent young offender. What new initiatives will he take to try to resolve that problem?

Mr. Maclean: The hon. Gentleman is absolutely right. A disproportionate amount of crime is committed by a tiny number of young people. We shall take the measures that his party has consistently voted against in the past two years. Despite the Labour party voting against the powers to deal with that hard group of young offenders, the powers are on the statute book and we shall introduce them as soon as possible.

Mr. Harry Greenway: Does my right hon. Friend agree that there would be less crime among 16-year-olds if school discipline were more effective? School discipline would be more effective if moderate corporal punishment were restored to the heads and staff of schools as a proper sanction against under-16s who misbehave? Would that not stop many of them appearing before the courts?

Mr. Maclean: My hon. Friend knows that children spend considerably more time under the influence of others rather than school teachers. Their time in the evenings and at weekends in the family home is even more important than the time they spend in school. Of course, teachers have responsibility but I would not put the sole responsibility for bringing up properly educated, well-disciplined children on teachers alone. Others in society have a responsibility: first and foremost, parents.

Prison Service (Staff Morale)

6. **Mr. MacShane:** To ask the Secretary of State for the Home Department if he will make a statement about the current level of staff morale within the prison service. [28402]

Mr. Michael Forsyth: A survey carried out in 1994 showed that two thirds of prison staff were either satisfied or very satisfied with their job.

Mr. MacShane: Is the Minister aware that, as the summer is becoming hot, the same survey showed that nine out of 10 prison staff said that they felt that Prison Service management did not have enough regard for those who have face-to-face dealings with prisoners, which suggests that morale is rather low? Can he give an assurance that if there is any incident later this summer, Ministers will accept their responsibility instead of, as in the past, passing the buck to anyone else down the line?

Mr. Forsyth: I am slightly astonished that the hon. Gentleman should seek to link any incident with how

Ministers should or should not take responsibility. Is he seriously trying to send out a message that if people riot in prisons, it will somehow affect our attitudes? If he is, that would be very irresponsible. Whatever happens in the Prison Service, we will follow the established procedure, which is to establish the facts and hold those responsible to account. If he is concerned about morale in the Prison Service, would not it be better if he and his colleagues gave the service a little credit for the good work that it does every day of the week in looking after 51,000 of the most difficult people in the country?

Mrs. Peacock: Is my right hon. Friend aware of some prison officers' concern about the notice that they have to give prisoners before searching their cells for drugs? Why is that notice needed?

Mr. Forsyth: There is no requirement for notice to be given, and I share my hon. Friend's consternation when it is. However, it is a matter for governors, who are responsible for the conduct of prisons, and some governors have sometimes given notice. I share with my hon. Friend and, I believe, most hon. Members, a determination to ensure that effective drug searches are carried out in our prisons. We are reviewing the amount of property that prisoners are allowed in their cells so that more effective searches can be carried out—and quickly.

Criminal Compensation

7. **Ms Estelle Morris:** To ask the Secretary of State for the Home Department if he will make a statement regarding the current situation in respect of compensation for victims of violent crime. [28403]

10. **Mr. Winnick:** To ask the Secretary of State for the Home Department if he will make a statement regarding reductions in compensation to victims of the most violent crimes. [28406]

Mr. Maclean: We are currently putting through Parliament a Bill that proposes an enhanced tariff scheme. It envisages compensation payable to victims rising from £175 million to £260 million over the next five years. The scheme will continue to be the most generous in the world.

Ms Morris: The Minister's answer bears no relation to reality. The truth is that the Government are cutting compensation to the victims of crime. Does he not understand that he is sending a message to victims of crime that they have a Government who do not care about them, when he should be sending the message that they have a Government who are intent on cracking down on crime and protecting them from violent crime?

Mr. Maclean: The reality is that, once again, a member of the Labour party is saying that she wants to spend more money, whereas the shadow Chancellor is saying that Labour will not do so. Labour has not spelt out clearly how much it will spend on the victims of crime whereas we have spelt out in the Bill how much we shall spend.

In 1978, the cost of compensation was £10 million; in 1987, it was £52 million; and last year we spent £165 million on the victims of crime. Over the next few years, we shall increase the amount given to victims of crime to £175 million. We estimate that, in future years, we shall spend £190 million, £205 million, £240 million and £260 million. We have spelt out the increases; why will not the Opposition spell out clearly what they intend to do? It is just another uncosted manifesto pledge.

Mr. Winnick: Was not the Leader of the House right when he wrote to warn the Prime Minister in March that the Government's intention to reduce compensation to the victims of serious crime would put the Government on the wrong side of the argument? Is not it typical of the Government that, although crime has risen substantially in the past 16 years—many parts of the country are crime ridden—they are punishing financially the victims of serious crime? It is no wonder that they are held in such contempt across the country.

Mr. Maclean: Once again, the hon. Gentleman had written his little supplementary question before he heard the figures, but we have come to expect that from him. I read out how much we project will be spent on the victims of crime over the next few years, and it is an unprecedented amount. The Labour party is keen to quote everything European, so why does it not mention the fact that what we alone will spend on the victims of crime will be more than every other country in Europe put together—and more even than the mighty United States of America?

Mrs. Gorman: Does not Britain have a support system for victims of violent crime—with whom, of course, we all have the greatest sympathy—which includes social services, counselling and medical services to ensure that a victim of crime, even without any form of compensation, has the best care under the welfare state? Is not it important that we avoid the route taken in the United States where the victim of almost anything—from an exploding Coca-Cola can to a real crime—expects to be rewarded financially for the awful things that he has been through?

Mr. Maclean: My hon. Friend is right to mention the United States. The amount of compensation paid to victims of crime in this country is higher than the total paid in the United States, which has a much higher population and a much worse violent crime rate. We have a proud story of success in looking after victims of crime.

My hon. Friend is also right to draw attention to the fact that all the other branches and organs of the state provide support. She might have mentioned Victim Support, which has received unprecedented support from the Government as a voluntary organisation, with huge percentage increases each year since it was set up.

Mr. Fabricant: Does my right hon. Friend agree that another aspect of compensation to victims of crime is the punishment that is given to those who have committed the crime? Has not the Labour party consistently opposed the Government's legislation to increase punishment? Is not the Labour party soft on crime and even softer on punishment?

Mr. Maclean: I know that the Labour party wants to pretend that it is tough on crime, but we know its track record. We know that it voted against the Police and Criminal Evidence Act 1984, the Public Order Act 1986, the Criminal Justice Act 1988, giving the Attorney-General a power to appeal against over-lenient sentences, and the Criminal Justice Act 1991. In the light of that record of voting against every single measure that makes a difference in bearing down on crime, new

Labour, during the passage of the most recent Criminal Justice Act, was able to abstain on Second Reading and Third Reading.

Mr. Michael: The public know full well that it is the Conservative Government who have presided over the doubling of crime, and it is the Conservative Government who have voted down every constructive approach by the Opposition to tackle guns, to tackle crime and to nip things in the bud with young offenders. The public know that it is the Government who want to cut the cash for victims, whereas the Opposition have told Ministers, "If you do not cut the cash available for the victims of crime, we will not cut the cash available for the victims of crime." Will the Minister confess that, over the next five years, he will cut the cash for victims of crime by £700 million?

Mr. Maclean: The whole House enjoyed the hon. Gentleman's outburst—not even his hon. Friends could keep a straight face as he was speaking. The Labour party has voted against every criminal justice measure that we have taken, which has increased the penalties for crime. That is the measure of the hon. Gentleman, who now protests that he cares about crime. We do not need any form of weasel words—"If you don't cut the cash, neither will we". We have put in the Criminal Injuries Compensation Bill the extra money that we are giving victims. Why will not the Labour party spell out its bottom line? It is because its shadow Chancellor has said, "No costed promises in the manifesto; do not tell the public what it will cost."

Convicted Prisoners

8. **Mr. Robathan:** To ask the Secretary of State for the Home Department what is his policy regarding the provision and use of telephones by convicted prisoners serving their sentence. [28404]

Mr. Michael Forsyth: Official telephones are available for urgent or compassionate reasons only and, as a privilege, prisoners have access to a cardphone.

Mr. Robathan: May I congratulate you, Madam Speaker, on your honorary doctorate and welcome my right hon. Friend's answer. Is he aware of the great unhappiness that is caused to the families of victims of crime and, indeed, of murderers such as Winston Silcott and others in Parkhurst, who are allowed to give interviews on the media? Does he agree that the decent people of the country are amazed and appalled to discover that prisoners can telephone the newspapers and the other media? Does he further agree that the use of a telephone is a privilege, which should be earned, and should be taken away when it is abused?

Mr. Forsyth: I agree with everything that my hon. Friend has said. The rules have been changed recently to prevent prisoners from telephoning the media in the way that my hon. Friend has described. The most recent example was prisoner Rose who escaped from Parkhurst prison and then rang up "The World at One" and gave an account of how he had escaped. I was surprised by that incident because the BBC production guidelines make it clear that criminals should not be given an opportunity to glamorise their crimes or to give details of crimes that could be copied. It is clearly a matter for the governors of the BBC and I am sure that all hon. Members will agree that it is time that they put their house in order.

Mr. Tony Banks: It makes a change to listen to prisoners rather than Conservative Members on "The World at One". Can the Minister say how many prisoners have access to mobile telephones? Is it not a fact that a number of prisoners are using mobile phones to order drugs?

Mr. Forsyth: No prisoner should have access to a mobile telephone, and I am sure that the hon. Gentleman will welcome the measures that have been taken to reduce the amount of property that prisoners can possess and to improve searching for items of that kind. As for prisoners, I should have thought that with the Opposition Front Bench it is the hon. Gentleman who is the prisoner these days.

Crime

9. **Mr. Peter Ainsworth:** To ask the Secretary of State for the Home Department what representations he has received regarding recorded crime in 1994; and if he will make a statement. [28405]

Mr. Howard: I have received a number of representations on recorded crime. Although the level is still far too high, the reduction in the past two years has been the biggest for 40 years and I congratulate the police on their success in that achievement.

Mr. Ainsworth: My right hon. and learned Friend will know that burglary is one of the most distressing crimes. Is he aware that last year the number of burglaries in Surrey fell by 21 per cent? Will he join me in paying tribute not only to the police but also to the often unsung heroes on the crime prevention panels who do so much good in the fight against crime?

Mr. Howard: I entirely agree with my hon. Friend and I am grateful to him for emphasising the importance of crime prevention panels. The truth is that we shall make the greatest progress in the fight against crime when we have a real partnership between the police and the public. The strides that have been made in coping with crime across the country, particularly in Surrey, demonstrate exactly what can be done.

Mr. Sheerman: How reliable are the crime statistics? Is it not a fact that in most constituencies victims of burglary are so sick of being burgled that they do not even bother to report it? The fact is that crime is spiralling and burglary is spiralling, but people do not bother to report it to the police.

Mr. Howard: It is a remarkable fact that when recorded crime was rising we did not hear any complaints from Labour Members about the reliability of the figures, but now that it is falling—as a result of effective work by the police—the Opposition are keen to rubbish the figures at any and every opportunity. If the hon. Gentleman does not think that the figures in his area are reliable, I suggest that he take up the matter with his chief constable.

Mr. Stephen: Will my right hon. and learned Friend discuss with his right hon. Friend the Secretary of State for the Environment ways in which the building

regulations could be changed to ensure that new houses and flats are built in such a way as to be as secure as possible against burglary?

Mr. Howard: My hon. Friend makes an important point. We have made considerable progress in recent years in incorporating crime prevention features in building design. I dare say that more than be done. As my hon. Friend suggests, I will take the matter up with my right hon. Friend.

Mr. Straw: Does the Secretary of State recognise that in 1994 the crime rate was still double what it was when Labour left office in 1979? A key reason for the doubling of crime has been the huge increase in the amount of harassment and intimidation of local communities by anti-social criminal neighbours. In view of that fact, will the Secretary of State recognise the total inadequacy of current provision? Instead of arguing complacently that there is no need for changes in the law of the kind that Labour has proposed, why does he not give our proposals the same wholehearted welcome as they received from the Police Superintendents Association for England and Wales on Tuesday and recognise that our proposals in "The Quiet Life" document tackle the root of the problem of anti-social, criminal activity in neighbourhoods?

Mr. Howard: Because the hon. Gentleman knows full well that the proposals that he announced this week add nothing to those measures which are already part of our law and those which we have announced already. If we take the two together, all that we have is a bit of pretence of precisely the kind that we have come to expect from the Labour party on this and on other matters.

Mr. Elletson: Does my right hon. and learned Friend realise that much of the recorded crime in my constituency and other coastal resorts throughout the country is committed by the thugs, louts and yobboes who have been imported into those areas to live in the hundreds of DSS hostels that have sprung up all over the place? Will he ensure that the Government take proper account of that fact in their response to the consultation paper on licensing DSS hostels?

Mr. Howard: My hon. Friend makes an important point and a large number of hon. Members will have great sympathy with him. I certainly accept that it should be taken into account in the response to the document to which he referred.

Victim Support Groups

11. **Miss Hoey:** To ask the Secretary of State for the Home Department what further support he will consider giving to local victim support groups. [28407]

Mr. Maclean: Victim Support receives generous financial support from the Government. We increased our grant to the organisation last year by £1.6 million—from £8.4 million to more than £10 million—a rise of 20 per cent., and we have increased it further this year by another 8 per cent.

Miss Hoey: Is the Minister aware of the excellent work by the victim support group in Lambeth, particularly the pioneering work on trauma counselling and extra security measures for pensioners who have been burgled? Will he look again at the Home Office criteria for funding Victim Support nationally so that the new and innovative work by local groups can be funded by Home Office grants and given extra resources?

Mr. Maclean: I am well aware of the wonderful work by Victim Support around the country and of the various innovative schemes run by enthusiastic volunteers. However, the Home Office does not fund individual schemes: we fund the national organisation, which distributes funding to local groups, and that is as it should be. I would not want to get involved in making hard decisions between individual local schemes but prefer to let the professional national organisation do it. As for the overall resources, I remind the hon. Lady that in the past eight years Victim Support has received additional Government funds of 55 per cent., 43 per cent., 21 per cent., 20 per cent., 28 per cent., 15 per cent., 20 per cent. and the extra 8 per cent. this year. That is unprecedented financial support for any voluntary organisation.

Mr. Ian Bruce: What are the Government doing to support witnesses? The whole House will appreciate that when it is necessary for witnesses to come forward in order to convict guilty people we need to support those witnesses during the difficult time before and after they give evidence.

Mr. Maclean: My hon. Friend is right. We recognise that many convictions depend on the evidence of witnesses. That is why we are keen to support the Crown court witness schemes that Victim Support is setting up throughout the country and to see whether any further measures need to be taken to deal with intimidation of witnesses. That is why we welcome the measures that the Lord Chancellor's Department is taking in the design and construction of all new courts to ensure that the needs of the victims are given every bit as much importance as those of the criminal.

Dr. Howells: Is the Minister aware that a good deal of Victim Support's work arises from crime associated with hard drugs and that heroin and crack dealing is killing young people in our communities? Nine heroin-associated deaths have already occurred in mid-Glamorgan this year. What is the Minister doing to ensure that the police are given the necessary resources and direction to clear our streets of hard drug dealers?

Mr. Maclean: I am surprised to hear such a question from the Principality, where there has been generous funding of police forces this year. Throughout the whole of England and Wales, our police service has been funded on average by an award of more than 3 per cent. Our police service does an excellent job in tackling drugs, but it is only one of the partners that we want to encourage to do more about drugs. That is why the central drugs co-ordination unit published its strategy for pulling together all sectors of Government to ensure that we concentrate on removing the temptation of drugs from young people in the first place and bearing down hard on those who do it. If the Opposition had supported many of the measures in the Criminal Justice Act that they voted against, perhaps the problem would not be so severe.

Several hon. Members *rose—*

Madam Speaker: Order. Answers are becoming far too long.

African National Congress Office (Bombing)

12. **Mr. Hain:** To ask the Secretary of State for the Home Department if he will make a statement on the latest developments in the investigation into the bombing of the London office of the African National Congress in March 1982. [28408]

Mr. Howard: The Metropolitan Police have reviewed the evidence relating to this bombing in the light of statements by Mr. Craig Williamson and have submitted a report to the Crown Prosecution Service. The more recent comments reportedly made in South Africa by Mr. Mike Leach are also being studied by the police.

Mr. Hain: I am grateful to the Home Secretary. May I ask through him that the police interview Mr. Craig Williamson and that extradition proceedings be considered? Is the right hon. and learned Gentleman aware that Mr. Mike Leach, to whom he referred, has alleged that British intelligence had prior notice of this terrorist outrage through the involvement of extreme Ulster loyalist elements? I believe that the inquiry for which I have asked the Prime Minister into the atrocity is essential. Will the Home Secretary further assure me that the Government will treat a terrorist outrage by the South Africans no less fiercely than terrorist outrages and bombings carried out by the IRA?

Mr. Howard: The hon. Gentleman should know perfectly well that these are matters for the police, and they are being investigated by the police. It might perhaps help if he had a little more confidence in the impartiality and effectiveness of our police.

Several hon. Members *rose—*

Madam Speaker: Order. Questions and answers have been inordinately long today and we have made little progress with Home Office questions. I am extremely disappointed that Members who have questions on the Order Paper have not been called because of long questions and very, very long answers.

PRIME MINISTER

Engagements

Q1. **Ms Janet Anderson:** To ask the Prime Minister if he will list his official engagements for Thursday 22 June. [28427]

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Ms Anderson: Is the Prime Minister aware that Labour's proposals for tough and effective action against criminal and anti-social neighbours have been widely welcomed as a sensible attempt to tackle a problem which causes misery to thousands of people? Given the failure of the Government's policies on law and order, will the Prime Minister now adopt our policies?

The Prime Minister: The hon. Lady right touches on a problem which concerns many people. As she will know, we have taken action on that problem. Nothing in the proposals from the Labour party adds to that action; they are merely window dressing on Labour's part.

Sir Donald Thompson: Will my right hon. Friend today consider Gerry Adams's prediction of the increase in terrorism and Shell Oil's capitulation to terrorism?

The Prime Minister: I think that in whatever form it manifests itself terrorism is unpleasant and should be resisted.

Mr. Blair: Does the Prime Minister agree with the Secretary of State for Northern Ireland that there are those within the Conservative party who are destabilising the Government and damaging the country?

The Prime Minister: When we were discussing Question Time I made a prediction—and I am usually right—that on this occasion the right hon. Gentleman would not pick this subject. My right hon. and learned Friend the Secretary of State for Northern Ireland is an honourable friend in every sense of the word. His letter shows that few men are blessed with better personal friends than he is to me. I am immensely grateful for his continued support. His letter also shows that he is deeply concerned for the Northern Ireland peace process, to which he has contributed a very great deal.

Mr. Blair: If the questions are occasionally predictable, it is because the targets are also so predictable. It surely comes to something, does it not, when a Cabinet Minister is driven to writing to *The Times* about divisions in the Government without even telling the Prime Minister? If even Cabinet Ministers decide that the bitter in-fighting is damaging the national interest, will not the people of Britain conclude that the Conservative party is no longer fit to govern the country?

The Prime Minister: I seem to have noticed today that the former deputy leader of the Labour party had a little bit of bitter in-fighting of his own about the right hon. Gentleman's education policy. I also seem to recall that there was rather more in-fighting. Labour's education spokesman wrote to his colleagues at the end of last year:

"We are opposed to schools opting out . . . nor is there any intention that GM status should continue."

There seems to be some confusion—perhaps a touch of bitter in-fighting.

Mr. Michael Brown: Does my right hon. Friend remember the massive battles that we had in the House some 15 years ago when we first removed the subsidies from British Steel? Does he also remember the massive opposition from Labour Members when we privatised British Steel? Is it not as a result of privatisation that we are today in a position in which British Steel can turn in £500 million of profits and export a product throughout the world against the toughest competition in the world? Should not Labour Members hang their heads in shame for opposing one of the most important policies for British industry?

The Prime Minister: I seem to recall some very rich opposition—not least, as I recall, from the hon. Member for Glasgow, Garscadden (Mr. Dewar)—to the proposal to privatise British Steel. The general proposition put forward by the Opposition was that it was totally irrelevant to the future of British Steel, that it was

produced entirely for ideological reasons and that it would do no good. From an industry which was collapsing, it is now one of the most successful industries in this country and in Europe. That has happened because of privatisation and our determination to ensure that industry is in private hands and efficient.

Q2. **Sir David Steel:** To ask the Prime Minister if he will list his official engagements for Thursday 22 June. [28428]

The Prime Minister: I refer the right hon. Gentleman to the reply that I gave some moments ago.

Sir David Steel: Is the Prime Minister aware that next month is supposed to see the end of six years house arrest for the democratically elected leader of Burma, Aung San Suu Kyi? Is he further aware that last week her British husband was refused a visa to go there and join in her 50th birthday celebrations? Will the Prime Minister make it unmistakably clear to the military rulers of Burma that trade with this country cannot flourish so long as there is such a basic denial of human and democratic rights?

The Prime Minister: I am grateful to the right hon. Gentleman. Most people will have their own very crisp views of the present regime in Burma. It is unacceptable, and so is its behaviour. I warmly commend the right hon. Gentleman's efforts and support for the former Burmese Prime Minister, which is richly merited. Six years' detention is indefensible by any yardstick whatever and an offence against her human rights. We have made that crystal clear to the Burmese and will continue to do so.

Q3. **Mr. Elletson:** To ask the Prime Minister if he will list his official engagements for Thursday 22 June. [28429]

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Elletson: Does my right hon. Friend agree that under a Conservative Government parents have been given the right to choose where to educate their children? Will he therefore congratulate all those parents in the Labour party who have been courageous enough to choose grant-maintained or selective schools even though Labour's bogus education policy would destroy them?

The Prime Minister: I agree with my hon. Friend. Like him, I support the right of every parent in the country to choose the appropriate school for their child. I just wish that some of those who exercise the choice themselves would ensure that it remains equally free for every other parent in the land. The proposals that the Labour party produced today are very badly named—"Hypocrisy and Mediocrity" should have been the title of its plans.

Dr. Godman: On the subject of Brent Spar, there is a good deal of speculation in Scotland concerning its eventual destination and it has been suggested that it is likely to end up on the lower Clyde. If that is so, will the Prime Minister give an assurance that all safety regulations will be adhered to during its dismantling?

The Prime Minister: First, let me say that I deeply regret Shell's decision to cave in to misguided pressure from environmental groups and some foreign Governments. The plan for deep-sea disposal was ratified and agreed according to all the international obligations agreed with other Governments, and not a single Government objected to the plan until they succumbed to pressure from Greenpeace. I shall make it clear to my colleagues across Europe that there will almost undoubtedly be a price to pay for their weakness in this respect.

As for the subsequent disposal of Brent Spar, I have no means of knowing at present how that will eventually work out. If Shell seeks approval for onshore disposal, we shall naturally consider that request, but we are certainly not under an obligation to grant approval for a new abandonment plan. Shell will need to satisfy us on those issues which led us previously to the conclusion that deep-sea disposal was the best practicable environmental option. I think that, for the moment, that is where we should leave it.

Q4. **Mr. Robert G. Hughes:** To ask the Prime Minister if he will list his official engagements for Thursday 22 June. [28430]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Hughes: In the course of his busy day, will my right hon. Friend find time to send a message of congratulation to all who, despite threats and intimidation, battled to expose the systematic abuse of power in Labour Monklands? Does he agree that now is the time for all those who have further information about what went on there—for instance, the hon. Member for Hamilton (Mr. Robertson)—to present that information, or are they worried about what we shall see of the tip of this very nasty Labour iceberg?

The Prime Minister: Certainly, on the basis of the Black report, a remarkable number of relatives of Monklands councillors seem to have been employed by the council. Its personnel department was more like a family planning department.

Q5. **Mr. MacShane:** To ask the Prime Minister if he will list his official engagements for Thursday 22 June. [28431]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. MacShane: Does the Prime Minister welcome the new right-wing Government in France and the decision of his new friend President Chirac to raise the minimum wage substantially?

The Prime Minister: The answer to the first question is yes. The answer to the second is that it is of course a mistake there, as it would be anywhere else.

Q6. **Mr. Riddick:** To ask the Prime Minister if he will list his official engagements for Thursday 22 June. [28432]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Riddick: Will my right hon. Friend as the finest interpreters at Government communications headquarters to try to make sense of the contradictory gobbledegook contained in the document misleadingly entitled,

"Diversity and Excellence: a new partnership for schools"? Is it not likely that beneath the honeyed words they will find the usual socialist disdain for schools which have managed to free themselves from the bureaucracy and interference of local education authorities?

The Prime Minister: It is certainly a very unusual document in many ways. The Labour leadership has opposed each and every education reform in recent years. It was against tests, performance tables and grant-maintained schools—not just in the distant past, but recently. Only last week, Labour's spokesman on Wales declared his opposition to grant-maintained schools. Last week it was Labour councillors penalising parents whose children are at grammar schools; today it is Lib-Lab Lincoln attacking children who win scholarships. No matter where we look, the reality is that Labour is opposed to choice, except in what it says; in what it does, there is to be no choice for anyone—except, of course, Labour Members themselves.

Mr. Salmond: Instead of the foot-stamping petulance with which, we read, the Prime Minister has greeted his humiliation over Brent Spar, will he open his mind to a constructive suggestion? As both the Government and the oil companies have a huge financial interest in deep-water disposal as opposed to onshore decommissioning, and as no one trusts either the Government or the oil companies, would it not be better to have an independent authority overseeing decommissioning of oil and gas installations? I know that the Prime Minister is somewhat embarrassed by independent inquiries, but would that not be a constructive way forward?

The Prime Minister: I am not entirely sure whether the people of Scotland will draw the conclusion that I draw—that the Scottish National party would really like the Brent Spar to be disposed of on land in Scotland at the expense of British and Scottish taxpayers. If that is the message, I hope that the hon. Gentleman will take it to every household that he has deceived at recent elections.

Q7. **Mr. John Marshall:** To ask the Prime Minister if he will list his official engagements for Thursday 22 June. [28433]

The Prime Minister: I refer my hon. Friend to the reply I gave some moments ago.

Mr. Marshall: Is my right hon. Friend aware that Hendon school in my constituency was the first grant-maintained school in London and that since then it has become oversubscribed? Does he welcome the fact that the slow learners on the Opposition Benches have suddenly realised that grant-maintained schools are successful and popular with parents?

The Prime Minister: That is certainly true, but I am afraid that time after time Labour's leaders have voted against grant-maintained schools, Labour activists have voted campaigns against grant-maintained schools, and I doubt whether anyone will be gullible enough to believe that they can be trusted. I clearly recall the Labour education spokesman writing to his colleagues at the end of last year saying:

"We are opposed to schools opting out".

Frankly, they could have saved a lot of paper and a lot of hot air if they had just said that in their recent document.

Agriculture Council

3.31 pm

The Minister of Agriculture, Fisheries and Food (Mr. William Waldegrave): With permission, I should like to make a statement about the meeting of the Council of Agriculture Ministers which started on Monday and finished after an all-night sitting at 9.20 this morning.

First, I am delighted to announce that agreement was reached for the first time on a comprehensive framework of law covering the welfare of animals transported throughout the European Community. Community rules have been set for the first time on the length of time for which animals can be transported and when journeys must be broken for food, water and rest. There will be maximum limits on travel time for all journeys and, most important of all, a clear definition of a journey's end. Animals will have to be held in one place for at least 24 hours to recover before they can be moved again.

If animals are to be transported for more than eight hours, vehicles will have to provide specified equipment such as proper ventilation and temperature control. For vehicles that do not meet those standards, eight hours will be the maximum travel time. There will also be specific rules on the space allowance that animals must be given in the different types of transport.

For the first time, therefore, we have a proper framework of rules, but equally important—or perhaps even more important—there are now European-wide powers to enforce the rules. Hauliers will have to be licensed and, if they fail to observe the rules, licences will be removed. In addition, those engaged in the trade will have to be properly trained. Journey plans will be needed for all substantial journeys across borders. The European Commission will have the role of ensuring that member states are applying the rules correctly and its veterinary inspectorate will be strengthened so that it can do so.

The chairman of the Royal Society for the Prevention of Cruelty to Animals, who was present throughout the long negotiations, gave me permission to quote his views:

"A great step forward. Not the end of the road but a good beginning".

I agree with him. The agreement represents a huge advance over what has previously been on offer, let alone over the position as it exists now. For those reasons I had no hesitation in voting for the measures. We have established journey limits and journey times; agreed a rigorous system of enforcement; and given a spur to higher standards of treatment and equipment to the livestock haulage industry. We also have an agreement to review the directive in three years' time. The Government will, of course, want further improvements then.

I should like to pay tribute to my officials, in particular the chief veterinary officer, and those in the Commission and elsewhere with whom we worked most closely on the way to this breakthrough.

On other matters, I am glad to report that the Council at last agreed our proposal that arable land taken out of production for forestry or environmental purposes can count against the set-aside obligation of the farmer concerned. This is something for which I have long been pressing, with the full support of environmental and farming organisations. It should boost farmers' participation in forestry and environmental schemes.

As regards the 1995 price fixing, the Council decided to maintain almost all support prices and aid rates unchanged for 1995-96. There will be some reductions in seasonal price increments for cereals and sugar storage payments, which will result in some modest cuts in expenditure.

Overall, this is a wasted opportunity. The proposals originally made by the Commission would have been a bit better. However, the Commission, in the face of pressure from other member states, amended those during the negotiations. I made it clear throughout that there would be no question of increasing the existing ceiling on common agricultural policy expenditure. Some useful items were agreed as part of the deal. For example, the Council agreed on changes to the support system for cotton aimed at stopping the sharp increases in expenditure seen in recent years.

In addition, the Commission undertook to make a proposal, before 31 July, on the rate of set-aside for arable crops sown for harvest next year. This will be an improvement on last year's timetable, when the proposal came too late. At my insistence, the Commission promised to take full account of the interests of users of cereals, particularly pig and poultry producers, who are having to pay too much.

On the so-called green currencies and the agri-monetary system, the Council agreed to changes in the ridiculously expensive and inflationary system which I voted against last December. What was agreed today was an improvement in budgetary terms. However, I still voted against it. First, I am opposed to distorting the system so as to pay farmers in some countries more than is justified by the market rate for the national currency concerned. Secondly, any arrangements must be time-limited. It was proposed to link these arrangements to the date of the introduction of a single currency. In my opinion that might well mean no time limit at all, and I could not agree to it.

This was an enormously complex and important Council. Overall the United Kingdom can be well satisfied with the outcome.

Mr. Elliot Morley (Glanford and Scunthorpe): We welcome the fact that there has been some progress towards a European-wide structure for animal welfare and journey times. We particularly welcome the fact that the Council of Ministers has accepted proposals, for which the Opposition have been arguing for some time, to have a licence scheme so that exporters who break the law constantly can have the licence withdrawn and be removed from the trade. Despite our welcome for that progress, we are disappointed that in many cases the maximum time for European journeys has been increased compared with the standards laid down in our law.

I wonder whether the Minister can give us some detail about the standards that will obtain in the new vehicles that can exceed the new eight-hour limit. Does it mean that many vehicles can simply be upgraded? Will the vehicles really be of a higher standard than they are now?

Is not it true that live exports export not only the misery of the animals but jobs from this country? Should we not be concentrating within the European Commission on trying to maximise our carcase trade and the potential of our meat trade rather than exporting animals?

We are also concerned about the fact that the new proposal will not be reviewed for a further three years. That is not acceptable. The Minister should accept that

the agreement that he has achieved in Europe is only his first step on a very long path that must be travelled before he improves the position and before the standard of welfare meets the quite legitimate concerns of people who have been protesting about it at ports in Britain.

We welcome the changes—as does the Minister—to set-aside regulations, which will allow the planting of trees and count against set-aside in conservation practices. We very much hope that the Minister will continue to press for reform of the CAP. It is certainly too expensive. It is far more constructive to move towards environmental support and away from the wastage that we have seen so often in the past.

Mr. Waldegrave: It is not too controversial to say that we all want fundamental reform of the CAP. I certainly agree with the hon. Gentleman on that. I am grateful for his welcome—it was a little grudging, but it was a welcome. The licensing scheme is the key to the whole matter. The Labour party was arguing only a few weeks ago that we should introduce a licensing scheme on a national basis because it did not believe that we could get one in Europe. A national scheme would have been useless. The licensing scheme on which we have agreed will enable us to take licences away from foreign hauliers if they break the rules when they come here. That is what matters.

There is a fundamental misconception in one point made by the hon. Member for Glanford and Scunthorpe (Mr. Morley). I am surprised because he is learned about such matters and has a long record of concern about them. There is no journey limit in our present legislation, although I have heard Compassion in World Farming saying that. There is a rule that animals are supposed to be fed and watered after 15 hours. That is not what I call a journey limit because hauliers can continue for another 15 hours and another 15 hours, and so on. For the first time—and this is the key—we have a proper break, which is based on the advice of vets that after 24 hours the state and stress levels of the animal are the same as they were before it was moved.

Of course we must maximise the carcase trade. We have been taking practical steps. My hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food has been in the lead on that. Already, 80 per cent. of the trade is in carcase form, but animals will always be moved across our borders as they always have been. British farmers cannot be put at the disadvantage of being the only farmers in Europe who cannot move animals across their borders.

I am grateful for the somewhat grudging welcome of the hon. Member for Glanford and Scunthorpe. The agreement is in fact a major step forward, as all those who have been engaged in the negotiations for more than two and half years—before my time in office—will realise. There is now a framework of law on which to build for the future. That is a complete revolution.

Sir Jerry Wiggin (Weston-super-Mare): My right hon. Friend will recall that the Select Committee on Agriculture studied the transport of live animals some three years ago. While I acknowledge that the details of its recommendations and his agreement are not precisely the same, does he accept that the philosophy of what he has agreed is in line with the recommendations, which were agreed unanimously by an all-party Committee? Does he also accept that the agreement is a prime example of how we can lead the way in Europe? As far as I am concerned, this is a red-letter day for farm animal welfare.

Mr. Waldegrave: My hon. Friend the chairman of the Select Committee on Agriculture is quite right. I pay tribute to the Select Committee's work, which was very important in helping to build a consensus among responsible farmers and responsible people in the welfare organisations who wanted real progress. I have to say that the only people for whom I have had rather little time in the past few weeks were those whose insistence on a maximalist position played into the hands—as they always do in such circumstances—of those who wanted no change at all. I got the feeling finally that some of them would have been happier with no agreement at all so that they could have said that no progress was being made.

It was our duty to make a real step forward. I pay tribute to, for example, those in the RSPCA who have helped us and have said that this agreement marks real progress—it does and, in retrospect, it will be seen as a watershed in the subject.

Mrs. Ray Michie (Argyll and Bute): May I too welcome the Minister's statement as a step in the right direction? I certainly hope that it will lead to further agreement on Europe-wide animal welfare. Agreements on transport may have significant consequences for farmers in Scotland, especially for the island farmers in my constituency and those in the constituency of my hon. Friend the Member for Orkney and Shetland (Mr. Wallace). The Minister rightly congratulated his officials. Which Scottish Office Minister was with him during the talks and how many officials from the Agricultural Department at the Scottish Office were there to advise him?

What is meant by a sea journey, considering that a journey from Shetland to Aberdeen takes 18 hours? There seems to be a question about animals taken in floats and animals taken on the hoof. Are one lot considered to be resting and the others not? Who will bear the cost of the extra lairage and the upgrading of the lorries, bearing in mind the fact that my island farmers already bear high ferry costs? If extra costs are put on them, it will make life difficult.

Mr. Waldegrave: I had the position of the highlands and islands, and of Orkney and Shetland above all, very much in mind. I was accompanied throughout by a senior official from the Scottish Office Agriculture and Fisheries Department. The rules on sea transport are quite complex. As is common sense, it makes a difference if the animal is in a roll on/roll off lorry; that must count as part of a lorry journey. If the animal is in a pen and is being fed and watered, the time need not count towards the journey time. There is also a power in the directive to deal with the exceptional difficulties of very remote places which may, in certain circumstances, have to be triggered carefully.

I believe that it is right that the livestock hauliers should carry the costs; I make no bones about that. The agreement will raise costs for the livestock hauliers. I believe that, on balance, the House, and farmers, will think that that is right. In some places, the industry may be under pressure from costs; that matter is probably best addressed through objective 1 and objective 5b grants and things of that kind, which my right hon. Friend the Secretary of State for Scotland will be much better able than I to deploy in the hon. Lady's part of the world.

Mr. Tom King (Bridgwater): Is it not clear that what the interests of agriculture and of animal welfare required was a comprehensive European agreement—and an early one? May I congratulate, in a totally ungrudging way, my right hon. Friend? We are at the end of the French presidency. If the matter had gone into other presidencies, it could have lingered for a long time. My right hon. Friend is entitled to the fullest and totally ungrudging support of the whole House and of all those who have an interest in the subject.

Mr. Waldegrave: I am very grateful to my right hon. Friend, who knows about these matters in real detail. He is perfectly right to say that we had to get a deal under the French presidency. I do not believe that the Spanish, the Italians and the Irish would have been able to put such an agreement through. There was a moment when we could get a proper agreement and we got it. It was not always in the bag and it would have been perfectly possible for there to have been no agreement. It might well then have been beyond the end of the century before we got a proper legal framework. On this agreement, we can build for the future, although the House should not make the mistake of thinking that it is all about building for the future. This deal will put an end now, as Mr. Kirkby of the RSPCA said on the radio this morning, to the 40-hour and 60-hour journeys which we know scandalously take place across Europe at present. It will bring in the licensing system to enable us really to get rid of the cowboys, and it will involve training and higher-standard lorries. The start date for the directive is 1996 and the start date for the provisions affecting lorries is 1997 because people will have to equip themselves properly. The agreement will be the beginning of a completely new world in this aspect of animal welfare.

Mr. Calum Macdonald (Western Isles): May I too ask about the Scottish island communities? Does the Minister appreciate that the live transport trade there is different from that elsewhere? It is an essential trade for Scottish island communities; it is not an optional trade. The animals have to be got to the mainland so that they can be finished for subsequent marketing. There should be no real complaint from welfare bodies about live transport from the Scottish island communities. Will the Minister, therefore, ask his friends in the Scottish Office to write to those of us who represent the island communities, spelling out in detail the implications of the agreement and, in particular, the provisions for exceptional circumstances?

Mr. Waldegrave: The hon. Gentleman makes a sensible suggestion and I will pass it on to my hon. Friend the Member for Dumfries (Sir H. Monro), the Under-Secretary of State for Scotland. There will now be much complex implementation to do and those most closely concerned with the island communities should be involved. I am very familiar with the western isles and the transport problems. Indeed, I well remember the time when the Locheil ran on to the rocks in west Loch Tarbert and all the sheep escaped to the hills. They were in good shape when they did so.

Mr. Michael Stephen (Shoreham): May I congratulate my right hon. Friend on the tremendous efforts that he has made in Europe on behalf of animal welfare. Is this not a victory for those of us who believe in making progress through the democratic process rather than by lawbreaking, smashing people's property and obstructing the highway? I hope that my right hon. Friend will not relax his efforts but will continue to work on behalf of animal welfare to secure proper treatment for the calves that are exported to veal crates.

Mr. Waldegrave: To widen the debate for a moment, I believe that my hon. Friend is right. This was an important test of the democratic process, and it was certainly an important test of European decision-making powers that we should be able to make real progress on that issue. That we have done so may show some of my hon. Friends that it is possible to seek and win practical European agreements in which we are the demander and have to push other countries. In response to my hon. Friend's second important point, I emphasise the fact that we have further work to do this year, and yesterday's agreement gives me good hope that we shall be successful and that veal crates will be banned. We await the report of the Community's veterinary committee, which I have every hope will say that veal crates should be banned. On the basis of the kind of coalition that worked last night, I hope that we shall achieve that ban this year.

Mr. John D. Taylor (Strangford): The Minister is of course to be congratulated on his statement. The vehicles will now have to be converted, so can he tell us how long a transitional period will be allowed before the conversion must be completed? My second question is about licences for transport hauliers within the United Kingdom operating in an area close to an international border. Can the right hon. Gentleman assure the House that the licenses will not be allocated on a national basis, which would discriminate against hauliers based near an international border? Thirdly, although we understand the problems of the islands of Scotland, may I remind the Minister that in another part of the United Kingdom there is an even longer sea crossing? I hope that he will bear that problem in mind as the details are worked out. Otherwise there could be a burden on farmers in Northern Ireland. Finally, I also welcome what the right hon. Gentleman said about forestry.

Mr. Waldegrave: I am grateful to the right hon. Gentleman. I had the special circumstances of Northern Ireland much in mind, having visited and talked to farmers there recently. In particular, we have said that the journey plans, which will inevitably involve a certain amount of necessary bureaucracy, should not be involved unless the journey is both eight hours long and crosses a border. One will not have to go through the whole rigmarole for short journeys across borders, and I believe that that is sensible. There will be no question of handing out the licences on a limited basis; anyone who is properly trained and has the proper equipment will get a licence. The start date for the directive is next year, and for the lorries the year after. I wanted the process to be a little quicker, but on balance it is probably fair to give people time to make the investment.

Mr. John Greenway (Ryedale): I congratulate my right hon. Friend on his statement and on the great work that he has done this week for British agriculture and for animal welfare. Can he tell the House what he thinks should now happen with the various protests that still take place at farm gates and ports? Does he agree that those who had a genuine concern about animal welfare should be satisfied that their voices have been heard and acted upon? But, sadly, some people will never be satisfied

because they wish to destroy the livestock industry. Should there not now be an end to all those demonstrations?

Mr. Waldegrave: It is a free country and people must demonstrate if they wish to. However, I agree with my hon. Friend that there are many disparate groups among the demonstrators, and clearly some of them are demonstrating not against the export or movement of animals but against the livestock industry and the eating of meat. There is nothing that I can do to satisfy those people, because we are not about to ban the eating of meat. Another group—I regard it as much the largest group, because that was the burden of the many thousands of letters and the printed post cards that we received—was not worried about the movement of animals in this country, but asked, "How can we be sure that there are any standards of enforcement once the animals have been moved abroad?" We have been fighting to answer those legitimate anxieties, and it is a major step that we now have a proper framework of European law enforcement to meet those concerns.

Mr. Harry Cohen (Leyton): This is a victory for the animal rights protesters but only a partial one, because there will still be a lot of cruelty to animals under this scheme. May I ask the Minister about the agreement in respect of inspections? Will he restore the inspections at British ports which the present Government removed? What about inspections in those countries which do not give a jot about animal welfare? Under this agreement, will they not be inspecting themselves? What use is that?

Mr. Waldegrave: It is wonderful to hear the authentic voice of the Labour party's views on internationalism. Talk of the Socialist International is clearly dead—they are all foreigners with no standards at all nowadays. We now have proper inspections and checks before the journey plans are agreed. We set up that scheme under our local initiative, but—as I always made plain—it was far too weak and was bound to be full of loopholes. Now we have proper journey plans which are inspected across Europe as a whole.

The Commission is being strengthened and, while it is not often that we argue for additional resources for the Commission, we did so in this instance to fund the policing of the scheme and to ensure that local authorities in this country and in most parts of Europe do their job in inspecting the framework of rules.

Mr. Roger Knapman (Stroud): Does my right hon. Friend agree that this is a fair balance between the need on the one hand to protect animals—especially young animals—while in transit and the need on the other hand to ensure that our agriculture industry is not burdened unnecessarily or made uncompetitive? Is my right hon. Friend encouraged that bodies as diverse as the Farmers Union of Wales and the RSPCA have welcomed the agreement?

Mr. Waldegrave: I welcome the broad coalition that has taken this work forward. I am not a bit surprised that some of the maximalists on one side have joined with the minimalists on the other side to say that no progress would have been much better. That has been the experience of almost anybody who has tried to make any practical reform of anything since the beginning of time. While I believe that the agreement gives a reasonable balance, I am not disguising from the farming and livestock industries that there will be higher costs. I believe that the industries can pay those costs, and they will have to pay them. It is the responsibility of the industries to accept proper standards, as the huge majority of British farmers are willing to do. The few who are taking the other view are unwise to do so.

Mr. Chris Mullin (Sunderland, South): Does the Minister accept that while this is a welcome first step forward, there is a great deal further to go as regards the treatment of farm animals not only abroad, but at home? Many people in this country—of whom I am one—can no longer bring themselves to eat meat because they cannot justify the way in which farm animals are treated. Will the right hon. Gentleman impress upon the meat industry that—as the number of people who no longer eat meat is growing—it is in its interests to deal not only with this issue but others such as the welfare of calves exported to veal crates, as was mentioned a moment ago by his hon. Friend the Member for Shoreham (Mr. Stephen)?

Mr. Waldegrave: As I understand the hon. Gentleman's argument, he has not given up meat for absolute reasons, but because he thinks that the treatment of animals is not right. I think that he goes too far. The majority of our people accept that the standards on British farms are very high. I was brought up among farmers, and I believe that to be true. There are occasional lapses, and therefore there are occasional prosecutions, fines and even gaolings. The Community's achievement last night enables us to spread those standards from here and from other countries in northern Europe—there are other countries in northern Europe which have high standards—right across the Community, and that surely is the real prize.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): Does my right hon. Friend agree that his announcement represents a step change in the treatment of animals which are being exported? Is it not a tribute to him and to the Government for their persistence in Europe? Is not it also a tribute to British agriculture, whose ideas have been recognised yet again in Europe as leading the way in animal welfare?

Mr. Waldegrave: That is fair. I mentioned the chief veterinary officer in my statement because the reputation and standards of our veterinary profession have been helpful. When British veterinarians say that something should be done, their professional colleagues abroad tend to listen to them, and that is a great strength to us. This is a major step. I am the last person to say that it gets rid of all the problems, but we must take one step at a time, and this is a very big step. As Mr. Kirkby of the RSPCA said, it is not the end of the road, but it is the beginning of the road. Before this we were not on the road at all.

Mr. Harry Barnes (Derbyshire, North-East): The Minister mentioned two votes that he had exercised. One was in support of animal welfare provision and the other opposed a budgetary measure. He mentioned other issues, such as the cotton regime. How many decisions were made at meetings of the Council of Ministers, and how was the Minister's vote exercised in each case? It is supposed to be agreed that such information is supplied

[Mr. Harry Barnes]

to the House when statements are made, although such statements are normally written and it might be easier for that information to be produced in that form.

Mr. Waldegrave: That is a perfectly fair question. Perhaps the best thing would be for me to write to the hon. Gentleman. Perhaps the hon. Gentleman or his Front-Bench spokesman will table a question on that subject. It was a complex package of deals and there were a number of separate decisions. As I have not been to bed for a long time, I am not certain that I would remember every item of every package.

One matter of considerable importance, which for some reason makes people laugh, is that the British knacker industry—I am glad to note that no one laughed—faced a directive that would have caused it severe problems. The directive related to additional investment, but there was permission to continue for only two years after the investment had been made. I got that changed for that industry, which is necessary in many rural areas and particularly in some of the more remote areas. It is now secure.

Mr. Roger Gale (Thanet, North): As chairman of the all-party animal welfare group, I have to accept that those who honourably pursue a vegan agenda, together with others who less honourably use such causes only for fund-raising purposes, will not find my right hon. Friend's achievements acceptable. I share the RSPCA's view that this is a major step. Will my right hon. Friend, together with my hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, the hon. Member for Tiverton (Mrs. Browning), who has worked so hard around Europe to take a lead in Europe, move forward by regarding this as a first step and seek to secure, ultimately, a ban on the transport of meat on the hoof, and most certainly the ending of the use of veal crates throughout the European Community? We have proved that we can achieve much: we can achieve much more.

Mr. Waldegrave: I am grateful to my hon. Friend for his tribute to my hon. Friend the Parliamentary Secretary, who spent much time travelling in Europe and persuading some of our more recalcitrant colleagues to take this subject more seriously. If we get a veal crate ban in due course, and I hope we will, it will be largely due to her work. I will not commit myself to a ban on meat on the hoof. It would not be right for British agriculture to be the only one in Europe that could not export live animals across borders. In Northern Ireland, for example, that would be absurd. That is not a sensible objective, but it is sensible to export as much in meat form as possible. We are taking steps such as marketing grants and publicity, and adopting various other measures to try to build up that trade even further. We should not get ourselves yet again into the position of shackling British farming, as has happened in the House in the past, with the result that there are more imports of animals, which were probably brought up with much lower welfare standards than ours. That is what happened over pigs.

Mr. Tony Banks (Newham, North-West): I realise that the Minister has lost much sleep recently for more than one reason. I can give him only two out of 10 for this agreement. Calves will still face 11-hour journeys, cattle and sheep will face anything up to 33 hours and pigs will face 26 hours. Irrespective of what Conservative Members say, the good people at Brightlingsea, Dover, Shoreham and Coventry will continue to protest because large numbers of people in this country will never rest until we have banned the export of animals for slaughter.

Mr. Waldegrave: The hon. Gentleman misses the fact that there were no journey limits of any kind in European legislation before. We now have them. I would agree that some of the journey times are too long, but we now have a structure and over the years, we will work to get them down. The real achievement is to get the concept of journey limits into law.

I know that the hon. Gentleman is genuine in his feelings, but if he would just occasionally disagree with the most populist movements, his ideas might carry even more weight.

Sir Timothy Sainsbury (Hove): Does my right hon. Friend accept that the agreement and his achievement in getting it will be warmly welcomed by the people of Sussex and especially by the people of Hove, where the entrance to Shoreham harbour is located and where most of the demonstrations took place? Many of the people of Hove have taken part in peaceful demonstrations, which I entirely support, but they have all suffered from the demonstrations.

Would my right hon. Friend have been able to achieve this breakthrough if we had unilaterally backed away from existing European rules, imposed bans of our own and ignored the negotiating table?

Mr. Waldegrave: I am absolutely certain that if we had followed the advice which came intermittently from the Opposition Front Bench and regularly from some on the Opposition Back Benches and pursued the route of gesture politics—which would have led us straight to the European courts—we would not have got the agreement. There would have been no incentive whatsoever for anyone to negotiate with us and we would have become engaged in interminable court cases, first in our courts and then in the courts in Europe. That would have delayed everything.

Mr. Roy Beggs (Antrim, East): I warmly congratulate the Secretary of State on what has been achieved. I was particularly interested in the comment that, at his insistence, the Commission undertook to look at the needs of people who require to use large volumes of cereals, namely pig and poultry producers. The intensive pig and poultry industry in Northern Ireland has been virtually wiped out. Is there any hope in what lies behind his statement that we in Northern Ireland might benefit from intervention store grain at a cheaper rate?

Mr. Waldegrave: That was certainly the intention of what I was arguing. This is in the context of the decision on probable further cuts in set-aside. There is a division in the Community about the purpose of cuts in set-aside. The French think it is a matter only of keeping up subsidised exports. That seems crazy to us. The purpose of cuts in set-aside should be to release more feed grain into the internal market where the hard-pressed poultry and pig people are struggling with prices that are making their businesses very difficult. I got the Commission to agree that that must be a consideration in its handling of the proposals that it will bring forward on set-aside and also on its handling of market management measures as to how it should release such grain.

We voted against releasing grain to Spain. I know that there is a serious drought in Spain, but there are other ways of helping them. That grain should have been released into the market of the Community to bring the price down.

Mr. Peter Bottomley (Eltham): When will we hear an announcement that the Community is no longer going to spend £700 million a year on tobacco subsidies and that the money has been switched to something more useful?

On the main issue of meat, I join in the welcome for the agreement on food and farm animal welfare. Will my right hon. Friend continue to encourage people to try to specify near-farm slaughter for meat and if, for intervention purposes, we go in for meat mountains, will he try to ensure that welfare considerations are taken into account?

Mr. Waldegrave: On the first point, it is going to be a long time and a long battle before we persuade the Community to stop subsidising tobacco. Whenever the matter comes up, the British protest against it. We now have one or two allies—I suspect that the Swedes will help us, as on many other items. I do not want to be too optimistic, but I share my hon. Friend's objective whole-heartedly. It is crazy that the Community should go about trying to limit rules on advertising while at the same time subsiding the production of the product.

On the second point, I remind my hon. Friend that there is no intervention buying of beef at the moment. I am not sure that the Intervention Board has the power to do what he wants. It may simply have to exercise its market powers. I shall look into the matter and write to my hon. Friend.

Mr. David Nicholson (Taunton): My right hon. Friend will be admired not only in the farming community but elsewhere, and not only for his achievement of the past 24 hours but for standing firm for many months against those who sought not only to demonstrate but to obstruct the highway to legitimate passage. In respect of the financial aspects of his recent discussions, will he assure the House that his determination to retain but reform the common agricultural policy is not abated?

Mr. Waldegrave: I can give my hon. Friend that assurance very easily. The engines that will cause the true reform of the CAP are the GATT agreements and the extension of the Community to the east in due course. We firmly believe that it would be wise for the Agriculture Council—although this is a slightly hopeful remark—to take steps in advance to show the inevitable and correct direction that we shall follow towards the market.

I am grateful for my hon. Friend's kind words. The agreement proves that my predecessor, now the Secretary of State for Education, was entirely right to block the deal last year because the deal that we achieved this year is much better. She was told that last year's deal was the best on offer, but she was right to judge that, if we stuck it out, we would get more—and we have.

Mr. Bernard Jenkin (Colchester, North): While many people in Brightlingsea in my constituency are opposed to the live export trade in any circumstances, the vast majority of reasonable people in my constituency will welcome the agreement as progress towards better animal welfare standards in the European Union. However, will my right hon. Friend clarify the enforcement arrangements? Will he confirm that they really do mean that we can withdraw licences from any operator operating out of the United Kingdom who breaches the rules, whether that operator is British, a foreign operator from another member state or, indeed, a foreign-owned operator from outside the European Union?

Mr. Waldegrave: I am grateful to my hon. Friend. I think that his analysis of people's reactions is absolutely right. The issue of enforcement was one of the major points that we won. I insisted on having the power to be able to take licences away from foreign hauliers. I was thinking of other European, Community-based hauliers, but I shall check whether we have the power to take away the licences of hauliers from outside the Community, although I doubt whether any come to this country at the moment. A key point for which I argued was that we must be able to take licences away from German, Dutch, Italian or other hauliers because they come here in considerable numbers.

Mr. David Shaw (Dover): Can my right hon. Friend confirm that today's agreement and announcement should result in more animal welfare jobs in my constituency as a result of the probable increased use of lairage facilities? Will he also confirm that the best way to export live animals humanely is by the short sea route from the port of Dover and that today's agreement means that demonstrators should leave the port of Dover alone because we have secured a major achievement in terms of animal welfare?

Mr. Waldegrave: It is good news for my hon. Friend's constituency because, although there are other perfectly respectable ways to export animals, it is sensible to use the short routes and modern ports such as Dover which have proper lairage facilities. I can therefore support my hon. Friend in his typical and redoubtable attempt to boost his constituency.

Mr. Gary Streeter (Plymouth, Sutton): My right hon. Friend will recall from a speech that I made in a recent Adjournment debate that animal transportation was a heated issue in the west country. Is he aware that his statement will be warmly welcomed not only by farmers in Devon and Cornwall but by the citizens of Plymouth? Will he reassure my constituents that enforcement in member states such as Germany, Spain, Italy and Greece will be just as zealous as it will no doubt be in this country?

Mr. Waldegrave: My hon. Friend is right. The Parliamentary Secretary, my hon. Friend the Member for Tiverton (Mrs. Browning), and I are in pretty close touch with west country opinion. Enforcement was one of the big items missing in the deal offered to my predecessor last year under the Greek presidency. The Community has now agreed that every country should produce an annual report on how it is enforcing the measures. There will be a strengthening of the Commission's inspectorate and it will be its duty to check that national authorities are doing their job. It will no doubt be a hard battle to ensure proper enforcement everywhere but we have at last got the proper framework for doing so.

Mr. Harry Greenway (Ealing, North): May I tell my right hon. Friend that one of my abiding memories is of seeing a load of horses unloaded after two days and two nights' travel without rest, without water or food—much, anyway—and without exercise and then given a good beating? I welcome his statement today, because I hope that such long journeys will be a thing of the past. May I

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have his assurance that there will be proper inspection when journeys end, and that there will always be such an inspection, or at least the threat of one?

Mr. Waldegrave: I can confirm what I have already said about enforcement to my hon. Friend. Of course nothing in the agreement upsets the special arrangements that prevent the export of horses from this country.

Dr. Strang: Is the right hon. Gentleman aware that he was right to remind the House that the Labour party has consistently advocated a licensing scheme for livestock hauliers? Does he accept that any benefits from the agreement will largely be determined by how effectively those licensing schemes are implemented in this country and other member states?

Does the Minister also accept that the vast majority of the examples of animal cruelty that have worried the British people, and which have sometimes appeared on our television screens, have concerned the long distances that animals are transported to slaughter on the continent?

In that regard, the agreement fails to tackle the major issues. Animals will continue to be transported for as many as 29 hours with only a one-hour break for watering before slaughter; after 24 hours, it will be possible for them to start their journey all over again; and, in the case of even young animals such as calves, it will be allowable to transport them for 19 hours with only one hour's watering.

May I suggest to the right hon. Gentleman that in relation to that crucial aspect—the very long journeys to slaughterhouses on the continent—the agreement is a disappointment? If it is the case that Agriculture Ministers decided last night that the agreement will not be reviewed for at least three years, does that not make it all the more essential that we ensure that the licensing systems are operated effectively, and that we make fast progress on a range of other aspects of animal welfare, including the continental ban on veal crates?

Mr. Waldegrave: It would be ridiculous to have a review of a new directive in less than three years. It will take at least three years to gain experience that will be worth reviewing. That is a perfectly sensible time limit.

When the hon. Gentleman was arguing that we should introduce national measures on licensing and so on, he did so, firmly telling the House that we would never get the agreement that we have got today. We have got the agreement that we have today. I must remind the hon. Gentleman that he voted himself for the re-establishment of the live animal trade in 1975, when the standards were far lower than those that I have agreed today.

Business of the House

4.17 pm

Mrs. Ann Taylor (Dewsbury): May I ask the Leader of the House for details of future business?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): With permission, Madam Speaker, I would like to make a statement about the business for next week.

MONDAY 26 JUNE—Consideration of Lords amendments to the Health Authorities Bill.

Consideration of Lords amendments to the Jobseekers Bill.

The Chairman of Ways and Means is expected to name opposed private business for consideration at 7 o'clock.

TUESDAY 27 JUNE—Progress on remaining stages of the Environment Bill *[Lords]*.

WEDNESDAY 28 JUNE—Until 2.30 pm, there will be debates on the motion for the Adjournment of the House.

Conclusion of remaining stages of the Environment Bill *[Lords]*.

THURSDAY 29 JUNE—Remaining stages of the Criminal Injuries Compensation Bill.

FRIDAY 30 JUNE—Debate on the conduct of local government in Great Britain on a motion for the Adjournment of the House.

The House will also wish to know on a provisional basis that in the following week, I propose that Monday 3 July should be another Opposition day, and that on Tuesday 4 July and Wednesday 5 July, the House should undertake consideration of the remaining stages of the Pensions Bill *[Lords]*. Government business will also be taken on Thursday 6 July. On Friday 7 July, the House will not be sitting.

Mrs. Taylor: I thank the Leader of the House for that statement. Does he recognise the serious concern about the Environment Bill *[Lords]*, which will be considered on Report next week? Does he acknowledge that the Bill is now very different from the legislation on Second Reading? There have been 237 Government amendments in Committee and the Government have now tabled another 77 amendments to be considered on Report, apparently with more to come. Does the Leader of the House recognise that the scale and number of amendments will make it virtually impossible for the House to consider the changes properly, even with a two-day Report stage? It cannot be good legislation to have so many amendments at that stage, especially as the Bill originated in another place.

On a different matter, does the Leader of the House think that it might be appropriate to have a debate on the remarks of the Minister for Industry and Energy, who threatened the Shell oil company that it risks forfeiting the right to offset the costs of dealing with Brent Spar against petroleum revenue tax and corporation tax? We need to know whether the Minister was speaking for the Treasury or, given his view that Shell has dropped the Government in it, whether he was simply making vindictive threats.

Does the Leader of the House intend to provide time in the near future for a debate on the very important report of the Select Committee on Health into the London ambulance service? That must be a matter of urgency, as

the report reveals that lives have been lost. Even Conservative Members have said that Ministers have been extraordinarily complacent about the issue. Does the Leader of the House intend to allow a debate on that life and death matter in the near future?

Finally, will the Leader of the House tell us whether next Friday's debate on local government will be a serious debate, or are the rumours correct that it will be opened by the chairman of the Conservative party in his swan song?

Mr. Newton: As to the hon. Lady's last question, the debate on Friday is certainly intended to be—and I have no doubt that it will be—a serious debate. Anyone who has studied the report on the affairs of Monklands, for example, will be aware that there are a number of serious issues to debate. I can confirm that, because of the wide-ranging nature of the debate and the fact that it extends to all parts of Great Britain, it will be opened by my right hon. Friend the Minister Without Portfolio.

Taking the hon. Lady's other three questions in reverse order, I have studied the report of the Select Committee on Health into the London ambulance service, which contains a number of important points and which the Government will clearly respond to in the proper manner. I cannot undertake to make time available for an early debate on the subject, although there are other ways in which time for debate might be found. I am always looking for opportunities to debate Select Committee reports, as I think that I have demonstrated.

As to my right hon. Friend the Minister for Industry and Energy, I think that I can answer the hon. Lady most conveniently by saying that I understand that the company announced today that it will be making no requests for tax allowances for its share of any additional cost.

I acknowledge that there have been a substantial number of amendments to the Environment Bill *[Lords]*. That, in part, reflects the Government's wish—and indeed their anxiety—to respond to many points made by various bodies, including the Opposition, during the passage of the Bill. There would be just as many complaints if the Government had not responded to those representations.

Mr. Bill Walker (Tayside, North): I am delighted that my right hon. Friend has confirmed that the debate on Friday 30 June will be a serious one. Can he verify that hon. Members who are affected directly by the Monklands saga will be present in the House for that debate? I refer to the leading members of the Labour party who secured a private inquiry and who obtained information, but failed to give that information to the inquiry. There was obviously a cover-up and Labour Members must come to this place and answer for their actions. What means do we have at our disposal to ensure that they are present on the day to answer to the House, as Labour Members are always asking others to do?

Mr. Newton: My hon. Friend has already used the most potent means at his disposal, which is to draw attention to the conclusions that will be drawn should those to whom he refers not be in attendance. I do not know whether it is a deficiency, but I have no powers to direct the attendance of Members in the House.

Ms Margaret Hodge (Barking): I heard the response to the question about the London ambulance service, but as there is no hospital in my constituency or in the borough following the closures, my constituents are badly affected by the extremely poor service from the London ambulance service. According to the report in the *Today* newspaper, only 15 per cent. of 999 calls are answered within eight minutes, despite the Secretary of State's commitment to improve it. In view of that, it is appropriate that the Leader of the House should provide a proper debate in Government time on that serious issue.

Mr. Newton: I cannot add to what I said, but the hon. Lady might have acknowledged that as a result of a huge amount of effort by Ministers and health authorities, after a long period of difficulty in the London ambulance service, which is still not totally overcome, there have been substantial improvements in performance in recent months. That is the result of the effort that has been put in by the Government.

Mr. Peter Griffiths (Portsmouth, North): Has my right hon. Friend had time to note that today's Order Paper shows that early-day motion 557, calling for a construction contracts Bill, has no fewer than 171 signatures, despite being a relatively narrow motion?

[*That this House notes that the construction industry produces almost 10 per cent. of gross national product and is made up of more than 200,000 companies and a workforce of over one and a quarter million people; welcomes the proposals put forward by the Latham Report to improve the relationship between clients, contractors and subcontractors in the construction industry and improve value for money by an estimated 30 per cent. over the next five years and so encourage an increase in construction activity; notes the crucial role that a Construction Contracts Act would play in the implementation of the report's findings, recognising that it will reduce commercial red tape, and improve payment security by reducing payment abuse, introduce trust funds, and provide for a system of speedy and inexpensive dispute resolution; and therefore requests that Her Majesty's Government considers the introduction of a Construction Contracts Bill during the next Parliamentary session, as recommended in the Report.*]

I understand that the consultation period, which ends next week, reveals industry-wide support for such a measure. Can my right hon. Friend offer us a sign that the Government will respond to the widely held requirement for such a Bill, which would reduce costs—and that should commend it even to the Treasury?

Mr. Newton: My hon. Friend will know that I am not in a position to anticipate the Queen's Speech, to use a time-honoured phrase. He will know, however, that I have repeatedly made what I hope he and others will have taken as friendly noises towards that proposition.

Ms Liz Lynne (Rochdale): There are now a staggering 1 million primary schools in England with class sizes of more than 30. Will the Leader of the House make time for an urgent debate on primary school education and nursery provision?

Mr. Newton: The hon. Lady knows that the Government are considering policy on those matters. I hope that her patience will not be tested too much longer.

Mr. Patrick McLoughlin (West Derbyshire): Will my right hon. Friend ensure that a statement is made next week on matters that came to light in Home Office questions today? Is he aware that my right hon. Friend the

[Mr. Patrick McLoughlin]

Minister of State, Home Office, the right hon. Member for Stirling (Mr. Forsyth), told us that an escaped prisoner from Parkhurst was able to ring "The World at One" to give an interview? That is outrageous. If my right hon. Friend cannot provide a statement next week, will he ensure that a full report on that particular incident is placed in the Library?

Mr. Newton: I am glad to say that, with his usual assiduousness, my right hon. Friend the Minister of State gave me an account of the exchanges during Home Office questions. I can best acknowledge my hon. Friend's legitimate concern and refer him to what my right hon. Friend said.

Mrs. Alice Mahon (Halifax): Does the Leader of the House believe that we should have a debate about procedures in this place, in particular the rules of etiquette? Has he seen *The Sun* today, in which a former chairman of the Conservative party criticises the present chairman of the Conservative party? Is not it about time that we had a debate, so that people could get rid of their steam and ill-will towards each other?

Mr. Newton: I have noticed that there are two kinds of debate: one in which people get rid of their steam and the other, which is more frequent, in which the steam is raised. I do not want to look for one of the latter.

Mr. Phil Gallie (Ayr): Given the serious threat to environmental safety resulting from pressures put on Shell, which brought about the abandonment of the deep-water sinking of Brent Spar due to the irresponsible behaviour of certain individuals and foreign Governments, will my right hon. Friend consider finding time for a debate on the issue before the summer recess?

Mr. Newton: Obviously, I shall consider the point that my hon. Friend raises. I do not think that I can give any undertaking. I thought the most fascinating question during Prime Minister's questions was asked by the hon. Member for Greenock and Port Glasgow (Dr. Godman). On the day after his party was claiming credit for having prevented the deep-sea sinking of the rig, the hon. Gentleman was protesting about the possibility that it might arrive in his part of Scotland.

Mr. David Winnick (Walsall, North): Will the Secretary of State for Northern Ireland be making a statement next week, apart from in Question Time, on how the peace process in Northern Ireland is being destabilised, as he has put it in a letter to *The Times*, as a result of the civil war in the Tory party and a campaign by Tory Members against the Prime Minister?

Mr. Newton: The hon. Gentleman will have heard my right hon. Friend the Prime Minister's comment on that matter less than an hour ago. It has already been implicitly acknowledged that my right hon. and learned Friend the Secretary of State for Northern Ireland will answer questions next Thursday. I do not at present anticipate any statement apart from the opportunity that Northern Ireland questions will provide.

Mr. Peter Bottomley (Eltham): Is it possible to follow up the early-day motions on Brent Spar, including the one in my name, early-day motion 1280?

[That this House waits to hear from Greenpeace, the German government, the opposition parties and others why they prefer a less favourable environmental approach and a more risky method for the disposal of Brent Spar.]

Given the dispute as to which is the most favourable and least favourable environmental disposal option and which is the more risky for those who will be involved in turning the rig sideways and bringing it to land, would it not be a good idea to allow Opposition and Government Members to debate the issues, with scientific advice, and to take full account of the health and safety risks, which appear to be welcomed by many Opposition Members?

Mr. Newton: I note my hon. Friend's further support for such a debate, which will obviously increase still further my willingness at least to consider the matter.

Dr. John Marek (Wrexham): Will the Leader of the House give the House an assurance that there will be no unnecessary delay by the Government or Ministers in the publication of the Scott report and its early debate in the House?

Mr. Newton: Certainly, I can give the hon. Gentleman an assurance that the Government have not been seeking to promote delay, let alone unnecessary delay.

Mr. Nigel Evans (Ribble Valley): May I press my right hon. Friend once more for a debate on grant-maintained schools? Such a debate would give us an opportunity to expose the Labour party's policy on education. It is trying to say that it is now friendly towards grant-maintained status, yet in a letter the hon. Member for Sheffield, Brightside (Mr. Blunkett) stated that his party is opposed to grant-maintained schools and wants to bring them back into a local democratic framework. The parents of the children who attend grant-maintained schools in my constituency voted to get themselves out of Labour Lancashire control. The last thing that they want is to have councillors foisted back on to their governing bodies.

Mr. Newton: My hon. Friend makes some good points, which follow others made earlier in business questions and Prime Minister's questions. I cannot promise a debate, and I rather doubt that the Opposition will use one of their Supply days for such a purpose. I can, however, draw my hon. Friend's attention to the fact that my right hon. Friend the Secretary of State for Education will be answering questions next Tuesday.

Rev. Martin Smyth (Belfast, South): Can the Leader of the House help us? Is the title chosen for the debate on Friday 30 June and the Government spokesman, the Minister Without Portfolio, a confession that there is not real local government in Northern Ireland?

In the light of an unprecedented press release yesterday by the Minister for Health following the publication of the report on the London ambulance service, and having waited, as usual, some weeks for a Government report, surely it is time to debate that matter at the earliest opportunity.

Mr. Newton: Of course, I note, especially given its provenance, a further request for a debate. I am sure that my right hon. Friend the Secretary of State for Health will also take note of the hon. Gentleman's request.

The first part of the hon. Gentleman's question was rather different from the second. The title given to the debate should be interpreted not as any sort of confession but as perhaps more of a recognition that discussions are taking place in other ways about Northern Ireland.

Lady Olga Maitland (Sutton and Cheam): May I endorse what my hon. Friend the Member for Ribble Valley (Mr. Evans) said and call for a debate on grant-maintained schools? Is my right hon. Friend aware that parents in my constituency are very alarmed at what they see as the socialist shambles in the Labour party's proposed education policy? They see a threat to the independence of their schools, and what we are seeing is creeping town hall dictatorship, which, frankly, they do not want.

Mr. Newton: My hon. Friend is quite right to see a threat to independence, which so many schools value, disguised under a cloud of misleading language. Even so, I could promise a debate only if my hon. Friend were prepared to give me an assurance that she would be prepared to contemplate the House sitting into August.

Mr. John Austin-Walker (Woolwich): Last June, the Secretary of State for Scotland, in a flurry of publicity, opened a private hospital in Scotland, which went into receivership in November. Is the Leader of the House aware of the concern, on both sides of the House, that at a time when the NHS is starved of resources, £28 million of public money went into what was described by the hon. Member for Lincoln (Sir K. Carlisle) as a "dodgy venture"? Does he not think that the Secretary of State for Scotland should come to the House next week so that we can debate the issue and put questions to him?

Mr. Newton: The hon. Gentleman probably knows that the Public Accounts Committee held a hearing on that issue yesterday and will now draw together any conclusions that it has reached. Clearly, it would be inappropriate for me to make any further comments.

Mr. Peter Luff (Worcester): Thank you, Madam Speaker, or should I say Dr. Speaker? Will my right hon. Friend find time for an early debate on all country sports, not just those involving mammals? Does he agree that such a debate would enable all of us in the House—there are some Opposition Members—who believe that participation in such sports should be a matter for the individual conscience, to expose the shabby hypocrisy of a party that pledges its support for angling, because its supporters fish, but seeks to oppose hunting with hounds because it believes—wrongly—that only Tories hunt?

Mr. Newton: It seems to me that many of the same issues arise in relation to all the aspects to which my hon. Friend referred.

Mr. Harry Barnes (Derbyshire, North-East): Will next week's business be similar to this week's business in Committee? Is the Leader of the House aware that yesterday there were 33 Committee meetings, covering 408 places? A total of 380 Members were involved—some were serving on two Committees—so more than half the Members of the House were involved in Committee work on that occasion. Is not that occurring increasingly because Parliament is meeting less often, which means that Committee meetings have to be squashed into more limited periods? Can we consider that when planning the sittings of the House?

Mr. Newton: There are a variety of factors, including the fact that hon. Members, on both sides of the House, have in recent times been more reluctant to sit for long hours into the night, and it is probably sensible that they should not. I am grateful to the hon. Gentleman, who sometimes makes comments that suggest that nobody in this place does any work at all, for drawing attention to the amount of work that does take place.

Mr. John Marshall (Hendon, South): Madam, Dr. Speaker, may I congratulate you on your absence yesterday?

Can my right hon. Friend find time for an early debate on early-day motion 1272?

[*That this House believes that the 50th anniversary of the end of World War II is the ideal time to acknowledge the terrible suffering of the former servicemen and civilian internees who were taken prisoner by the Japanese during the course of the War; expresses its deep concern that, despite the 50 years that have elapsed since the end of the War, the Japanese Government has failed to apologise formally for their actions and compensate the former prisoners of war and civilian internees for their suffering; and calls on Her Majesty's Government to take whatever steps it can to support the former prisoners, including refusing to agree to Japan being given a permanent seat on the UN Security Council, until this matter is resolved and by calling on the Japanese Government to apologise fully to the former prisoners of war and civilian internees and compensate them to the sum of £14,000 each.*]

Does my right hon. Friend agree that the Japanese treated their prisoners viciously and abominably, and that that very rich country should pay them compensation?

Mr. Newton: My hon. Friend will know that my right hon. Friend the Prime Minister saw a delegation of some of those affected by those matters yesterday. It is, of course, the Government's view that the question of compensation was legally settled by the peace treaty of 1951, but as I think my hon. Friend knows, the Government continue to make clear to the Japanese Government the strong feelings on that issue, which my hon. Friend and others articulate.

Mr. Jeremy Corbyn (Islington, North): Will the Leader of the House stop protecting the Secretary of State for Health and ensure that there is a debate in Government time on the London ambulance service in the near future? Is he aware that it was more than 10 years ago when I and a number of Labour Back Benchers first raised the issue of the problems of the LAS: its lack of investment and its poor performance? Those issues have been constantly raised ever since. All the problems that we and many others outlined have been confirmed time and again by a number of inquiries and Select Committee reports. It is abominable that after all this time the people of London still do not have an efficient ambulance service that they can rely on, and responsibility for that lies entirely with the Secretary of State and her Department.

Mr. Newton: I can assume only that the hon. Gentleman has not read the report, as I have, because it in no way corresponds with his last sentence.

Mr. Gary Streeter (Plymouth, Sutton): In view of the Labour party's astonishing decision not to make public the evidence given to the Black inquiry into Labour

[Mr. Gary Streeter]

Monklands, has my right hon. Friend any power to persuade the Select Committee on the Environment to launch its own inquiry into the depths of depravity, corruption and abuse at Monklands so that that evidence can be made public?

Mr. Newton: No, I have no such power, but I think it rather a good idea for the Committee to examine the matter.

Mr. Tony Banks (Newham, North-West): Is the Leader of the House still enjoying his job? Each week he comes here to announce the business for the ensuing week. On a number of occasions recently, business—at least on the Floor of the House—has collapsed at 7 or 8 pm. Is the right hon. Gentleman prepared to arrange a debate about debates? If not, perhaps we can have some discussion through the usual channels. We are losing good debating time on the Floor of the House; if business is to collapse early, perhaps we can reach an agreement whereby the time could be used by assiduous Back Benchers who want to raise a number of subjects.

Mr. Newton: I am still enjoying my job, and one of the parts of it that I enjoy most is hearing the hon. Gentleman's questions.

Mr. John Greenway (Ryedale): My right hon. Friend will know that the Select Committee on Home Affairs recently published an excellent report about the private security industry. Because the report sensibly avoids any possible public expenditure, however, it cannot be debated on estimates days. Will my right hon. Friend listen sympathetically to the Committee's pleas for a debate on that important issue—in Government time, or perhaps a three-hour debate on a Wednesday morning?

Mr. Newton: Wednesday mornings are primarily a matter for application to you, Madam Speaker. I shall continue to listen sympathetically to my hon. Friend's other comments.

Mr. Andrew Mackinlay (Thurrock): May we have a statement from the Leader of the House, in lieu of the Prime Minister, about the subject matter of a press conference convened by the Prime Minister at No. 10 Downing street 10 minutes ago? Surely, if an extraordinary press conference is to be held about some matter that is yet to be disclosed, it ought to be disclosed to Parliament by the Prime Minister or the Leader of the House, rather than to the press. Will the right hon. Gentleman tell us the subject of the press conference, so that, if necessary, we can ask for an extraordinary statement or a special debate?

Mr. Newton: I can confirm that I understand that my right hon. Friend the Prime Minister is holding a press conference. The hon. Gentleman may wish to make his own inquiries about the subject matter.

Mr. Harold Elletson (Blackpool, North): In an earlier reply, my right hon. Friend said that he was always keen to find an opportunity to debate Select Committee reports. Is he aware that the Select Committee on the Environment is shortly to launch an inquiry into the workings of the single regeneration budget, but probably will not produce its report until October, after the next round of SRB bids has been announced? Would it therefore be appropriate to arrange a short debate about the workings of the single regeneration budget on the Floor of the House, particularly so that we can examine some of the problems faced by coastal resorts and ways in which the SRB could be used to assist them?

Mr. Newton: That is a very good idea, and I shall consider it.

Points of Order

4.42 pm

Mr. Patrick McLoughlin (West Derbyshire): On a point of order, Madam Speaker. May I draw your attention to today's Order paper and in particular to Question 4? You were unable to call the hon. Member who had tabled it, because he was not present. I understand that there can be reasons for hon. Members not to be present, but would you have any objection to allowing another hon. Member to ask the question if the hon. Member whose name is on the Order Paper is unavailable? If you have no objection, perhaps the matter could be raised with the Procedure Committee.

Mr. Tony Banks (Newham, North-West) *rose—*

Madam Speaker: Order. I can answer the point of order, and there can be only one. I would have the strongest possible objection to any hon. Member asking a question that was in another's name. I know that the hon. Member for West Derbyshire (Mr. McLoughlin) really raised the matter to highlight the fact that hon. Members are not always in their places to be called, and I hope that that has strengthened my elbow: I am often very cross when hon. Members do not let my office or Ministers know when they are unable to put their questions.

Mr. Banks: Further to that point of order, Madam Speaker—

Madam Speaker: There can be no further point of order. Is this a different point?

Mr. Banks: On a different point of order, Madam Speaker. My hon. Friend the Member for Wentworth (Mr. Hardy) is in Paris attending a meeting of the Western European Union. No doubt he should have told you that he would not be here, and withdrawn the question; but I think that the House ought to know that he is on parliamentary business elsewhere.

Madam Speaker: Irrespective of whether hon. Members are on parliamentary business, I think it right that my office should be told when they are not present to put their questions.

Mr. Peter Bottomley (Eltham) *rose—*

Madam Speaker: We are not having a debate about the matter. Is this a different point of order?

Mr. Bottomley: On a different point of order, Madam Speaker. Would it be possible to send Question 4 to the compilers of the "Oxford English Dictionary"? Given the number of car crashes, the spelling "wreckless" ought to be noted.

Madam Speaker: How observant of the hon. Gentleman. I am sure that that will be drawn to the attention of the appropriate authorities.

Mr. McLoughlin *rose—*

Madam Speaker: Yet another point of order!

Mr. McLoughlin: On a point of order, Madam Speaker. I did not mean in any way to criticise the hon. Member for Wentworth (Mr. Hardy); I was merely making the point that the subject matter of the question was particularly important. I do not think that we shall have another chance to discuss it in Home Office questions for some time.

Madam Speaker: Indeed. I know that a number of hon. Members were anxious to ask supplementary questions. I entirely understand that the hon. Member for Wentworth (Mr. Hardy) has duties elsewhere, but I repeat that when hon. Members have duties elsewhere, they are aware of the questions that they have tabled, and ought to apologise to the House.

Orders of the Day

Crown Agents Bill *[Lords]*

As amended (in the Standing Committee), considered.

New clause 1

THE CROWN AGENTS FOUNDATION

'.—(1) The Secretary of State shall not dispose of any securities or rights issued to him in pursuance of section 3 above or acquired by him under section 4 above except to a company which shall be known as the Crown Agents Foundation (the "Foundation") and which complies with the conditions set out in this section.

(2) The objects of the Foundation shall be—

(a) to acquire and hold on such terms as the Foundation may think fit such securities or rights issued to the Secretary of State in pursuance of section 3 above or acquired by him under section 4 above as the Secretary of State may, with the consent of the Treasury, transfer to them;

(b) to relieve the poverty, distress and suffering of peoples in any part of the world arising from any disaster or the immediate or continuing results of want of natural or artificial resources or the means to develop them; and

(c) to promote the education and training of peoples in any part of the world where there is a want of natural or artificial resources or the means to develop them in any vocational, commercial, industrial or agricultural skills calculated to alleviate the want of such resources or means.

(3) Every member of the Foundation (a "subscriber") shall, with the consent of the Secretary of State, undertake to contribute such amount as may be required, not exceeding £1, to the Foundation's assets if it should be wound up while he is a member, or within one year after he ceases to be a member, for payments of the Foundations debts and liabilities contracted before he ceases to be a member, and of the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributories among themselves.

Provided that a majority of subscribers shall have direct experience of the objects of the Foundation under subsection 2(b) and (c) above.

(4) The subscribers shall elect, whether from among their number or otherwise, the Council of the Foundation ("the Council") which shall manage and may exercise all the powers of the Foundation.

Provided that a majority of members of the Council shall have direct experience of the objects of the Foundation under subsection 2(b) and (c) above.

(5) The powers, duties, obligations and organisation of the Foundation shall be set out in a Memorandum and Articles of Association, a draft of which shall be laid before both Houses of Parliament by the Secretary of State.'.—*[Miss Lestor.]*

Brought up, and read the First time.

4.45 pm

Miss Joan Lestor (Eccles): I beg to move, That the clause be read a Second time.

Underpinning debates on Crown Agents in the Chamber, in Committee and in the other place has been a genuine cross-party desire to maintain the development focus of Crown Agents, while at the same time securing its commercial future. That task is difficult, and I must record my continuing belief that the privatisation is not wholly compatible with the development aims of the organisation. Opposition Members will be keeping a close watch over the fine print of the privatisation programme, and will not hesitate to raise our relevant concerns in the future.

Many of our detailed misgivings, however, have been somewhat allayed as a result of the answers given by Ministers during those debates, and in particular the Government's response to close and persistent questioning in Committee from my hon. Friends the Members for Carrick, Cumnock and Doon Valley (Mr. Foulkes) and for Glasgow, Cathcart (Mr. Maxton).

Mr. Peter Bottomley (Eltham): Where is the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes)?

Miss Lestor: I believe that he is in an aeroplane, if the hon. Gentleman really wants to know.

I am also particularly grateful to the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs and the Minister for Overseas Development for the eve-of-Committee release of the memorandum and articles of association. The resulting brisk and businesslike discussion clarified many important aspects.

I am being so nice to the Parliamentary Under-Secretary of State, but he is not responding in any way. In case he did not hear what I said, I was thanking him very much for the memorandum and articles of association, for which we had asked during an earlier debate.

One of our concerns related to the lack of detail in the Bill and, in particular, to the vague references to the composition page 9 of the foundation that will assume responsibility for the running of Crown Agents. Our anxieties on that specific issue have not been allayed. What do we know about the composition and responsibilities of members of the foundation? The Minister for Overseas Development has told us that foundation members will not receive dividends and will not be appointed by Ministers, that some may serve on the board and that existing members of Crown Agents' board will be among the founder members.

In Committee, the Parliamentary Under-Secretary of State provided us with a list of organisations from which foundation members would emerge. I say "emerge" because it is far from clear by what process potential members will identify themselves, or be identified by some other body or individual. He said:

"The Government will not be involved in nominating or selecting subscribers, but we hope"—

hon. Members should note the word "hope"—

"that a group of organisations will naturally coalesce".

Is it really all to be left to chance? Can we expect to see a rash of small ads in the financial columns of *The Guardian*, for example—"Single company seeks others for joint venture, view formation of foundation to run Crown Agents. Please send prospectus"? Of course not. The Minister went on to say:

"I imagine that the existing Crown Agents will have some synergy in that process."

Such vagueness is why I raise this point; it is a clear abrogation of Government responsibility. When pressed by my hon.—and absent—Friend the Member for Carrick, Cumnock and Doon Valley, the Minister suggested a list of the sort of organisations that might be interested in "coalescing". He suggested that

"the British Consultants Bureau, the British Chamber of Commerce, the Chartered Institute of Purchasing and Supply, the Chartered Institute of Building"

might be in the frame, but he did not go on to give any more specifics, adding that that group might be joined by

"organisations that are involved in developmental studies".—[*Official Report, Standing Committee F*, 15 June 1995; c. 13.]

Which organisations? Why, when he could be specific about the former group, was he unable to name a single developmental organisation that might be involved? That vagueness causes us concern.

Therefore, will the Minister advise us which developmental organisations he has in mind? He has identified that, so he must have some in mind. Has the Crown Agents had any approaches from or made approaches to United Kingdom development organisations, or foreign development organisations based in other countries, for example, the Japanese National Aid Agency? So far, my searches among the major UK providers of developmental assistance—the non-governmental organisations—have failed to identify any such approaches. I hope that the Minister will fill that in.

Mr. Peter Bottomley: May I declare a connection? I am one of the grandchildren of a Crown agent from just before the war. Does the hon. Lady know whether the foundation trustees would be barred from being Members of the House? If not, would it not be a good idea if she suggested that, to give confidence and allay fears, she should seriously be considered as one of the people who could become one of the foundation trustees?

Miss Lestor: I am flattered that the hon. Gentleman singles me out in that way, but, quite honestly, I have no wish to do that and I am not sure of the circumstances surrounding people in such a position; it is not something that I seek in any way.

We know from discussions that have taken place between the Overseas Development Administration and the Treasury that, in some ministerial circles, a strong feeling exists that the foundation should be made up of what I believe has been called "hard-nosed business men"—in order not to be sexist, I would add women as well, although I am not a hard-nosed business woman and have no wish to be. I have no wish to impugn the integrity of such people, but I must call into question their commitment to development—and it is the developmental side that I am concerned about and that should be at the heart of the foundation. That is why we have argued and continue to argue for a balance to be established, and that half the initial subscribers to the foundation should have a background in development issues.

In the circumstances, I cannot see how the Minister can continue to maintain what seems to be his distant approach to the process of establishing the foundation, especially as he has agreed that the Government will retain an active interest in the running of the foundation for the traditional period. If the Crown Agents is to maintain—and enhance—its reputation after privatisation, it must have at the heart of its structure a management that reflects the developmental purpose of the organisation which we would hold it has. I hope therefore that the Minister, if he wishes to have our support, will give us an assurance that that will be the case.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tony Baldry): I apologise to the hon. Member for Eccles (Miss Lestor) if I appeared not to be paying full attention at one stage to what she was saying. It was not intentional and I thank her for her kind comments.

Throughout the Bill's passage, we have been trying to reassure all hon. Members of what we are about: ensuring that the Crown Agents can take its work forward into the 21st century as a developmental agency, but within the private rather than the public sector. We have achieved that because, if one considers the new clause tabled by the Opposition, it summarises many of the Government's plans for the Crown Agents. I congratulate the hon. Lady on drafting the new clause in that way. It could have been drafted only by someone who had read the various speeches that Ministers have made here, in another place and in Committee, and it summarises the understanding and commitments that we have given to both the House and another place.

Of course we understand the concern behind the new clause: to know as much as possible about our proposals. The Government have already gone the extra mile to meet that concern. We have placed in the Library a copy of the draft memorandum and articles of association for the foundation that will own Crown Agents. We have said that the information memorandum for prospective members will be published well before transfer, and that we will present a further report to the Select Committee on Foreign Affairs. We have given the House as much information as is consistent with commercial confidentiality and the complex process of transferring a business into the private sector.

It is inappropriate to attach to legislation the extra information that the Government have made available. The Bill follows a precedent set in the House and followed on every previous occasion. It is an enabling measure, designed to expedite measures that the Government have described many times in great detail. It is unnecessary to specify the intended eventual owner in this way.

There will not be any extra benefit from the new clause. It will not reveal more about the nature of the foundation than is already known. It is not designed to change Government policy—we are committed to the foundation route. We have said from the first that the owner of the Crown Agents in the private sector will be an independent foundation whose memorandum and articles will commit it to a social and developmental purpose. We have said that it will be a company limited by guarantee that will not distribute dividends to its members, but use its profits solely in pursuit of its objectives.

We have also given some indication of the balance of membership that we envisage for the foundation. Of course it is appropriate that its membership should reflect the international character of the Crown Agents' activities and social purpose, and that it should provide an enduring basis on which to expand the business. Membership will consist of organisations active in international development which endorse the Crown Agents' purpose and principles. Those will include charities, private sector companies, professional and trade organisations, other aid organisations and enduring institutions.

There has been little time since Committee to enable us to be more definite about prospective membership of the foundation because of the progress that we have made with legislation, but I can give the names of some of the organisations that have expressed their interest in membership since Committee—these are of course in

[Mr. Tony Baldry]

addition to those that I gave on Second Reading. They include financial institutions such as Barclays bank, companies from industry such as Cable and Wireless, professional bodies such as the British Standards Institution, and registered charities such Christian Aid, the Intermediate Technology Development Group and the development education organisation, Worldaware. We are therefore seeking to strike a balance between those with business experience, those who have experience in developmental work, and those who have experience in aid and development more generally.

I hope that the hon. Lady will be reassured that we most certainly do not see the foundation as being made up simply of, as she put it, hard-nosed business men and women; we see it as reflecting the broad interests of Crown Agents. On Second Reading I explained in some detail—the House will recall that we had a full day's debate on Second Reading—how the foundation and its membership will come about.

I think that the last part of the new clause is intended to subject transfer to an affirmative resolution procedure. Again, we are on well-trodden ground. The Government have made available a wealth of information about the owner of the Crown Agents. Ownership of the business will be passed to the foundation, whose draft memorandum and articles of association are available to hon. Members—copies are in the Library. The Government's plans are well known and there is no reason to break with precedent in this case and attach further unnecessary conditions to the transfer.

I hope that the hon. Lady, having heard further information about the membership of the foundation, and that organisations such as Christian Aid are prepared to be identified with it in due course, will feel that it is not necessary to press the new clause.

Miss Lestor: The Minister has been a little more forthcoming in response to questions that I have raised. As he said and as I reiterated, we are anxious that this has a development angle as well as a business angle. He has gone a little way to meet my requirements. He is asking us to take a lot on trust but, as I am still, despite my many years in the House, a trusting individual, I shall just say to the Minister that we will be watching the formation of the foundation carefully. I hope that what he has said is reflected in the make-up of the foundation and in the angle that we have proposed. For those reasons, I am happy not to press the new clause.

Motion and clause, by leave, withdrawn.

Order for Third reading read

Motion made, and Question proposed, That the Bill be now read the Third time—*[Mr. Baldry.]*

4.59 pm

Lady Olga Maitland (Sutton and Cheam): It is with great pleasure that I welcome the final stage of this important Bill. I have the privilege and pleasure to be the Member of Parliament for the constituency in which the headquarters of Crown Agents is located. Therefore, I have been taking a detailed and careful interest in the Bill's progress. I do that because I regard Crown Agents as the flagship for the United Kingdom. When we talk about Great Britain, we believe that that is symbolised in the magnificent work of Crown Agents. It is the leading aid procurement agency in the world. It has handled an enormous amount of important work for the Overseas Development Administration and the Japanese Government as well as for many other customers throughout the world—indeed, in 150 countries.

This enabling Bill is important because we hope to see Crown Agents being given greater commercial freedom to be able to move into the 21st century. It is essential that Crown Agents should be unfettered and should be set free from the remaining Government restraints. I hope that as we move into the transition phase, all the comments and recommendations that I made on Second Reading and in Committee will be discussed carefully and heeded. In the end we all want Crown Agents to continue the magnificent work of which we are so proud.

5.1 pm

Mr. Baldry: The Crown Agents Bill has now had a thorough examination at each of its stages in this House and in another place. We have debated a number of key issues including the corporate structure of the proposed foundation and the operating company, aspects of the financial arrangements of the new Crown Agents and the interests of staff and pensioners.

I should like to thank everyone who has taken part in the proceedings on the Bill for the constructive way in which they have approached it. It took a little time to convince the Opposition that we were genuine in our intentions. As the hon. Member for Eccles (Miss Lestor) said, there is a measure of trust on this. I hope that we have demonstrated, through the memorandum and articles of association and the other work that we have done, that we want to see Crown Agents move into the 21st century, retaining its existing ethos but within the private rather than the public sector.

The Bill allows Crown Agents to take a further important step forward in its long and distinguished history. It contains the necessary enabling provisions to provide a stable and secure future for the business fully in the private sector well into the 21st century.

We have put the Government's plans for Crown Agents on record in the House and in the draft memorandum and articles of association. We intend that those plans will preserve what is best in Crown Agents tradition in a form suited to our modern and increasingly competitive world. We will continue to make available information to hon. Members if it is not commercially sensitive and once we are certain that it is the right approach. My right hon. and noble Friend the Minister for Overseas Development will present a further paper to the Select Committee on Foreign Affairs before transfer is due to take place.

I have said that I will be glad to consider any suggestions that hon. Members may have to improve the memorandum and articles of association with the proviso that they are not, ultimately, the property of the Government but of the foundation. I am sure that all hon. Members will join me in wishing Crown Agents every success. I thank in particular my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland), who has the Crown Agents headquarters in her constituency. She has been a tireless champion of Crown Agents throughout proceedings on the Bill. Crown Agents should be grateful that it has such a doughty Member of Parliament. I am sure that every hon. Member wishes Crown Agents every success as it moves on to its next stage.

5.3 pm

Miss Joan Lestor (Eccles): We could continue this debate until 10 o'clock, but in view of the assurances that the Minister has given and the fact that some important matters may be raised in a moment, I join the Minister in wishing Crown Agents good fortune for the future. We will be looking at the details of this with great interest and I hope that things go well and smoothly.

Points of Order

5.4 pm

Mr. Stuart Bell (Middlesbrough): On a point of order, Madam Deputy Speaker. The Prime Minister has announced his resignation as leader of the Conservative party and has announced that he will be a candidate in any forthcoming election. Have you had any notification of that statement? Have you had any notification that the Prime Minister will come to the House and make a statement? Have you any indication as to whether the most appropriate thing to do in all these circumstances would be to call a general election?

Several hon. Members *rose—*

Madam Deputy Speaker (Dame Janet Fookes): Order. I can deal with that now. I have had no such indication.

Mr. Andrew Mackinlay (Thurrock): On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Is this a different point of order?

Mr. Mackinlay: It is on the same subject, but it is a different point. If the news that has been imparted to you by my hon. Friend the Member for Middlesbrough (Mr. Bell) is true, it has raised a constitutional issue which requires that before the House adjourns, there should be a statement from the Government. The right hon. Member for Huntingdon (Mr. Major) is the Prime Minister, not just the leader of the Conservative party. We need to know who is running the country, if indeed anybody is doing so.

Madam Deputy Speaker: My understanding is that the right hon. Member for Huntingdon has not announced his resignation as Prime Minister. They are two separate offices. Whatever the ins and outs of this, it is not a matter for the Chair.

Mr. Graham Allen (Nottingham, North): On a point of order, Madam Deputy Speaker. It is a different point of order. Will you take this opportunity to condemn the growing practice of making important statements about key constitutional issues, regardless of the niceties as to whether someone is the Prime Minister or the leader of a party, to press conferences rather than to the House of Commons?

Madam Deputy Speaker: My understanding is that this matter does not relate precisely to the House of Commons.

Mr. Menzies Campbell (Fife, North-East): On a point of order, Madam Deputy Speaker. Is not the information that we have just heard unprecedented in modern political times? I have searched my memory, to the extent that I can, and I do not believe that such an event has happened before this century. Does not that raise some fundamental issues which it would be right for the House to have an opportunity to consider? Is there some mechanism available by which these issues can be discussed in that part of the day's business which is still available, in view of the speedy resolution of the matter with which we have just been concerned?

Madam Deputy Speaker: I have already indicated clearly that this is not a matter on which the Chair can rule. It is not a matter for the Chair.

Mr. Tony Banks (Newham, North-West): On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Is it a different point of order?

Mr. Banks: It is a different point in that you have the power to suspend the House for a period of time during which discussions could take place. These are grave matters and it is ludicrous that the House has no opportunity to discuss them. I understand your difficulties, but a short suspension at this time would be helpful for us all.

Madam Deputy Speaker: My overriding duty in the Chair is to ensure that the business before the House on this day is transacted.

Mrs. Ann Taylor (Dewsbury): Further to that point of order, Madam Deputy Speaker. We all appreciate the difficulties that face you. I hope that you will also appreciate the difficulties facing hon. Members and Ministers who might want to participate in debates today. Given the news that we have just heard, there is a serious question about the authority that Ministers have to come to the Dispatch Box and speak on behalf of the Government and the Prime Minister.

There is a complete sense of disintegration within the Government, not just from the Prime Minister but from other Ministers. All of us who participate in debates, whether from the Opposition or the Government Benches, have noticed that in recent weeks. During the remaining proceedings in the House today, we need to be sure that Ministers who speak do so with the authority of the Prime Minister and that clearly is not the case.

Madam Deputy Speaker: I believe that the hon. Lady was not in the Chamber when I made my earlier announcement about the fact that the position of Prime Minister has not been renounced and so for Ministers it all goes on.

Mr. Mike O'Brien (Warwickshire, North): On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Is this a different point of order?

Mr. O'Brien: Yes. When the leadership of a country is in such disarray, as it obviously is today, surely it is a matter for the House. You are entirely right, Madam Deputy Speaker, that being leader of a party is different from being the Prime Minister. Nevertheless, it is of enormous importance to the public and to hon. Members that other countries that may be looking on will see that the Government appear to be disintegrating from the top. Surely that matter should be the subject of an urgent debate. Perhaps there should be an Adjournment of the House to consider the matters and—subsequently—a debate on these enormously important developments.

Mrs. Taylor: Further to that point of order, Madam Deputy Speaker. It would greatly assist hon. Members if the Leader of the House were to make a statement to explain the situation. I understand that the Leader of the House is in the building and it would be helpful to everyone if he were to make a statement. If he cannot be present at this precise moment, perhaps the only option open to the House is a brief suspension of the sitting so that hon. Members may ascertain all the circumstances and so that Conservative Members, who have been coming in and out of the Chamber for the past few minutes trying to find out what is happening, may have their position clarified as well.

Such a degree of uncertainty is obviously very unsatisfactory, not least because there have been many opportunities during the afternoon for the Prime Minister to make the statement inside this House that he has just made outside it. When the Prime Minister and other Ministers do not have the courage to say in the House what they are prepared to say outside it, the role of the House is placed in doubt. Perhaps other people can throw light on the matter. The Leader of the House—at least—should make a statement and the sitting should be suspended until that statement is made.

Madam Deputy Speaker: I have already said that I see no reason to suspend the sitting. I have no doubt that those sitting on the Treasury Bench will have heard the points made and—presumably—will be able to work through the usual channels. I have nothing further to add. I cannot allow this to develop into a general debate.

Mr. John Austin-Walker (Woolwich): On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: I need to know that it is a different point of order.

Mr. Austin-Walker: It is a different point of order, Madam Deputy Speaker. Clearly you were not aware of the situation about which hon. Members have spoken. I wish to know whether Madam Speaker was informed and, indeed, whether Her Majesty the Queen was informed about the situation because it raises a poignant constitutional point. Can Madam Speaker come to the House to say whether she was made aware of the situation?

Madam Deputy Speaker: That is entirely a matter for Madam Speaker. It is not for me to tell her what she should or should not do.

Mr. Robert Sheldon (Ashton-under-Lyne): Further to that point of order, Madam Deputy Speaker. The House obviously understands your difficulty. It is a very sudden announcement. Madam Speaker ought to come to the House and use her authority to explain what is required under such circumstances. In that case, would you, Madam Deputy Speaker, consider a brief suspension of the sitting so that Madam Speaker may come to the House, which is her right and her duty as I see it?

Madam Deputy Speaker: It is entirely a matter for Madam Speaker whether she returns to the Chair. It is not for me to send for her.

Mr. Peter L. Pike (Burnley): On a point of order, Madam Deputy Speaker. I accept and understand the point that you are making. We are in an extremely unusual and difficult position. In view of the concern in the House and throughout the nation, could a message be sent immediately to Madam Speaker to ask whether she could come to the Chamber so that the matter may be clarified?

Madam Deputy Speaker: Clearly, if the matter is of concern to hon. Members, the usual channels should be

invoked. I see representatives of the usual channels present. If it is their wish to use such means, they should get on with it.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Further to that point of order, Madam Deputy Speaker. You have made a helpful and constructive suggestion. As the hon. Member responsible for my party's participation in the usual channels, we and the official Opposition would certainly like the opportunity to have discussions through the usual channels. Would not the best way to effect that immediately be to suspend the sitting for a short period to enable discussions to take place?

Madam Deputy Speaker: Order. I do not regard that as necessary. Discussions can take place between the usual channels while the House is sitting.

Mr. Harry Barnes (Derbyshire, North-East): On a point of order, Madam Deputy Speaker. With regard to the business of the House, the Crown Agents Bill *[Lords]* has been discussed and the Adjournment debate was about to start. Am I correct? In those circumstances, the House is likely to rise early and there may not be later opportunities to raise urgent matters on subsequent points of order. Would not it therefore be advisable to suspend the sitting?

Madam Deputy Speaker: Order. The hon. Gentleman disappoints me. I have been amazed at the ingenuity of hon. Members in keeping business going when they choose to do so.

Mr. Mike O'Brien: On a point of order, Madam Deputy Speaker. The resignation of a Prime Minister, a leader of a party in power, is obviously enormously important. The Prime Minister has recently answered questions in the House and while points of order have been raised with you, Ministers, obviously quite perplexed by what has happened, have been running in and out of the Chamber. Has not great discourtesy been shown to the House? Announcements have—it appears—been made regardless of the House. Is it proper for a Prime Minister to answer questions at Prime Minister's Question Time and not to mention such things? Is it correct procedure for a Prime Minister to resign as leader of his party and, therefore, place his position as Prime Minister in some jeopardy, without—it appears—properly consulting Ministers who are designated as Ministers by this House—

Madam Deputy Speaker: Order. I have heard enough. I have already made it clear that there is a constitutional distinction to be drawn between the leader of a party and the Prime Minister. I have—

Several hon. Members *rose—*

Madam Deputy Speaker: Order. I have already made it very clear that this is not a matter for the Chair or one on which I can intervene. I have made a practical suggestion that the usual channels should get together and make any decisions that they wish. In the meantime, I have a duty to ensure that the business of this House continues.

The Secretary of State for National Heritage (Mr. Stephen Dorrell): On a point of order, Madam Deputy Speaker. The argument has been put by several Opposition Members that the Prime Minister has resigned as leader of the Conservative party and that he should have made that announcement to the House of Commons. With respect to those who have put that argument, they fail to make a distinction which lies at the very heart of our system of Government. Any Minister must learn very early in his career as a Minister the difference between party business, where he is not entitled—*[Interruption.]* This applies to any Minister at any level in the Government. Any Minister must learn the difference between party business, in which he is not entitled to the support of the civil service machine and on which he is accountable to a party audience, not to a House of Commons or Government audience. That is a fundamental distinction at the heart of any Minister's discharge of his responsibilities.

My right hon. Friend the Prime Minister has observed that central distinction. He has made the announcement outside this House about his status as the leader of the Conservative party because he is not accountable to this House for it. It does not affect his status as the Queen's First Minister, in which capacity he continues to answer as Prime Minister to this House and in which capacity he leads a Government in which all those sitting on the Treasury Bench continue to serve as members of the Queen's Government.—*[Interruption.]*

Madam Deputy Speaker: Order. I expect to have courtesy and consideration in the House. I will certainly hear no more points of order if there are ructions and rumpuses.

Mrs. Ann Taylor: On a point of order, Madam Deputy Speaker. The Secretary of State for National Heritage has raised an important point. Of course we all appreciate the difference between being leader of the Conservative party and being Prime Minister. The fact is, however, that although the Prime Minister may have resigned, for the time being or permanently, as leader of the Conservative party, he is still Prime Minister of this country and his first obligation ought to be to come to the House of Commons. The Prime Minister is responsible to the House of Commons; he has spoken in the House today.

It is clearly the case that Conservative Members, including members of the 1922 Committee, have come to the Chamber since the matter was raised because they do not know what is happening. This situation is not good for Parliament and not good for the country. Why cannot the Prime Minister or the Leader of the House come to the House? We have time available. It would be foolish to move on to the Adjournment before we get a clear statement to the House.

What concerns hon. Members is the fact that the Prime Minister is treating this House with contempt. The position of the Prime Minister is not simply an internal matter for a few members of the Conservative party; it matters to this country as a whole. There are implications for this country as a whole and there are implications for any international negotiations in which the Prime Minister or other Ministers are involved over the next few weeks. It simply is not good enough for members of the Conservative party to think that all this can be done behind closed doors without Parliament being informed and without any repercussions for the country as a whole. This House demands and this House needs a clear statement.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. I have already made the position quite clear from the point of view of the

[Madam Deputy Speaker]

Chair. I can deal only with matters that affect the Chair. The point of view that has been expressed has been clearly expressed; it has now been repeated on a number of occasions. I have made the only suggestion that I can make, namely, that the usual channels get together and see whether they can make some arrangements. It is not a matter for me and I cannot allow what would turn into virtually a full-scale debate on this.

Mr. Peter Bottomley: On a point of order, Madam Deputy Speaker. Can you confirm that in none of the changes of the Labour leadership and in no change of the Tory leadership over the past 20 years during which I have been in the House, has there been a debate? Should not the Labour party realise that the big difference is not between being leader of the Tory party and being Prime Minister, but between being leader of the Labour party and Prime Minister? There has been a gap of 17 years and, judging by Labour's behaviour today, there is likely to be a gap of another 17 years.

Mr. Tony Banks: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Is it the same point of order?

Mr. Banks: I ask whether you, Madam Deputy Speaker, in view of what is going on here and in view of the possibility that good order in the House is in jeopardy, would be prepared to suspend the sitting. Surely you have the power to do so. That would give everyone the opportunity to have discussions outside rather than to have these exchanges across the Floor.

Madam Deputy Speaker: I have told the House already—perhaps the hon. Gentleman was not here at the time—that I do not see fit to adjourn the House. I have a duty to the agenda before us to ensure that it is completed.

Mr. Rowe: On a point of order, Madam Deputy Speaker. It may be helpful for me, as one of the Conservative Members who has come down into the Chamber, to explain to the shadow Leader of the House that I was in no doubt about what had happened. I came into the Chamber because I saw that something untoward was happening here. It seems to me, Madam Deputy Speaker, that what you have ruled is entirely appropriate.

Mr. Jeremy Corbyn (Islington, North): On a point of order, Madam Deputy Speaker. There was a rather bizarre contribution, in the form of a point of order, from the Secretary of State for National Heritage in which he appeared to confuse the role of the Conservative party and the Prime Minister, acting as though this was a one-party state where the office of Prime Minister was within the gift of the Conservative party. Do you, Madam Deputy Speaker, think that you have been shown grave discourtesy in terms of the way in which the Government have behaved this afternoon? This House and, more importantly, the public on every street in this country have been shown discourtesy. The Conservative party plays fast and loose with these important issues. Should not you, Madam Deputy Speaker, insist that the Prime Minister now comes to the House to make a statement about his resignation and about what plans there are either for his replacement or, more hopefully, for an imminent general election?

Madam Deputy Speaker: The Secretary of State for National Heritage made at rather greater length the point I made earlier—that it is important constitutionally to draw a distinction between the leadership of a party and the office of Prime Minister.

Mr. Robert N. Wareing (Liverpool, West Derby): On a point of order, Madam Deputy Speaker. Is it not a convention of the constitution that the leader of the party with the majority in the House of Commons is Prime Minister, appointed by the Queen on the advice of Privy Councillors, usually the outgoing Prime Minister? Is it not the case that when a party's leader has been the Prime Minister, on no occasion since the second world war has that party's leadership been changed without notice having been given to Her Majesty?

Madam Deputy Speaker: It is not for me to know what advice has been tendered to Her Majesty.

Mr. Ernie Ross (Dundee, West): On a point of order, Madam Deputy Speaker. As one of the hon. Members who listened to the Prime Minister making his statement at 5 o'clock tonight, live on Sky television, I distinctly heard the Prime Minister make the point that he was resigning as the leader of the Conservative party, but that he would be a candidate in the forthcoming election for the leadership of the Conservative party. He also added that if he lost, he would immediately resign as Prime Minister. Given that he made it clear that he was only a challenger and that he might lose, and given the possibility of a new Prime Minister, is it not important that the House should be suspended to allow the Leader of the House to come here to clarify the matter?

Madam Deputy Speaker: I did not have the advantage of hearing the statement. Even so, it seems to reiterate the point that has already been made. The Prime Minister remains as Prime Minister of this country.

Mr. Mackinlay: On a point of order, Madam Deputy Speaker. The Opposition sometimes consider that there is an awful lot of humbug about the constitutional relationship between the Government and the monarch. The Tory party is selective in that, when it suits it, it ignores that relationship. There are precedents. Lord Callaghan, Lord Wilson and others always said that they had advised the Queen of the fact that they intended to trigger an election in their political parties. Those are the ground rules by which they played. We have a right to know from the Prime Minister whether he has informed the head of state that there will be an election in the principal party. After all, being leader of that party gives the mandate to be Prime Minister. We need to know whether Buckingham palace has been informed and what its response has been. There are constitutional precedents for this. When Lord Wilson announced that he was stepping down as Prime Minister—

Madam Deputy Speaker: Order. The hon. Gentleman has made his point at some length. I have already told the House that I do not know what has passed between the Prime Minister and Her Majesty the Queen. I cannot know and it is certainly not my responsibility in the Chair. This matter has now been sufficiently aired. I propose to take no more points of order on it and I will move on.

Several Hon. Members: I beg to move, That strangers do withdraw.

Notice being taken that strangers were present, MADAM DEPUTY SPEAKER, *pursuant to Standing Order No. 143 (Withdrawal of strangers from House), put forthwith the Question,* That strangers do withdraw:—

The House proceeded to a Division:—

Mr. Alan Duncan (Rutland and Melton) (*seated and covered*): On a point of order, Madam Deputy Speaker. I understand that four Opposition Members are declining to come out of the Lobby and are delaying the vote.

Madam Deputy Speaker: Order. If that be the case, I have my remedies to hand.

The House having divided: Ayes 10, Noes 216.

Division No. 172] [5.28 pm

AYES

Banks, Tony *(Newham NW)*
Corbyn, Jeremy
Cox, Tom
George, Bruce
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Jackson, Glenda *(H'stead)*
Mahon, Alice
O'Hara, Edward

Tellers for the Ayes:
Mr. Harry Barnes and
Mr. Peter Pike.

NOES

Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allen, Graham
Amess, David
Anderson, Donald *(Swansea E)*
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkinson, David *(Bour'mouth E)*
Austin-Walker, John
Baker, Nicholas *(North Dorset)*
Banks, Robert *(Harrogate)*
Barron, Kevin
Bates, Michael
Batiste, Spencer
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Beith, Rt Hon A J
Bell, Stuart
Berry, Roger
Biffen, Rt Hon John
Boateng, Paul
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Sir Andrew
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Bray, Dr Jeremy
Brooke, Rt Hon Peter
Brown, N *(N'c'tle upon Tyne E)*
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butler, Peter
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Chidgey, David
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'clif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Cohen, Harry
Colvin, Michael
Congdon, David
Conway, Derek
Cook, Frank *(Stockton N)*
Cormack, Sir Patrick
Currie, Mrs Edwina *(S D'by'lre)*
Curry, David *(Skipton & Ripon)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Quentin *(Stamford)*
Denham, John
Deva, Nirj Joseph
Dorrell, Rt Hon Stephen
Dowd, Jim
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Elletson, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Fabricant, Michael
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
Gallie, Phil
Gapes, Mike
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gerrard, Neil
Gillan, Cheryl
Godman, Dr Norman A
Goodson-Wickes, Dr Charles
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grocott, Bruce
Hague, William
Hamilton, Neil *(Tatton)*
Hannam, Sir John
Hendry, Charles
Heseltine, Rt Hon Michael
Hill, Keith *(Streatham)*
Hoey, Kate
Hoon, Geoffrey
Horam, John
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hunt, Rt Hon David *(Wirral W)*
Hutton, John
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Jones, Robert B *(W Hertfdshr)*
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kirkwood, Archy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lestor, Joan *(Eccles)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Macdonald, Calum
MacGregor, Rt Hon John
MacKay, Andrew
Mackinlay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madden, Max
Maddock, Diana
Maitland, Lady Olga
Malone, Gerald
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Michie, Mrs Ray *(Argyll & Bute)*
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Molyneaux, Rt Hon James
Morley, Elliot
Mudie, George
Neubert, Sir Michael
Norris, Steve
O'Brien, Mike *(N W'kshire)*
Oiner, Bill
Pawsey, James
Peacock, Mrs Elizabeth
Powell, William *(Corby)*
Randall, Stuart
Redwood, Rt Hon John
Rendel, David
Riddick, Graham
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Sackville, Tom
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Sims, Roger
Skinner, Dennis
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Soames, Nicholas
Soley, Clive
Spearing, Nigel
Speller, John
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Stanley, Rt Hon Sir John
Stern, Michael
Streeter, Gary
Sweeney, Walter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Timms, Stephen
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Trimble, David
Twinn, Dr Ian
Vaz, Keith
Viggers, Peter
Walker, Bill *(N Tayside)*
Wallace, James
Waller, Gary
Ward, John
Wareing, Robert N
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Wicks, Malcolm
Willetts, David
Williams, Rt Hon Alan *(Sw'n W)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Timothy Kirkhope.

Question accordingly negatived.

Mrs. Ann Taylor (Dewsbury): On a point of order, Madam Deputy Speaker. It arises from the advice that you gave us a short time before the Division, when you said that the best way to proceed might be for the usual channels to have some discussions to see whether the Leader of the House was willing to make a statement. During the Division, such discussions did take place, but the Leader of the House indicated that he was not willing to make a statement because he regarded the resignation

[Mrs. Ann Taylor]

of the Prime Minister as leader of the Conservative party as nothing to do with this House. I do not think that the country as a whole will think that this is just a cosy matter for members of the Conservative party.

The matter raises some important questions about the workings of Parliament during the next few weeks. If the Prime Minister believes that he does not have the confidence of his own party, he clearly does not have the confidence of the House. There are questions for this House because we need to know with what authority Ministers will speak from the Dispatch Box. We need to know when Ministers are speaking as Ministers and when they are speaking as candidates in the Conservative party leadership election. We saw during the Division that several potential stalking horses were present. If we cannot—

Madam Deputy Speaker: Order. This is now becoming a general debate, and the hon. Lady's point is not a matter of order for the Chair.

Mrs. Taylor: If we cannot have a statement from the Leader of the House because he refuses to give one, and if we cannot have a statement from the Prime Minister because he also refuses to give one, may we have a statement from the President of the Board of Trade?

Madam Deputy Speaker: Order. The matter has been thrashed out exhaustively by means of points of order. There are no more points of order that I can deal with, and it is now my duty to ensure that the next business is considered.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. I am taking no more points of order on the Prime Minister's statement at his press conference.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. I am not taking any more points of order. *[Interruption.]* Members must sit down.

Mr. Pike: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. *[Interruption.]* Mr. Pike, sit down.

Mr. Pike: On a point of order, Madam Deputy Speaker. I seek your guidance on the Standing Orders of the House.

Madam Deputy Speaker: It must be a totally different matter. I am taking no more points of order on the Prime Minister's statement.

Mr. Pike *rose—*

Madam Deputy Speaker: Is it a different point of order?

Mr. Pike: Yes, Madam Deputy Speaker. I seek your guidance regarding the Standing Orders of the House. We have a procedure for debating urgent and important issues under Standing Order No. 20. Do you consider that this matter is urgent and important and should therefore be accepted for a debate under Standing Order No. 20?

Madam Deputy Speaker: Standing Order No. 20 cannot be used in the way in which the hon. Gentleman wishes.

Mr. Max Madden (Bradford, West): On a point of order, Madam Deputy Speaker. A little while ago I received a letter from the Prime Minister's Parliamentary Private Secretary informing me that the Prime Minister would be unable to answer questions on Tuesday 27 June as he would be attending the European Council in Cannes. Quite apart from the prudence of the Prime Minister being out of Britain next week, may I ask whether you have received any indication that the Prime Minister has revised his plans and no longer intends to ask the Lord President of the Council to answer questions on his behalf next Tuesday?

Madam Deputy Speaker: That is not the responsibility of the Chair.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. I call Mr. Spearing, on what I trust will be a different point of order.

Mr. Nigel Spearing (Newham, South): On a point of order, Madam Deputy Speaker. When an unexpected matter of common knowledge arises which you regard as of sufficient significance, is it in order for an hon. Member to apply to you for permission to move the adjournment of the debate?

Madam Deputy Speaker: It is perfectly possible, but whether it is accepted by the Chair is another matter.

Mr. Spearing: Further to that point of order, Madam Deputy Speaker. In that case, may I ask permission to move such a motion for the following reason? The stability of the Government of Her Majesty depends on the stability of the Privy Council and, in particular, on its sub-committee known as the Cabinet. The Prime Minister is First Lord of the Treasury, and in that role he discharges many duties, including that of attending the important conference of which my hon. Friend the Member for Bradford, West (Mr. Madden) has acquainted the House. In view of the representational difficulties which may arise at that conference in the context of the full backing of the majority in the House, such as it is, for the conference and the carrying on of the business of the Queen's Government—

Mr. David Ashby (Leicestershire, North-West): On a point of order, Madam Deputy Speaker.

Mr. Spearing: I am on a point of order already.

Madam Deputy Speaker: Order. If there is one thing that I cannot deal with, it is two points of order at the same time.

Mr. Spearing: It is clear from the points of order during our previous debate and subsequently that there is some uncertainty. Pending a statement from the Leader of the House, who ought to be here, has been requested to be here and has not said that he will make a statement, I beg leave to move such a motion.

Madam Deputy Speaker: I am prepared to grant it.

Mr. Spearing: I therefore move the Adjournment of the House to discuss—

Madam Deputy Speaker: Order. Is it the hon. Gentleman's wish that the debate be now adjourned?

Mr. Spearing: I beg to move that the debate on this matter be adjourned pending a statement from the Leader

of the House. If there is no such statement, the pros and cons of the uncertainty will not be laid before the House. Other hon. Members may wish to give reasons for the motion, such as the stability of the Government and the majority that they can command in the House being in question.

It is clear that the instability in the Government ranks is not sudden. It is as if a grumbling appendix has been worsening among Conservative Members for a number of weeks. The grumbling has caused a good deal of comment in the press and has affected not only the position of the Prime Minister; there is also a great deal of speculation about the position of the Foreign Secretary, who is due at the Cannes conference in a few days' time. Without some sort of stability between the Prime Minister, whoever he or she may be, and the Foreign Secretary, can Her Majesty's Government—still less the people of this country—be properly represented at that conference?

The agenda at the Cannes conference is of prime constitutional importance. Yesterday there was a six-hour debate in the House about many of the issues to be raised at Cannes. The matters to be discussed are not dissociated from the divisions in the ranks of Government supporters—if they are indeed Government supporters—*[Interruption.]*

Madam Deputy Speaker: Order. May I have a little decorum and quiet?

Mr. Donald Anderson (Swansea, East): Will my hon. Friend bear it in mind that it is not just a matter of the Government's credibility in their external relations, because the hiatus that will persist over the next two weeks will have profound internal implications for the country and for the business of the House? For example, it may delay the Nolan committee which is considering allegations in respect of matters which are vital to hon. Members. One consequential if not intended effect must be that.

Mr. Spearing: I am grateful to my hon. Friend. The domestic consequences for legislation or what happens in the House is of prime importance to many citizens. Just a short while ago the Leader of the House announced next week's business. What guarantee can there be that that business will proceed? What guarantee have the general public that representations to their Members of Parliament over the weekend at their advice surgeries, in newspapers and in letters will be aired next week?

It is not unknown for Cabinets and Leaders of the House to change the business. We do not know whether the Leader of the House may be a candidate for leader of his party. Sponsors of certain legislation set down for next week might be thought to be enhancing themselves by an appearance at the Dispatch Box and could thus receive undue publicity. We just do not know.

Mr. Ashby: Will the hon. Gentleman give way?

Mr. Spearing: If the hon. Gentleman intends to ask further questions, I will gladly give way.

Mr. Ashby: In the light of the hon. Gentleman's views on Europe, does he not feel that he would be far safer in the hands of the present Prime Minister at the Cannes conference than in the hands of his leader, who would sell this country down the river?

Mr. Spearing: I do not think that the leadership of my party is in any way in question. The big question is the leadership of the Conservative party. I will therefore not be tempted down the beguiling road indicated by the hon. Gentleman. As we know from those who were present at yesterday's debate, if an objective observer—I stress the word "objective"—were to compare the stances of my hon. Friend the Member for Livingston (Mr. Cook) and that of the Foreign Secretary, who respectively outlined Opposition and Government policies in that debate, I am not too sure that the distinction would be that obvious. Therefore, the hon. Gentleman's point is irrelevant.

Central to the events of the past hour or so is the fact that the abscess which has apparently being growing and festering and which has now burst among the ranks of Conservative Members was started by the right hon. Member for Old Bexley and Sidcup (Sir E. Heath). There was division in the Conservative party on that matter from the day I entered the House—25 years ago last Sunday. My hon. Friend the Member for Bolsover (Mr. Skinner), who entered the House on that same day, has ample evidence and full knowledge of that festering.

Mr. Dennis Skinner (Bolsover): The Prime Minister said at his press conference that he had resigned as Tory party leader. That means that the Tory party is leaderless. The important thing to remember is that that is not enough. If the Prime Minister has lost the confidence of the governing party, he has a duty to go to the Queen and ask to be allowed to call a general election so that the country can decide. Does my hon. Friend agree that that is the only way out of this impasse?

Mr. Spearing: Constitutionally, my hon. Friend is absolutely right. I know of no reason why the Prime Minister, the right hon. Member for Huntingdon (Mr. Major), if he so wishes, should not get into his motor car, go to see Her Majesty and seek a Dissolution. In the House we have to be careful about the Crown and I should not like to speculate about what Her Majesty would say. However, I suggest that the Prime Minister has been so mobbed, as it were, by differing views, so provoked and discomfited and, I would not say exhausted, but has had so much difficulty balancing the two views in his party that it is hard for him to carry on the business of government. Indeed, the fact that there have been two views has clearly interrupted the Prime Minister's efficiency in the conduct of government.

Dr. Robert Spink (Castle Point): Will the hon. Gentleman give way?

Mr. Spearing: I shall give way later. I am answering my hon. Friend the Member for Bolsover (Mr. Skinner). The Prime Minister has been so discomfited that, like a person surrounded by bees or wasps, he has picked up his swatter and said, "Look, if you don't stop, I will go to Her Majesty and you can all go to the electorate."

Mr. Corbyn: On a point of order, Madam Deputy Speaker. In moving the motion, my hon. Friend has several times drawn attention to the situation of the Queen and the issue of whether the Prime Minister should go to her. What powers has the House to ask for an opinion from, or send a message to, the Queen as to exactly what she ought to do in this situation? Does this not illustrate the problem of having a monarch rather than an elected president to deal with such problems?

Madam Deputy Speaker: I very much doubt whether Her Majesty needs the detailed advice of the House.

Several hon. Members *rose—*

Mr. Spearing: I give way to my hon. Friend the Member for Bolsover.

Mr. Skinner: I said that the Prime Minister had a duty to go to the Queen, but he had better wait another half an hour or so as she will not be back from Ascot yet.

Mr. Spearing: I wish to develop that point as it is of constitutional importance. If we were in the position of the monarch—you, Madam Deputy Speaker, as our No. 2 representative to the monarch can imagine the position—what would we see? Her Majesty would survey the broken state of the Conservative party.

Mr. Clive Soley (Hammersmith): Will my hon. Friend give way?

Mr. Spearing: I will give way in a moment.

Unlike the position with the left and right wings of Mr. Wilson's party, the Conservative party is unstable. The Queen might well say, looking at the opinion polls, that it was her duty to grant a Dissolution. It is not a matter on which it is for us to advise Her Majesty in the sense of giving a corporate view from the House, although it would be possible to move a suitable motion. It is a matter of the advice of the people in respect of the Government.

Mr. Tony Banks: My hon. Friend will note that the Conservative Benches are now denuded. Does he think that that is because Conservative Members are already outside laying their bets and doing their canvassing? In the circumstances, does that not support my hon. Friend's excellent motion and suggest that we should all go out and put a few bets on?

Mr. Spearing: Not yet, because we have yet to ventilate—and to a much greater extent than I have been yet been capable of—the plight not only of the Conservative party but of Her Majesty's Government and, therefore, the British people, who are currently leaderless.

Mr. David Winnick (Walsall, North): My hon. Friend has referred to the position in respect of a general election. Constitutionally, that should of course take place in view of the Government's position. However, is my hon. Friend at all surprised that with the situation which exists in the country, with hardly a single Tory seat being held in by-elections, the Prime Minister simply refuses to go to the country because he knows what the result would be? Is that not a conspiracy against the British people to deny them the right to elect another Government? We should give them their democratic rights instead of going through the farce of the Prime Minister trying to save his job by having an internal election? What respect does he show to the House of Commons by refusing to come and make a statement?

Madam Deputy Speaker: Order. I remind hon. Members in their excitement that they should be addressing me rather than other hon. Members.

Mr. Spearing: My hon. Friend the Member for Walsall, North (Mr. Winnick) makes a fascinating speculation. I suspect that it is not a matter of disrespect but of desperation.

I have more suggestions about what Conservative Members are doing. They are either grouping together around various of their right hon. Friends and getting their party leadership election machines ready, or perhaps they are hastening back to their constituencies for the very possibility that my hon. Friend mentioned.

Several hon. Members *rose—*

Mr. Spearing: I give way to my hon. Friend the Member for Thurrock (Mr. Mackinlay).

Mr. Mackinlay: Does my hon. Friend recall the statement a few moments ago by the Secretary of State for National Heritage, who strained to distinguish between the roles of Conservative leader and Prime Minister? Is it not fair to draw the attention of the House—and, indeed, your attention, Madam Deputy Speaker—to the fact that the announcement was made from No. 10 Downing street and not from Conservative central office? That illustrates and buttresses the fact that the Government always confuse the Conservative party and Britain when it suits them. When they find themselves in the mire, they try to make a distinction. For far too long the Government have tried to imply that the Conservative party represents Britain, but when it causes them embarrassment they try to make a distinction.

The fact that the Prime Minister made his announcement in the grounds of No. 10 Downing street conflicts with the rules that he laid down for Ministers that such places are not to be used for party political purposes. He should have done it from central office. The fact that it was done in Downing street emphasises the fact that either he or the Leader of the House should be here to make a statement.

Mr. Spearing: I am grateful again for the constitutional suggestions of my hon. Friends. One of the purposes of debate in the House, all too frequently ignored, is that we gather together the totality of human knowledge and political wisdom and distil it in *Hansard* to be put on record for ever and aye.

Mr. Soley: Will my hon. Friend give way?

Mr. Spearing: My hon. Friend the Member for Thurrock is right. I recall that at the time of general elections our late right hon. Friend Lord Wilson, then Mr. Wilson, first went to the office of his party, which in those days was Transport house in Smith square. The problem for the Prime Minister has been demonstrated by certain constitutional matters relating to expenditure and responsibility for debt. The Conservatives cannot run their own party, let alone the country. Who and what is the Conservative party? So far as I can see, it is the single person of the Prime Minister. My hon. Friend was right to point out the constitutional anomaly whereby the chairman of the Conservative party is not elected by anyone but appointed by the Prime Minister. Perhaps the Prime Minister has been discomfited by the performance of his party chairman.

Dr. Spink *rose—*

Mr. Tony Banks: Give way to a lonely Tory.

Mr. Spearing: I see that the hon. Member for Castle Point (Dr. Spink) is anxious to intervene.

Dr. Spink: This is the poorest political performance that I have observed from the Labour party. The hon.

Member is floundering as well as flannelling. The fact is that the Prime Minister has made a courageous move. It is a very clever move and one as a result of which he will win. It will give him the confidence to go on and to continue to run the country, deliver growth with low inflation and win the next election. The Opposition do not like it because their fox has been shot.

Mr. Spearing: The suggestion that I am floundering is very novel. I have been wonderfully sustained in my speech by my hon. Friends, which is more than can be said for the Prime Minister. I shall give way to my hon. Friend the Member for Hammersmith (Mr. Soley), who is my own Member of Parliament.

Mr. Soley: I have been seeking to help my hon. Friend on a constitutional matter. As I understand it, we do not need to trouble the Queen—she can stay at Ascot until the last train leaves. The matter depends on whether a majority can be commanded by the Prime Minister in the House. The proper route would have been for the Prime Minister to call for a vote of confidence here in the House, but his problem would then be that he would not know which way to vote.

Mr. Spearing: My hon. Friend is absolutely right. The great difference between the Prime Minister and the leader of the Labour party is that the majority of the party in the country and in the House behind the Leader of the Opposition is massive compared with the divisions and splits among the Conservatives. One can only imagine the coming weeks in politics and the band-width of possibilities this weekend.

Dr. Norman A. Godman (Greenock and Port Glasgow): My question is prompted by the very fair-minded answer that I received from the Prime Minister today to a question about Brent Spar. My hon. Friend is a decent fair-minded man. Has he no sympathy whatever at a personal level for a tormented and distressed Prime Minister?

Mr. Spearing: My hon. Friend ingeniously ventilated the problem of Brent Spar during Prime Minister's Question Time this afternoon. Despite the cheers from the Conservatives, the affair is an enormous embarrassment to the Government. Had the Prime Minister got his way, or had he been wiser, environmental policies relating to the health of the sea would perhaps have been such that the Government would not have allowed such a terrible infection of the deep sea ever to be contemplated.

Mr. Corbyn: My hon. Friend will have heard the point of order that I raised a little while ago relating to the role of the monarch in these circumstances. The real problem is that the Prime Minister resigned as leader of the Conservative party and said that he will fight in the leadership election, but we, as elected representatives of the people, cannot set out constitutional guidelines about how things should be done. I suspect that the Government will try to manoeuvre the business of the House so that there can be no discussion.

If we had a head of state who was accountable to the elected representatives, there would have to be clear constitutional guidelines about whether we should have a general election or a vote of confidence, instead of matters being decided in the murky halls of power as they are at present.

Mr. Spearing: The structure of power in this country rests—or should rest—entirely in the Chamber and the Lobbies on either side. I recall that when the last Government fell on a vote of confidence—by only one vote, but that was enough—Lord Callaghan, as he is now, sprang to the Dispatch Box and said that he was going to the palace tomorrow. That is what the Prime Minister should do now because he has lost the confidence of his party and the country.

Mrs. Alice Mahon (Halifax): Does my right hon. Friend remember that, during the visit of the G7 nations to Halifax, Nova Scotia, the Prime Minister responded to some questions by saying that he had a coalition Government? Does my hon. Friend think that there is a possibility that the Prime Minister might apply to join the Labour party?

Mr. Spearing: That is perhaps taking things a little far. Being a Londoner, and acquainted with south London, as is my hon. Friend the Member for Newham, North-West (Mr. Banks)—we are both, of course, knowledgeable about east London—I have often noticed in the Prime Minister a certain understanding of and sympathy with ordinary people, which I do not always find in the party that he leads. I have a suspicion that some of his difficulties and some of the distrust that he has improperly attracted from members of his own party might be because, behind everything else, there is a lurking and, I would suggest, praiseworthy sensitivity to some of the things that ordinary people experience and which he has experienced but which all too few of his hon. Friends have experienced. I believe that the British public feel that strongly, but it has added to his difficulties.

Mr. Tony Banks: My hon. Friend is a well known constitutional expert and we appreciate his knowledge.

Mr. Ashby: Rubbish.

Mr. Banks: The hon. Gentleman knows a lot about rubbish, but nothing about the constitution.

The head of state usually calls on the leader of the party which commands a majority in the House to form a Government, but there is no longer a leader of the majority party. In those circumstances, would it not be up to the head of state to summon a Conservative Member whom she thought able to command a majority in the House? I understand that she is on her way back from Ascot; might she not at this very moment be contemplating sending for the Secretary of State for Trade and Industry, who has already made an appearance?

Mr. Spearing: That is not merely a hypothetical question, but something with which we may have to deal in the next few days. It is possible for the Conservative party to have a quick election, but—

Mr. Gyles Brandreth (City of Chester): Will the hon. Gentleman give way?

Mr. Spearing: Not yet—I want to finish this point.

Because of the lack of confidence, which has been clearly demonstrated by the events of today, it is possible that the Prime Minister might advise Her Majesty to send for Mr. X or someone else. It may have been forgotten but, not too many years ago—after the election in February 1974—there was a little conversation when the

[Mr. Spearing]

answer, given formally or informally, was, "Yes Madam, I will see if I can." That person then had to ascertain whether there was a majority.

I can imagine Her Majesty calling a certain right hon. Gentleman—it could be someone whom anyone here could name—but he might not be able to say at that stage, "Yes, Madam, I will" and then kiss hands, actually or metaphorically. That right hon. Gentleman would have to go to the Committee Room upstairs and see whether he could command a majority among the Conservatives. I am not sure whether any particular candidate—or, at least, any masculine candidate that I can think of—would necessarily be able to do so. If he could not, the House would have to be dissolved or—I have not yet worked out the mathematics of this—it might be possible that a combination of other parties would be more in a position to command consistent support, as happened with the Lib-Lab Government.

Mr. Frank Cook (Stockton, North): May I draw my hon. Friend back to the invitation tendered to him by my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman), who pleaded for sympathy for the Prime Minister because of the rebuff that he suffered from an oil company? Does my hon. Friend think that this gives a new meaning to the phrase, "Go Well, Go Shell"?

Mr. Spearing: Alas, the oil wells of the North sea did not let Britain go well despite the thousands of millions of pounds worth of oil that were gushing out of the North sea, as is the case with gas now. That gas is publicly owned although it may be privately distributed and pirated. As a maritime country, we should pay much greater attention to the well-being of our marine life, as my hon. Friend, with his knowledge and experience, will confirm. The disgraceful incident to which he refers is not a good example of a responsible attitude.

Mr. Brandreth: I am listening carefully as the hon. Gentleman manages to pack his two-minute speech into three quarters of an hour. Can he tell the House how his own reselection is going? Is he making any progress on that front?

Mr. Donald Anderson (Swansea, East): On a point of order, Madam Deputy Speaker. Before my hon. Friend the Member for Newham, South (Mr. Spearing) winds up his speech on this unprecedented constitutional crisis, will you confirm the nature of the current proceedings? Is it the case that my hon. Friend is initiating a debate on the Adjournment which can continue until at least 10 pm so that the House can have an opportunity in the remainder of the evening to make its views felt on this unprecedented crisis?

Madam Deputy Speaker: The position is that the hon. Gentleman's hon. Friend is moving a motion that the current debate—not the House—be adjourned. That, of course, is debatable and could continue. It is not for me to say how long it might continue.

Mr. Madden: Further to that point of order, Madam Deputy Speaker. Presumably, if an application for a closure were made to you in the course of the debate, you would consider that matter. If you decided that the closure should be put, the House would be asked to vote on a closure motion. If that were carried, would it have the effect of adjourning the House, or would you then have to consider a further application for the Adjournment of the House?

Madam Deputy Speaker: I must make it clear that we are not debating the Adjournment of the House. If the adjournment were carried, it would not mean the Adjournment of the House. It would be the adjournment of the current business.

Several hon. Members *rose—*

Mr. Ashby: Further to that point of order, Madam Deputy Speaker. I wonder whether you would give me your guidance. In considering the closure, or any application for a closure, do you take into account the fact that a speech is being made which is demeaning Parliament? Do you take into account the fact that remarks are being made by people who present themselves as worthy people of great substance and age but who are behaving like juvenile children? Or do you simply do it on the basis of how long this farce continues?

Madam Deputy Speaker: I take all manner of factors into account, but I do not share those with the House.

Several hon. Members *rose—*

Mr. Bryan Davies (Oldham, Central and Royton): On a point of order, Madam Deputy Speaker. We are obviously in an unprecedented position. Constitutionally, in the circumstances forecast previously when people have suggested that a hung Parliament might be the indecisive result of a general election and therefore the obligation would be on the monarch and her advisers as to whom to summon to form a Government, it has been contended that those advisers take soundings of Members of Parliament and the people concerned with that position. In circumstances such as these, when Parliament is sitting and the monarch must reach a judgment on the fact that the present holder of the seals of office as Prime Minister is not the leader of the majority party of the House because he has resigned as such, should not the House have the opportunity to give its advice to the monarch? Should there not be provision for a debate in which we might reach a conclusion on that matter?

Madam Deputy Speaker: That is not a point of order for the Chair. I hope that we shall not return to the series of points of order that we had before. The House has the opportunity to have this debate on the adjournment of the present debate. I ask the hon. Member for Newham, South (Mr. Spearing) to resume his speech.

Mr. Spearing: I hope that my hon. Friends will allow me to conclude my speech without further interruptions, although I am grateful for the matters that they have mentioned.

With regard to the point of order raised a few moments ago, it is my understanding that if the closure is moved and is successful we proceed to the Adjournment debate to be initiated by my hon. Friend the Member for Nottingham, North (Mr. Allen) and the business on the Crown Agents would therefore be terminated—unless the closure was defeated, in which case that debate would be resumed until 10 o'clock. In the circumstances of the day, perhaps only the business of my hon. Friend the Member for Nottingham, North might be appropriate.

I wish to conclude on perhaps an even more serious note than the future of the Prime Minister.

Mr. Brandreth: Your own future.

Mr. Spearing: No—I am worried about the future of the House. I will leave the—*[Interruption.]*

Madam Deputy Speaker: Order. I wish to hear the hon. Gentleman. That becomes difficult, particularly when much of the noise seems to be coming from the hon. Gentleman's friends.

Mr. Spearing: Conservative Members should contemplate very seriously, because they are in Government, the fact that the difficulties which have existed in their party for the past few years—which started, as my hon. Friend the Member for Bolsover and I know only too well, long ago—arise from the acknowledgment by the Crown, on the advice of the House, of certain very testing obligations in respect of domestic matters as well as those abroad: I refer to a series of treaties, the obligations of which are essentially destabilising to any party in the House because no party can any longer go with certainty to the electorate and place before them its full, free choice of legislation.

I shall not take that argument further now—it would not be opportune to do so—save to say that I believe that the difficulties of the Conservative party arise directly from that matter, and that that matter would be there for any Government, of any party, to solve. I hope that this incident alone may perhaps illustrate that, as I envisage Members on the Opposition side of the House moving to the Government side of the House after the next general election.

6.26 pm

Mr. Peter Bottomley (Eltham): I do not intend to speak at the same length as the hon. Member for Newham, South (Mr. Spearing). I believe that his last remarks were correct; that the split over Europe in the Labour party is as significant as the split in the Tory party. It is fair to say that. It is also true that, were we to have a Labour Government, they would probably need a majority of about 100 before they could outnumber their European rebels.

It would be unfair to say that the Labour party is wrongly using this opportunity. When one has a Labour party in Parliament whose members cannot stand in the Tory leadership election, which cannot nominate anyone for the Tory leadership election and which cannot vote in it, it feels left out.

The Labour party is used to its own system, which allows trade union leaders to decide 70 per cent.—or, shortly, 50 per cent.—who its leader should be. It has also introduced a new constitutional position whereby the leader of the Labour party becomes involved in who should be the general secretary of the Transport and General Workers Union.

If I may digress on that for a moment, the Labour leader's pet candidate, Jack Dromey, said in his election speech that he wanted the Transport and General Workers Union to be a first-class trade union, not a second-class political party. Neither Jack Dromey nor the leader of the Labour party said whether the expression, "a second-class political party", applied to the Transport and General Workers Union or to the Labour party. It had to apply to one or the other.

When we consider whether the debate on Third Reading of the Crown Agents Bill should be adjourned—

Mr. Kevin Barron (Rother Valley): I wonder whether the hon. Gentleman will tell us whether he is likely to support the Secretary of State for Health as a candidate for the next election in the Tory party.

Mr. Deputy Speaker (Mr. Michael Morris): Order. I think that we had better get back to the Question before us, and that is that the debate be now adjourned. Of course it is a fairly tight motion, and I shall be listening with due attention.

Mr. Bottomley: As grandson of a former senior Crown agent, as I explained during an earlier stage of the Crown Agents Bill—there may have been a different Deputy Speaker in the Chair when I spoke about that—I want to continue my arguments as to why the debate on Third Reading should not be adjourned. It would be reasonably fair to be allowed one or two sentences to follow the 40 minutes from the hon. Member for Newham, South.

There is another relevant point. I was elected to the House in a by-election in 1975 and that marked the start of the loss of the previous Labour Government's majority in this place. From 1975 to 1979, Labour was propped up in government by the Liberals, the Ulster Unionists and by other nationalists. The Labour party has plenty of experience of trying to remain in government without a majority. In 1976 the Labour party changed its leader. There was no debate on the Floor of the House of Commons when Harold Wilson resigned.

Mr. Skinner: If the hon. Gentleman is referring to Harold Wilson's decision to resign in 1976, he can draw no parallel with the current situation because Harold Wilson made it clear that he was resigning not merely as party leader but also as Prime Minister and that he would remain as a caretaker Prime Minister in the intervening period until an election was called and held and his successor found. There was no question of Harold Wilson's doing what the present Prime Minister is trying to do: resign as Tory party leader, hang on as Prime Minister and hope that he will win the ensuing leadership election and continue as Prime Minister. He wants to have his cake and eat it. While I am on my feet, I must ask: who is the hon. Gentleman going to vote for?

Mr. Bottomley: I do not actually expect that there will be a contest. The hon. Gentleman is using the example of Harold Wilson, who stood down as Prime Minister—*[Interruption.]*

Mr. Deputy Speaker: Order. I would be grateful if hon. Members addressed the Chair.

Mr. Bottomley: The hon. Gentleman referred to the example of Harold Wilson. Harold Wilson stopped being the Prime Minister, but that will not happen in this case. If there was no debate in 1976, we do not need a debate now. Labour Members have said for the past hour or so that they regard this matter as more important than the final stages of the Crown Agents Bill, but it is clear from the argument advanced by the hon. Member for Bolsover (Mr. Skinner) that they do not have a leg to stand on.

I want to answer one question that was put earlier in the debate. It is wrong to argue that the hon. Member for Newham, South has not been reselected because his

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[Mr. Bottomley]

constituency has changed. The fact that he has not been selected for the new constituency is something that happens in the Labour party quite often.

Mr. Deputy Speaker: I call Ann Jones.

6.33 pm

Mrs. Ann Taylor: I know that it is the Wimbledon season, but tennis is not one of my talents.

I support the motion of my hon. Friend the Member for Newham, South (Mr. Spearing) that we should adjourn the debate. I do so because of the totally unprecedented events that we have witnessed in the past hour and a half. I do not think that the public or hon. Members would understand if we were to continue with the affairs of this place as if nothing untoward had happened.

We are in a very unusual position. The House is sitting this evening, but tomorrow it is a non-sitting constituency Friday and it will not be possible to discuss any matters then—no doubt the Prime Minister took that into account when he made his decision. There is provision in the Standing Orders for the House to sit tomorrow, or on Saturday and Sunday should that prove necessary. The Government have the power to request Madam Speaker to recall Parliament, and that option is clearly open to them.

Conservative Members seem somewhat reticent when it comes to discussing the implications of the Prime Minister's decision. That seems rather strange to those of us who believe that the whole country is interested in what is going on and does not regard it as an internal matter for the Conservative party. The hon. Member for Leicestershire, North-West (Mr. Ashby), who has now left the Chamber, accused my colleagues of demeaning Parliament by raising the subject. I think that the Prime Minister demeans Parliament when he makes statements of such importance outside the House and then ensures that no statement is made in this place.

Mr. Pike: My hon. Friend is entirely correct. The public will think it very strange that the Prime Minister stood at the Government Dispatch Box at 3.15 this afternoon and gave no indication that he was about to make an announcement of major national importance.

Mrs. Taylor: That proves that the Prime Minister is more concerned about his own position within the Conservative party than he is about respecting the rights of this House as a democratic body. His first responsibility should have been to hon. Members from all political parties who represent the people of this country. That was the Prime Minister's first and most significant mistake.

Mr. Donald Anderson: Is there not another more profound and worrying point? It is not the interests of the Conservative party that the Prime Minister is seeking to serve, but his own interests. Even if he were to win a leadership contest, what essential feature would change? The Conservative party would be exactly as it was and the divisions on Europe would remain. There might be a temporary respite for the Prime Minister—he may gain something—but the Conservative party would not win anything and certainly this country would lose as a result of that process.

Mrs. Taylor: My hon. Friend is correct. Today's events are the first in what could be a very long saga that will certainly continue to the next election. The divisions within the Conservative party, which have led to those events, will not go away simply because of a leadership contest—regardless of who wins—because those divisions are too deep.

Mr. Austin-Walker: Will my hon. Friend reflect on two issues? First, there is the constitutional issue. The right hon. Member for Huntingdon (Mr. Major) was asked by Her Majesty to form a Government on the basis that he was the leader of the majority party. He no longer holds that position. Is it not appropriate that he should go to the Queen?

Secondly, if the office of leader of the Conservative party is divorced from that of Prime Minister, will my hon. Friend reflect on the point raised by my hon. Friend the Member for Thurrock (Mr. Mackinlay), who said that it was wholly inappropriate for the Prime Minister to use his office, Downing street and the facilities of the Prime Minister to make an announcement of a party political nature?

Mrs. Taylor: My hon. Friend's last point is absolutely correct. We shall have to ask what machinery of government was used with regard to the Prime Minister's announcement today. It has been pointed out that when Harold Wilson resigned, he did so from his party headquarters; he did not use public resources. That was the honourable thing to do. Furthermore, he did not stand in a leadership contest; he stood down permanently. Questions must be asked about how much this exercise has cost. It shows that the Prime Minister does not know the difference between his responsibilities as leader of the Conservative party and his responsibilities as Prime Minister of this country.

Mr. Skinner: There is another very intriguing problem, inasmuch as we know that there is now no leader of the Tory party. That occurred when the Prime Minister handed his seals of office as Tory party leader to none other than the chairman of the 1922 Committee, the right hon. Member for Shipley (Sir M. Fox). He has the title deeds of the Tory party at the moment. Therefore, we may assume that the chairman of the 1922 Committee is in charge of the Tory party until the election is concluded. It is a situation without parallel, when no Tory Minister will come into the Chamber to defend the position. Is it because they are all plotting? I think that it is high time that the Secretary of State for National Heritage came to the Dispatch Box to explain the exact situation.

Mrs. Taylor: My hon. Friend reinforces the point that my hon. Friend the Member for Woolwich (Mr. Austin-Walker) raised a few moments ago.

Our current constitutional position is central to our discussions this evening. At the previous election, the Conservative party won a majority in the House and the Prime Minister led a majority Tory Government in the House. The Queen, not the chairman of the Conservative party, sent for the present Prime Minister as the leader of the majority party in Parliament. He commanded a majority at that election. Today, he does not command a majority in the House and certainly would not claim to command a majority in the country. Significant constitutional issues are being raised this evening and it is astonishing that Ministers—who may or may not be sure whether they are still members of the Government—are not willing to explain the position, as they understand it, to the House.

Mr. Winnick: Has my hon. Friend noticed that, although we are debating a matter of great importance to the House of Commons, the Leader of the House, who I assume is in the building, is not here? The right hon. Gentleman always comes to the House on any internal matter. No one could criticise him on that score. There is no sign that he is coming in. Should we take his absence to mean that he could well be a candidate in the leadership election? Has my hon. Friend any information about that?

Mrs. Taylor: My hon. Friend is right to say that the Leader of the House would normally make a statement. Although my hon. Friend the Member for Bradford, West (Mr. Madden) pointed out that the Leader of the House will be answering Prime Minister's questions next Tuesday, I am not sure whether we should take that as an indication of his candidature. It is possible, but I understand that the Leader of the House is chairing a meeting of the Select Committee on Standards in Public Life that was set up some time ago. I admit that I should be there too, but given the importance of today's events, I thought that I should be in the Chamber to hear what Ministers might have to say about recent developments.

I should inform my hon. Friend that the Select Committee is due to finish its deliberations at 7 o'clock. The Leader of the House may be prepared to come to the House afterwards, to give us the benefit of his advice—and perhaps his inside information—and let us know whether he wishes to make any arrangements for the House to have a full debate on the implications of the Prime Minister's announcement.

Mr. Mackinlay: There is a danger that we are losing sight of the constitutional point, that the Prime Minister received his mandate on the basis that he was leader of the Conservative party. That has been rehearsed two or three times in the Chamber this afternoon. I intervene because the Leader of the House has not come to the Dispatch Box to answer a very important and, I believe, central question. Has the palace been advised and has the palace acquiesced in the interim arrangements? We have a right to know.

If the palace has not been approached, first, it is a discourtesy and secondly, it is arguably constitutionally incorrect. If the palace has been advised and has acquiesced, we have a right to be told. On other occasions when Prime Ministers announced that they would head a caretaker Government pending an election, the monarch as head of state not only acquiesced, but gave her approval. This time we are in a vacuum. We do not know whether the head of state has fulfilled her constitutional duty.

Mr. Deputy Speaker: Order. Interventions are traditionally short and I hope that the House will keep that tradition, even in the more excited atmosphere this evening.

Mrs. Taylor: Interventions should be short, but the House will appreciate that my hon. Friend has raised an extremely important point that he is right to emphasise. It is not just the case that the House is being left uninformed; more importantly, the public are being left uninformed. We have a responsibility to try to make sure that they know what is going on as well as we do. On that basis, my hon. Friend raises a valid point.

The other aspect of the constitutional position concerns the authority of the Prime Minister during the leadership election. He has said that he is resigning as Conservative party leader and he will seek re-election, but other candidates may—and some people believe will—enter the field. That means that when he speaks on behalf of Britain in international forums, he speaks with less authority than he would have done had he not decided to follow that course of action.

The Prime Minister told one of my hon. Friends that he will be at the meeting of the European Council in Cannes next Tuesday. What will our international colleagues think and with what authority will the Prime Minister speak on that occasion? Will he speak with the collective support of the Cabinet behind him? Will Cabinet government continue?

Mr. Skinner: There is a near precedent, when Baroness Thatcher was in almost the same position in 1990. She went to France as well. That time it was Paris. Unfortunately, the Prime Minister will go trotting off to Cannes without Bernard Ingham at his side to push all the reporters away. I can visualise the plotters on the Tory Benches running slates. There will be opinion polls. I have already been approached because the reporters got it wrong. The ones from *The Sunday Times* and *The Observer* were asking me about it. They are now asking all the Tory Members who they are going to vote for, so the whole thing will maximise itself in the next few days, with the result that the Prime Minister will lack total authority. If he takes my advice—and it is not for me to tell him—he should keep away from Cannes.

Mrs. Taylor: The Prime Minister may consider my hon. Friend's advice. I have often noticed that the Prime Minister takes great care to listen to my hon. Friend and he may well be listening now and considering that advice. However, I am not absolutely sure that it is a disadvantage for the Prime Minister not to have Bernard Ingham with him. My hon. Friend is right to say that the power, authority and position of the Prime Minister will certainly be undermined in whatever discussions he has in Cannes. Some time ago, one of his hon. Friends remarked that the Prime Minister was in office but not in power, so today's developments are only bringing to a head problems that have existed for some time. Presumably the Prime Minister has had time to consider his action.

Dr. Godman: May I ask for a misunderstanding to be cleared up? Is it not the case that once the leader of a majority party has been appointed Prime Minister, it is a continuing requirement of his occupancy of No. 10 Downing street that he remains the leader of the majority party?

Mrs. Taylor: My hon. Friend raises an important and interesting point. He is correct, although in those circumstances the Prime Minister would have to be able to command a majority in the House, however that was cobbled together. From my observations in the House and the mood of the House, it is very unlikely that the present Prime Minister or any of the possible contenders whom we have heard about so far could do that.

The other constitutional point about the authority of the Prime Minister relates to the authority of other Ministers. Clearly, if the Prime Minister is seeking a new internal mandate, there is an implication that, were he to win, he might introduce some changes to his Cabinet. That means

[Mrs. Taylor]

that every member of the Cabinet has had his or her authority undermined. Whatever issue a Cabinet Minister takes up, he or she will not be able to guarantee that other events will not ensue. The President of the Board of Trade and the Secretaries of State for Employment and for Education have all been mentioned as official candidates in the forthcoming campaign. Some people are speculating that the Prime Minister made his announcement today to divert attention from Labour's education policy statement. I am not sure whether that is true. Clarification could come later.

It is clear that discord has overtaken the Government. The Cabinet is disintegrating, as is the Conservative party, before our eyes. Our main concern, however, must be about the impact of the Prime Minister's announcement on the country. What will happen? Will we see a run on the pound? What will happen to the negotiations in Northern Ireland? As the Secretary of State for Northern Ireland set out in his unprecedented letter to *The Times*, there is a difficult situation. What will happen in respect of Bosnia? The difficulties in Bosnia surely require a Prime Minister and Ministers who can act with authority. We cannot—

Mr. Mackinlay: On a point of order, Mr. Deputy Speaker. I left the Chamber a few minutes ago to telephone Her Majesty the Queen's assistant private secretary, Robin Janvrin, at Windsor. He said that unlike the occasion when Harold Wilson said that he would trigger an election for leadership of the Labour party, which resulted in Lord Callaghan, as he now is, becoming leader, there has been no statement from the palace. Mr. Janvrin cannot confirm or deny whether there has been consultation with or acquiescence by the head of state about the constitutional hiatus with which we are faced.

It is time that someone from the Government Benches—for example, the Leader of the House—clarified a perfectly proper constitutional point. I hope that you will not mind me pressing this matter, Mr. Deputy Speaker. We could find that the palace is placed in a position in which it is unnecessarily and unfairly embarrassed, as happened constitutionally in Australia in 1975, by people not following proper ground rules and not insisting that those who advise play by the constitutional rule book.

Mr. Deputy Speaker: I suspect that the hon. Member knew that his point of order had nothing to do with the Chair. It had not.

Mrs. Taylor: I shall be brief, Mr. Deputy Speaker, because I know that other hon. Members wish to speak.

We should concentrate on the constitutional position. It was said earlier—

Mr. Winnick: On a point of order, Mr. Deputy Speaker. I apologise to my hon. Friend the Member for Dewsbury (Mrs. Taylor) for interrupting her. I cannot but notice that the Government Whips are chattering. I am not complaining about that. Will you, Mr. Deputy Speaker, resist any attempt to force a closure? Several hon. Members wish to speak. The suspicion is growing on the Opposition Benches that Government Whips are trying to persuade the Chair that when my hon. Friend concludes her speech and resumes her place, the closure will be moved and you, Mr. Deputy Speaker, will accept it. Will you assure us that that will not happen?

Mr. Deputy Speaker: The Chair cannot anticipate anything that any hon. Member does. That is one of the challenges of the job.

Mrs. Taylor: It was said earlier that the Queen does not need the advice of the House on matters of this sort. I take issue with that statement. The monarch needs to know who commands a majority in the House. Morality demands more. It requires a Prime Minister who commands a majority in the House and the support and confidence of the country. We need a Prime Minister in whom the House and the country can have confidence. We need a Prime Minister who is competent to govern the country, and that is clearly not the position at present. We need not an internal contest within the Conservative party, but a general election.

Several hon. Members *rose—*

The Treasurer of Her Majesty's Household (Mr. Greg Knight) *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House proceeded to a Division.

Mr. Winnick (*seated and covered*): On a point of order, Mr. Deputy Speaker. I have noticed that the Secretary of State for Trade and Industry is now in the Chamber. Are we to take it that we shall have a statement from him about whether he will contest the leadership?

Mr. Deputy Speaker: Order. The hon. Gentleman has been in the House long enough to know that the Chair has no control over who makes statements on the Government Benches.

The House having divided: Ayes 149, Noes 51.

Division No. 173] **[6.54 pm**

AYES

Aitken, Rt Hon Jonathan
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkinson, David *(Bour'mouth E)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Bates, Michael
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Sir Andrew
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butcher, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Chapman, Sydney
Clappison, James
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Elletson, Harold
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Fabricant, Michael
Forman, Nigel
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas

Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hamilton, Rt Hon Sir Archibald
Hawksley, Warren
Hendry, Charles
Heseltine, Rt Hon Michael
Horam, John
Hughes, Robert G *(Harrow W)*
Hunter, Andrew
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(W Hertfdshr)*
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Sir Mark
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maitland, Lady Olga
Malone, Gerald
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mitchell, Sir David *(NW Hants)*
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Norris, Steve
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Powell, William *(Corby)*
Renton, Rt Hon Tim
Riddick, Graham
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Shepherd, Colin *(Hereford)*
Sims, Roger
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Streeter, Gary
Sweeney, Walter
Taylor, Ian *(Esher)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Viggers, Peter
Waller, Gary
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Wilkinson, John
Willetts, David
Yeo, Tim

Tellers for the Ayes:
Mr.Timothy Wood and
Mr. Andrew Mitchell.

NOES

Abbott, Ms Diane
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Barnes, Harry
Battle, John
Bayley, Hugh
Bell, Stuart
Boateng, Paul
Corbett, Robin
Corbyn, Jeremy
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Dewar, Donald
Dowd, Jim
Foster, Rt Hon Derek
Foster, Don *(Bath)*
George, Bruce
Godman, Dr Norman A
Grant, Bernie *(Tottenham)*
Grocott, Bruce
Hoon, Geoffrey
Hutton, John
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Macdonald, Calum
Mackinlay, Andrew
Madden, Max
Michie, Mrs Ray *(Argyll & Bute)*
Mitchell, Austin *(Gt Grimsby)*
Morley, Elliot
Morris, Rt Hon John *(Aberavon)*
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N Wkshire)*
O'Hara, Edward
Orme, Rt Hon Stanley
Pike, Peter L
Randall, Stuart
Roche, Mrs Barbara
Skinner, Dennis
Smyth, The Reverend Martin
Soley, Clive
Spearing, Nigel
Taylor, Mrs Ann *(Dewsbury)*
Trimble, David
Vaz, Keith
Wallace, James
Wareing, Robert N
Williams, Rt Hon Alan *(Sw'n W)*
Winnick, David

Tellers for the Noes:
Ms Estelle Morris and
Mr. John Austin-Walker.

Question accordingly agreed to.

Question, That the debate be now adjourned, *put accordingly and negatived.*

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 151, Noes 21.

Division No. 174] **[7.07 pm**

AYES

Aitken, Rt Hon Jonathan
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkinson, David *(Bour'mouth E)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Bates, Michael
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Sir Andrew
Brandreth, Gyles
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Clappison, James
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan-Smith, Iain
Dykes, Hugh
Elletson, Harold
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Fabricant, Michael
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Foster, Don *(Bath)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archibald
Hawksley, Warren
Hendry, Charles
Heseltine, Rt Hon Michael
Horam, John
Howarth, Alan *(Strat'rd-on-A)*
Hughes, Robert G *(Harrow W)*
Hunter, Andrew
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(W Hertfdshr)*
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Legg, Barry
Leigh, Edward
Lidington, David
Lloyd, Rt Hon Sir Peter *(Farsham)*
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maitland, Lady Olga
Malone, Gerald
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Norris, Steve
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Rendel, David
Renton, Rt Hon Tim

Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Shaw, David *(Dover)*
Shepherd, Colin *(Hereford)*
Sims, Roger
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Streeter, Gary
Sweeney, Walter
Taylor, Ian *(Esher)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Viggers, Peter
Wallace, James
Waller, Gary
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Wilkinson, John
Willetts, David
Yeo, Tim

Tellers for the Ayes:
Mr. Timothy Wood and
Dr. Liam Fox.

NOES

Barnes, Harry
Bayley, Hugh
Corbyn, Jeremy
Cox, Tom
George, Bruce
Godman, Dr Norman A
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Hutton, John
Kennedy, Jane *(L'pool Br'dg'n)*
Livingstone, Ken
Macdonald, Calum
Mackinlay, Andrew
McWilliam, John
Madden, Max
Pike, Peter L
Skinner, Dennis
Soley, Clive
Spearing, Nigel
Wareing, Robert N
Winnick, David

Tellers for the Noes:
Mr. Chris Mullin and
Mr. John Austin-Walker.

Question accordingly agreed to.

Bill read the Third time, and passed, with amendments.

PETITION

Braley House, Worcester

7.18 pm

Mr. Peter Luff (Worcester): I suspect that such ripples as I may have been able to cause on the political waters have been rather overwhelmed by boulders dropped into them elsewhere. Nevertheless, it is my great privilege to present a petition from 1,671 residents and tradesmen in north Worcester concerning Braley house, an approved bail and probation hostel situated at 89 Ombersley road, Worcester.

The petitioners consider the siting of the hostel inappropriate, accommodating as it does many high-risk persistent offenders in a residential neighbourhood, and are deeply concerned about the consequences, believing that the siting of the hostel will lead to an increase in crime rates in their area.

The petitioners therefore request that the House of Commons instruct the Hereford and Worcester Probation Service to move or close the above named hostel.

To lie upon the Table.

Digital Television

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Bates.]*

7.19 pm

Mr. Graham Allen (Nottingham, North): I suspect that today may be remembered as the day that the Prime Minister resigned the leadership of the Conservative party, but there is a footnote—an Adjournment debate—and that will be an important footnote to many people who are concerned about the future of the media and the industries related to them. Indeed, it may bring about an even greater revolution than the one made possible by the resignation of a Prime Minister from the leadership of his party. Whatever the problems of the Conservative party, there is no question that, in the long term, we must deal with some serious problems in respect of television's future, and one of the major changes that will affect television in this country and throughout the world is the advent of digital technology.

I am pleased to call this debate on digital technology and digital television. It is regrettable that the Government have not taken the chance to arrange a full day's debate on that important topic in the House. In many ways, that shows the irrelevance of this place. Even today, the Prime Minister made an announcement outside this Chamber, holding a press conference before talking to the legislature. That underlines the weakness of the legislature.

A Government White Paper on digital television has been outstanding for some considerable time—indeed, it has been so throughout the entire tenure of the Secretary of State for National Heritage. I hope that he will clearly indicate a date on which the Government will finally publish that White Paper so that, not only we in the House, but people who keenly await that announcement can plan for the future. Sadly, the continuing uncertainty, which seems a characteristic of the Department of National Heritage and of the Secretary of State, must stop so that people can plan, invest, look to the future and undertake this tremendous revolutionary media project of changing our television from an analogue system to a digital system.

I hope that the Secretary of State will, in the near future, make up his mind and resolve the problems that I understand he has with the Department of Trade and Industry, long before he either moves up or perhaps even out of the Cabinet, depending on whether the Prime Minister has made another blunder or a correct decision.

There are immense implications for all of us—not only those involved in television industries, but consumers or viewers of the product. Immense potential exists in the changeover to digital transmission. I want also to discuss what an incoming Labour Government need to do to develop the right policy framework to harness the benefits of digital television for the many and not merely the few. I call again on the Secretary of State. If he does not do this job, clearly it will be done by an incoming Labour Government, but I hope that he will publish the White Paper before the summer recess and allocate time so that the important issues involved can be debated by hon. Members on both sides of the House.

Mr. Stephen Timms (Newham, North-East): Does my hon. Friend agree that this is an extremely urgent matter

because, if there is not a Government initiative, a real danger exists that, for example, the satellite broadcasters might go ahead in the absence of a Government framework, steal a march, and determine the future direction of broadcasting in this country without any steer from Her Majesty's Government? Does he agree that that would be deeply regrettable and adds to his case for the need for urgency on the Government's part?

Mr. Allen: I hope that satellite, terrestrial and cable broadcasters will all take advantage of the new technology. I endorse my hon. Friend's remarks. It is for the Government now to act as a co-ordinator of the action necessary to ensure that satellite, cable and terrestrial television programme producers can get their act together with a degree of certainty. The investment levels that are required to make this experiment a success and for it to stick are high. I suspect that even British Sky Broadcasting, with the backing that it enjoys, the British Broadcasting Corporation or the cable companies in this country would be loth to go ahead without some clarification from the Government.

At present, everyone is in the starting blocks. As my hon. Friend points out, we have a lead and an expertise in this sector which is being dissipated by the Government and particularly byn the Department of National Heritage's delay in publishing the White Paper. I hope that it publishes it without further delay for the benefit of everyone; we will then make the points made eloquently by my hon. Friend.

We all need to try—I shall try to follow my own edict—to use as few jargon words as possible. It is easy to talk about conditional access and common interfaces, and to use all the rest of the jargon—such as terrestrial and all the junk—which surrounds much of the debate. I guess that digital could be summed up at its simplest in this way: that which currently delivers one channel can be used—the same space can be used—to deliver many channels.

The beauty of the technology is that it can compress a signal, so where one currently receives one channel, one can use the same space to receive five, six, seven, eight, nine or 10 channels—who knows how many channels we will ultimately receive; it depends on how the technology progresses. Put at its simplest, that means that digital television, handled properly and with the right promotion by Government, can benefit both the consumer and producer of television in this country, Europe and throughout the world.

Provided that we ensure that such channels are not controlled by a single monopoly producer, digital will extend customer choice by enabling terrestrial, cable and satellite systems to offer many more channels than they can currently offer. It will also offer multimedia services and allow telecommunications, broadcasting and information services to be delivered to all sorts of consumers and industry. I hope that, as we gear the technology, it will be available at a reduced cost so that extra costs do not fall directly on the consumer, but are reduced as a product of the technology.

The technology exists. What is missing is some leadership from the Government. That can be covered by two main points. First, they should set clear ground rules for investment in digital technology and, secondly, they should announce a clear transparent policy on competition issues, so that people feel that they will be given a fair crack of the whip when they invest in the multi-million pound operation that is modern-day programming for television. If the Government do not show commitment to that project, if the White Paper staggers out before the recess—I understand that even 13 July may be a favoured date—and if the White Paper is equivocal and unclear, that will send exactly the wrong signals to the rest of the industry. Who will invest millions of pounds if that is the climate in which investment may take place and disappear.

Mr. Timms: Given that, as my hon. Friend said, digital technology will be adopted by the cable, satellite and terrestrial broadcasters, how optimistic is he that they will all introduce the same standard in bringing that technology into use, or is there a danger that different players in the broadcasting industry might adopt different standards and cause considerable damage as a result?

Mr. Allen: The technical work on introducing similar standards has been done domestically and at European level. It has been a slow and protracted process, but the technical standards are there. What my hon. Friend may regard as a more serious issue—and here I must lapse into jargon—is the conditional access problem about which I shall talk later. I hope that I will be able to explain my jargon more clearly.

There is no doubt that the British economy will benefit immensely if national manufacturers of digital technology and digital service providers can build upon the comparative advantage that they now have and exploit that in the world marketplace.

Television and film are not exclusively the province of Hollywood. There is still a thriving, capable and respected television industry in Europe, particularly in the United Kingdom. It is a phenomenal asset for this country and we need to ensure that the advantage that it enjoys currently is enhanced by the quick and efficient use of digital technology. Jobs, training, crafts and skills will all be buttressed by early and decisive Government action. More delay will mean that we will not maximise the economic and social opportunities offered by digital technology.

There are tremendous opportunities. This is not merely for boffins pressing buttons in a television control room. Real advantages could be gained by ordinary people in the community and by the average television viewer. There are opportunities for expanding the variety of television offered nationally and locally. There are opportunities for high-quality television, not necessarily more of the same. Many people complain about the plethora of channels in certain sectors now. There are opportunities for introducing local channels to serve towns and cities.

One of the darkest blots on the Government's record on broadcasting is that they have consistently failed to encourage local television channels which could deliver local services, local information, training and education on a basis that is relevant to London, Nottingham or Glasgow, or many of the towns and cities throughout the country.

There are opportunities for providing specialist multi-media services. That is jargon for things such as a specialist channel for disabled people, for shoppers or for local council tax payers dealing with local services and the value for money that they receive. There are opportunities for all of us to access with ease the treasure house of the Internet so that we do not need a PhD in

[Mr. Allen]

physics, chemistry or computer science to operate the machinery to discover many of the wonders as well as many of the dark sides of the Internet.

There are opportunities for offering exciting new education packages, not just for schools but for homes, so that everyone could benefit from, for example, a specialist geography channel or a language channel. Hopefully, that will be done ultimately on an interactive basis. It would help those who are housebound, not necessarily the elderly or the disabled but young people trapped at home because they are involved in child care or have family commitments. It could help to provide a way out of the home through some form of PCTV which is easily accessible and fun to use.

There are tremendous opportunities to liberate people rather than to enslave them and tie them to a computer screen, which is how technology is often seen. It could allow access to other people and draw one out of the home and into the community through interaction with real human beings.

There are fantastic opportunities and one that is particularly dear to me is access to public information. In this instance, I do not mean the work that has been done by Newham council, among others, which has been instrumental in promoting street access. I am talking about feedback, possibly into public policy; helping to empower citizens so that they feel part of the democratic process. That is becoming ever more essential given the way that the House was treated today. The way in which we treat our electorate is equally contemptible. The Government are almost free to do what they wish with no redress for the House or the electorate. We are facing yet another possible change of Prime Minister without the electorate being involved, which is what happened when Baroness Thatcher was turfed out by her party.

We can do better than that and our politics needs us to do better than that for our country. One of the ways of achieving that is to involve people and make them feel that democracy is theirs. We must let everybody have access to the way in which this place works—or does not work. We should let everyone understand how local authorities work and why we need taxation and public spending. We should let them know what options are available and whether good value for money can be delivered. There are many things in just that one area of democracy which could be fed back to involve citizens in the democratic process.

Those are the ideals and the tremendous opportunities. It is the responsibility of Parliament and the Government to legislate to protect and promote those ideals. All that is lacking now is some Government imagination, drive and priorities. In lieu of the long-outstanding White Paper, which has still not been delivered by the Department of National Heritage and its Secretary of State, I should like to tell the House what will be the priorities of a Labour Government, when we take office sooner rather than later.

First, is our commitment to open and fair access. No one should monopolise either the digital highway or the gateways to it. The regulation of access through those gateways is essential for safeguarding fair and free competition in the public interest. Without effective regulation, the owners of those conditional access systems—the gateways into people's homes—which have programming interests of their own, could have the power to restrict access to rival broadcasters and to dominate the digital revolution. We must avoid a situation like that which occurred at TV Asia where one satellite gatekeeper had BBC World thrown off the service because the Chinese Government did not approve of its coverage of news items.

It is imperative that the Government develop a new regulatory approach for the digital age. Any cable company will agree that it does not need favours. Many are happy to see the end of the asymmetry rule now that they have had a full seven years to establish themselves. They do not want any more favours from the Government. They want fairness; above all they want fairness in competition policy and competition rules. Many are not in a position to complain too loudly because their supplier may use their market position against the complainant.

The Government need to sort out competition policy and competition rules now. If they do not do so, the digital revolution could be strangled at birth. That is one central area in which a new regulatory approach must be made clear.

The Independent Television Commission proposes something different: licensing the gatekeepers. Its system could ensure that abuses are corrected far more quickly than through the current protracted procedures of the Office of Telecommunications, the Office of Fair Trading and the Monopolies and Mergers Commission. We need to have a shorter and sharper response when abuses are seen to take place or when allegations of abuse are made. The ITC's proposition deserves a great deal of thought by the Secretary of State. I hope that he will consider it, even if he publishes his White Paper in the very near future.

Alternatively, Andrew Neil, the gatekeeper turned poacher, if I may use that expression, suggests that we have the brains collectively to devise a single decoder capable of unscrambling all services and, indeed, guaranteeing access to them. So the technological revolution does not end merely with digital technology and digital TV. There may well be more to come. The Labour party needs to make it clear that those who have built systems by their own efforts have a right to their system's security, to a fair return on their enormous investment and to the Government—effectively—defending their interests at national and European level.

The real issue however is one of vertical integration and the lack of any effective competition policy in the United Kingdom. Last week, the European Parliament amended the draft EC directive on the use of standards for the transmission of signals to ensure that the owners of proprietary technology cannot discriminate against other broadcasters who want to offer services. How did the Conservatives respond? Instead of working constructively with our European partners, and alone among all the European Governments, they tried—and are trying—to block that proposal. Labour members will ensure in government that there is a national and European framework providing security for investors financing the digital infrastructure. In addition, we will encourage the diversity of high-quality domestic broadcast services which will drive the transition to digital.

The right hon. and learned Member for Putney (Mr. Mellor), in guiding the Broadcasting Bill through the House in 1990, made it very clear that when people are pioneering technology they deserve protection and advantage. There is no other way in which technology can move forward in the modern age, given the size of

companies. We need to examine—the right hon. and learned Gentleman felt that it was appropriate in 1990—whether the stage of pioneering and innovation has passed and whether a more appropriate and normal competition framework ought to exist for broadcasters, be they satellite, terrestrial or cable. I leave with the Secretary of State the thought that—perhaps—that embryonic phase has gone and the growing and fully fledged children of the past media revolution need to be treated as adults along with every other player.

The second priority will be to ease the change to all digital terrestrial broadcasting. At the moment everyone at home has an analogue television. At some point in the future everyone at home will have a digital TV. Of course, digital capacity needs to be set aside for existing broadcasters to ensure that their expertise continues to service the needs of nation. Their co-operation will be vital in ensuring that the digital transition takes place. We also need to ensure that new digital capacity is available for new services, to encourage creativity, innovation and the regeneration of the media industry, so that it can not only service domestic consumers but thrive in the competitive world.

The uncertainty which has characterised Conservative policy and the Department of National Heritage, will be replaced. If policy is not made clear in the White Paper and in the subsequent legislation, it will be made clear by Labour's clarity and the promotion of digitalisation. We need some dates out of the Secretary of State—not merely for those of us in the House, but for those outside too—so that planning and investment can be undertaken in an era of certainty.

The third priority that we need to underline for an incoming Labour Government is that it is essential to galvanise support in the UK media industry and to support common platforms and objectives as we move toward a digital future. The potential for the UK—I repeat—as a pioneer in the digital age must no longer be squandered by the Department of National Heritage and by the Secretary of State because of the lack of foresight and enthusiasm, or teamwork with the DTI.

The threat from global competitors cannot be dumped behind protectionism. It must be tackled by the UK media industry with innovation, new services and broadcasting initiatives. The UK's indigenous broadcasting industry has to meet that challenge. Whingeing about BSkyB all the time must be replaced by clear proposals, clear initiatives and, indeed, partnerships in the domestic TV and telephony companies. It is time that the BBC, ITV and BT got their acts together on the digital highway and got their content packages together, rather than merely being content to moan about others who are taking advantage of the developments.

We must also consider seriously the issue of spectrum allocation. The spectrum is a very valuable resource. Labour will ensure that the fiasco of bidding for Channel 3 and Channel 5 licences is not repeated. Quality in a modern media industry and environment must be put ahead of price and not vice versa. The future allocation of digital terrestrial channels—those which are not used for simulcast or incentive channels to involve existing broadcasters—should be available on the basis of bidders paying above a minimum price, which could be set by the ITC. Licences should be allocated thereafter on quality and nature of content only. That is preferable to the channels going to the highest bidder followed by a discussion about quality. Let us seek to do it the other way round.

If a floor is met, a bid may be allowed, but it should then be assessed entirely on content and quality. That will shift the emphasis on to programmes and put the onus on bidders to detail quality and diversity, including binding commitments to the development of regional and local programming. Let us take this process seriously, rather than repeat the farce of schoolboys pretending to put in bids that many people realised were ridiculously low. I refer to some of the bids for the Channel 3 licence—although some bids were clearly too high—and the fiasco of the bidding for channel 5 some weeks ago.

The opportunities are truly awesome in the digital age and the free rides are definitely over. Labour will devise a coherent regulatory framework which will respond flexibly to the challenges inherent in the transition to digital television.

History, unfortunately, will judge that this Government have consistently failed to encourage local television, especially through the cable era. Despite superb work done locally by individual companies—I think of Associated Newspapers and Channel 1, MGM with Live TV, Select TV and Videotron—they have received minimal encouragement from the Government. The big network players—the BBC and the independent television companies—should see local television as an opportunity and not as a threat to their existence. We will explore ways in which to empower the ITC to ensure a strong, local element in a modern, diverse and democratic media. We will ensure that the digital revolution can spawn many local channels. That, again, will be a suitable complement to Labour's devolution of power to the localities, regions and nations of the United Kingdom.

Sadly, this Government's broadcasting policy has meant that television has been degraded. The words "the media industry" have become synonymous with the petty, risk-free rip-off rather than with dynamic entrepreneurialism. We need the latter, both from Government and the media sector, if we are to reap the social benefits of the digital wonder. Missed opportunities on cross-media ownership and cable regulation, the delay in privacy proposals and the delay in the White Paper on digital television comprise a very poor record for the Government.

It is time to have done with this tired and uninterested Government and their tired and uninterested Secretary of State for National Heritage. I caught him in the middle of a yawn. Perhaps he should give way now. If he is not interested—he clearly is not—perhaps he should give way now to a Government—and a party—who certainly are.

7.51 pm

The Secretary of State for National Heritage (Mr. Stephen Dorrell): I was interested in the timing of the hon. Member for Nottingham, North (Mr. Allen) in proposing this debate. I had assumed that, when raising the subject of digital television a matter of weeks before the Government, as is known, are to produce their own proposals on digital television, the hon. Gentleman would come to the House with a clear set of detailed proposals. He is, after all, an Opposition spokesman on the subject. I thought that he would set out clearly to the House what the Opposition think the Government should be doing about the various issues that we face when dealing with the introduction of digital television.

[Mr. Stephen Dorrell]

I had intended to apologise to the House in my introduction by saying that although the hon. Gentleman had set out a detailed blueprint which clearly explained how he felt that the questions about digital television should be answered, I would have to crave the indulgence and understanding of the House for my inability to respond in detail given that the Government were known to be in the final stages of considering their policy on the matter. I thought that I should have to ask the House to wait a few weeks before I could respond in the detail that the hon. Gentleman used when presenting his proposals, but it has to be said that that element of my speech is redundant because the hon. Gentleman did not present any details about what the Opposition propose to do about digital television. Indeed, he offered the House only the inanities and clichés that I can offer the House, given that I cannot yet talk about a completed policy.

The hon. Gentleman's timing is interesting. He initiated the debate to call the Government to account for not having produced a policy—which the Government have said they are about to produce—and threw away an opportunity, which was wide open and was of his creation, to say what his policy is for dealing with the subject.

Mr. Allen *rose—*

Mr. Dorrell: I give way in keen anticipation that the hon. Gentleman might be about to fill the gap.

Mr. Allen: I thank the right hon. Gentleman for giving way so soon into his speech. The difference between my inanities and his is that mine come from a Back Bencher and his come from the Secretary of State for National Heritage.

Mr. Dorrell: My inanities come from a Minister who is known to the whole world to be in the final stages of considering policy on the matter. I do not think that anyone else in the world—perhaps the hon. Gentleman expects this—including all hon. Members, would expect a Minister called to a debate on the initiative of a single hon. Member, on the Adjournment, to use the occasion to announce the Government's policy. Indeed, if I were to do that, the hon. Member for Islington, South and Finsbury (Mr. Smith), the shadow Secretary of State for National Heritage, not to mention the right hon. Member for Manchester, Gorton (Mr. Kaufman), the Chairman of the Select Committee on National Heritage, and all hon. Members who are interested in the subject would properly take me to task for having announced the Government's policy in an underhand way to a deserted House late on a Thursday night. That does not seem to be a sensible way in which to proceed. I propose to confine myself to the level of detail that the hon. Gentleman offered the House.

Mr. Allen: The right hon. Gentleman has two hours.

Mr. Dorrell: I might not be able to respond in detail on our policy on digital television but, as the hon. Gentleman rightly says, I have two hours. I do not propose, any more than the hon. Gentleman did, to take up all that time. I propose to confine myself to the level of detail that he gave.

The hon. Gentleman is absolutely right about the opportunities of digital. The introduction of digital technology allows us the opportunity to broaden the choice available to viewers and to give a broader range of television services, both broadcasting and information services, to viewers. It allows us to exploit the opportunities of new technology. That is indisputable and it is a simple proposition which will, I am sure, underlie the detailed policy proposals with which the Opposition will come forward in the fullness of time and which will underlie the Government's detailed proposals.

Digital technology allows us to offer not only a broader range of choice to viewers but, in some important respects, quality enhancement. Wide-screen television, for example, will be made possible by the technology of digital. That is one of the opportunities that we see when we look forward to a digital broadcasting world. There will be more choice for viewers and a wider range of enhanced, technical quality services. That is all made possible by this new technology. The hon. Gentleman is right to stress those opportunities to the House.

The hon. Gentleman is also right to stress the opportunity that digital technology offers in terms of business opportunities. There are business opportunities for hardware producers and for the producers of receiving sets and transmission equipment. There are opportunities for the hardware exploitation of digital technology and there are business opportunities for programme makers. The business opportunities for hardware makers build on a considerable British success story in recent years. In 1994, we manufactured 5 million receivers—more than the total of France and Germany combined.

I just cast my mind back to the dying days of the previous Labour Government. No Conservative spokesman would have dared to claim that, under a Conservative Government, the television industry would be transformed into one that produced twice as many sets as were produced in France and Germany and that a Conservative Government would, at the same time, turn a balance of payments deficit in such trade into a balance of payments surplus of £400 million, because that claim would have been so far removed from the world that we inherited. During the past 16 years, we have transformed this industrial sector. The transformation is a success story on which we plan to build in the digital world which, as the hon. Gentleman rightly says, presents important business opportunities to us.

Mr. Allen: It has crossed my mind that, in the dark days of the previous Labour Government, we had a British television industry. That was before two thirds of British manufacturing industry was eliminated during the dark years of Thatcherism and Majorism.

Mr. Dorrell: That observation does not correspond with any of the facts that anyone who works in the industry would recognise. The industry has been transformed, as have many other industries, by the fact that Britain is now what Mr. Delors used to call a paradise for Japanese investment. We have turned the country into one that welcomes foreign investment and sees the opportunities presented by foreign technology and foreign companies that will employ British people and create wealth and jobs here. That is how the television and other industries have been transformed, and it is a success story on which we have every intention of building.

The hon. Gentleman is right to say that the introduction of digital technology creates more opportunities for programme makers to make the programmes that will

provide consumer choice. He is right to draw attention to that as a consequence of the introduction of digital technology.

We must ensure that, as the range of choice for viewers broadens, we also have in Britain the best environment that we can create and that the more channels there are, the more there is an environment here in which programme makers can make programmes to fill up the greater number of channels available in the digital world. That is the shared analysis of what the technology makes possible. The hon. Gentleman put forward that view, and he was right; the Government share it. In our own time, a few weeks from now, we shall make detailed proposals about how we intend to ensure that the opportunities are taken.

It is not true to say that the White Paper has been delayed. Ever since I became Secretary of State I have said that the first priority in dealing with the broadcasting sector and the more general media sector was ownership in the existing media world. If I had published a White Paper on digital technology without having dealt with media ownership first, people would have found it difficult to follow.

Indeed, it would have been difficult to write a White Paper without setting it in the context of a broader media ownership policy. There has never been any secret about that. We made our proposals on media ownership just before the spring recess, and I made it clear then that that was volume one, as it were, and that volume two, on the exploitation of digital technology, would follow in a few weeks' time. I can assure the hon. Gentleman that that remains the position.

Mr. Allen: Will the Secretary of State talk specifically about the problems connected with competition policy? I understand that he has been talking to the Department of Trade and Industry. The competition framework is causing concern, especially to the cable companies, in relation to the programmes that they are allowed to broadcast over their systems. Will the right hon. Gentleman assure the House that, when the White Paper is published, it will appear with the full consent of the DTI and refer to the way in which competition policy will be used in the media industries and in the digital future?

Mr. Dorrell: The hon. Gentleman asked me two straight questions, and the answer to both is yes. The White Paper will be agreed with the DTI because it will be a Government paper. Of course it will deal with the competition issues related to conditional access and to the rest of the digital sector, because to do so is part of the delivery of a policy for that sector.

As I have made clear to the House, I shall not offer a detailed answer to the hon. Gentleman's questions about conditional access, any more than I shall to the other questions that he posed, partly because he himself did not offer a detailed blueprint. He simply said that those were important issues. Of course he is right, and when the Government make our proposals we shall reveal the importance that we attach to clear answers to those questions.

Our White Paper will set out clear proposals to ensure that we have in Britain an environment conducive to the continued expansion of the hardware sector. We shall set out clearly the terms for licence allocation in the digital television sector and the terms for ownership regulation in that sector. It will cover those issues because that will be necessary if we are to realise the opportunities that digital television offers.

Mr. Timms: I hope that the Secretary of State will be able to comment in advance of the White Paper on one related, but more specific, point. Can he tell the House what the Government's view is on the initiatives to produce a common European standard for the digital interface for broadcasting? Do they support that initiative? The right hon. Gentleman will be aware that, in some parts of the United Kingdom broadcasting industry, there is concern that proprietary standards might be introduced. That would be damaging in terms of the competition policy that my hon. Friend the Member for Nottingham, North (Mr. Allen) mentioned. What is the Government's attitude towards the introduction of a common European standard?

Mr. Dorrell: That is indeed an issue that is under discussion in the institutions in Brussels. Our position at the various stages of those discussions has been made clear. In so far as the matter relates to the exploitation of digital television technology from the point of view of producers and consumers, especially consumers, we shall cover it when we publish the White Paper.

However, I shall not be drawn now into detailed answers to the questions that we shall deal with then. If I answered half a question now, another half question would be raised, and we would soon find ourselves in a country in which some of the questions, but not all of them, had already been asked and answered. All the questions cannot be answered now—if they had been, we would already have published our White Paper.

Question put and agreed to.

Adjourned accordingly at five minutes past Eight o'clock.

House of Commons

Monday 26 June 1995

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

NATIONAL HERITAGE

Dance and Skating Centres

1. **Mr. Simon Hughes:** To ask the Secretary of State for National Heritage, what consideration has been given to the establishment of *(a)* a national dance centre and *(b)* a national skating centre; and if he will make a statement. [28742]

The Parliamentary Under-Secretary of State for National Heritage (Mr. Iain Sproat): Under the long-standing arm's-length principle for arts funding and development, it is for the Arts Council to formulate strategies for each of the various art forms, including dance. The establishment of a national skating centre is primarily a matter for the sport's governing bodies to consider.

Mr. Hughes: I am grateful to the Minister. I am sure that his mind is on sports other than dance and skating at the moment.

Mr. Allen: He is on thin ice.

Mr. Hughes: As has been said from the Opposition Front Bench, there may be some thin ice around. As the work of Government has to go on, will the Minister confirm that, given that the proposal for a national skating centre in Derby has fallen through, the Government would have no objection to the proposal being worked up for a combined dance and skating centre, neither of which we have, in the London docklands? *[Interruption.]*

Madam Speaker: Order. I think that hon. Members are aware that they should not pass between the hon. Member who is speaking and the Chair. The hon. Member for Warley, East (Mr. Faulds) knows much better than that.

Mr. Faulds: May I apologise immediately, Madam Speaker? Old age and the stick create strange circumstances. Do forgive me.

Mr. Sproat: I have not had a chance to look at the documents to which the hon. Gentleman referred, but I will certainly do so and let him know what I think.

Regional Theatre

2. **Mr. Battle:** To ask the Secretary of State for National Heritage what plans he has to meet the chair of the Yorkshire and Humberside arts board to discuss the implications of the Arts Council's consultative paper on regional theatre. [28743]

The Secretary of State for National Heritage (Mr. Stephen Dorrell): I plan to meet the chairmen of the regional arts boards on 28 June.

Mr. Battle: Can I tell the Minister that Leeds really is the artistic capital of the north now? We have Opera North and the Northern School of Contemporary Dance, and the West Yorkshire Playhouse, which has achieved national standards and pioneered plays that are put on nationally; its education and community policies are an example for the rest of the country. As I am sure the Minister is aware, however, the funding arrangements mean that, although the West Yorkshire Playhouse is a centre of regional excellence, it does not even get the support that national theatres are getting and as a result might well not be able to continue as such in the future. When will the funding arrangements acknowledge the work that it has done and ensure that it gets due rewards?

Mr. Dorrell: I gladly join the hon. Gentleman in paying credit to the work of the various companies in Leeds that he listed, in particular the West Yorkshire Playhouse. It is indeed a regional centre of excellence that is recognised as producing works of a national standard, which often move on from Leeds to other theatres elsewhere in the country. The only element of the success story that the hon. Gentleman neglected to mention is the fact that the West Yorkshire Playhouse is in receipt of just over £840,000 in support from Arts Council funds—a figure that has been increased by £50,000 in the present year.

Madam Speaker: The hon. Member for Warley, East will be in order if he wants to go to his usual seat now.

Mr. Faulds: Thank you. I am obliged for your consideration, Madam Speaker.

Mr. Fisher: Does the Secretary of State accept the view of the Green Paper that, with the exception of various successful companies such as the West Yorkshire Playhouse, regional theatre is on the whole

"on the brink of an irreversible spiral of decline",

and that good theatres, such as Cheltenham, Salisbury and Farnham, are

"closing for months on end because they cannot afford to stay open"?

Has he read the Green Paper and does he intend to respond to what is, on any analysis, a damning criticism of the Government's 16 years of care—or lack of care—for our theatres?

Mr. Dorrell: Yes, I have read the Green Paper. I do not accept the hon. Gentleman's assertion that it suggests that there is a uniform picture of decay within regional theatre. It points out that there are some real success stories in regional theatre, of which the West Yorkshire Playhouse is one and the recently revived Birmingham Repertory theatre is another. Of course, some theatres will always do better than others. It would be wrong for the Government to react to the Green Paper at this stage as it was put out by the Arts Council for discussion within the theatre world. Each regional arts board is conducting a discussion within its region and two national discussion meetings have been arranged during the process, which closes on 30 July. Once that process is over, it will be for the Arts Council to draw conclusions from the discussion process that it initiated, and I look forward to reading those conclusions.

Compulsory Competitive Games

3. **Mr. Miller:** To ask the Secretary of State for National Heritage what is his Department's policy on compulsory competitive games at schools. [28744]

Mr. Sproat: I believe that children must take part in competitive sport in schools within and beyond curriculum time. This will be a key element in the Government's sports policy statement, which will be published shortly.

Mr. Miller: Is the Minister saying that we are to get that long-awaited White Paper? Does he agree that an important element of that statement should be opportunity, not restriction? Will the Government make a genuine commitment to the opportunity to take part in sport in all schools? Does the Minister agree that the facilities available in many schools are less than adequate, especially given what is happening today down the road at Wimbledon and up the road at Lords?

Mr. Sproat: Yes, I can certainly say that it is our prime intention to increase the opportunity for more children to take part in sport at school. I agree that some schools are short of facilities and I am glad to say that the national lottery will help to provide more facilities where those are for both the school and the wider community.

Dame Elaine Kellett-Bowman: I was delighted to hear my hon. Friend refer to the national lottery. Is he aware that, although games facilities in schools are good, they will be even better if they are used in conjunction with the wider community? Is he aware that Central Lancaster high school in my constituency has applied for funding for a multi-purpose sports facility on its premises in a deprived area of Lancaster, but that it must raise no less than £350,000, which is 35 per cent? Could that figure be more flexible, or could assistance be given to deprived areas?

Mr. Mackinlay: Yes or no?

Mr. Sproat: The answer to the hon. Member for Thurrock (Mr. Mackinlay) is yes. I did not know of the application that the school in my hon. Friend's constituency is making, but I shall draw her remarks to the chairman of the Sports Council. I assure her that the 35 per cent. is only an indicative percentage and that at this very moment the Sports Council is considering whether it could be smaller in certain cases.

Mr. Chris Smith: We know from the Prime Minister on Saturday that he is about to launch a new policy initiative on sport in schools. Given this morning's news, he may need every new initiative that he can find. Does the Minister recognise that any such announcement will be worthless unless three guarantees can be given: first, that DES circular 909 will be withdrawn, as it has led directly to the sale of 5,000 school playing fields over the past 15 years; secondly, that there will be two hours of sport each week as part of the national curriculum; and, thirdly, that the whole range of physical recreation will be available, not just a small list of competitive team games? Will he now give those basic guarantees to the House?

Mr. Sproat: The hon. Gentleman must wait until the sports policy is published. He will then see what he will see.

Mr. Simon Coombs: Does my hon. Friend agree that it would be pleasant to hear Labour councillors make a commitment to competitive sport in schools, given that their policies have damaged competitive sport over the years? Will my hon. Friend assure the House that he remains fully committed to the restoration and improvement of those sports pitches that remain, notwithstanding the loss of some of them over the years, and that the national lottery will enable their improvement so that competitive sport can be played in good conditions?

Mr. Sproat: Yes, I can certainly give my hon. Friend the important assurance that he seeks. Like him, I look forward to receiving support from the Opposition as well as, I am sure, Conservative Members when we publish that important statement shortly.

Greta Hall, Keswick

4. **Mr. Campbell-Savours:** To ask the Secretary of State for National Heritage what representations he has received on the future use of Greta hall in Keswick. [28745]

Mr. Dorrell: None.

Mr. Campbell-Savours: Tomorrow, the trustees of the national heritage memorial fund will consider a grant application from the Lake Poets Society for purchase moneys to acquire the site of Greta hall in my constituency, which is a lakeland historic heritage site; it is the former home of Southey and Coleridge, the former haunt of Wordsworth and Shelley. Would the Minister be prepared discreetly to lend his support to that project, because it has major implications as a heritage centre and it would be especially useful to the university of the lakes when finally we get it off the ground?

Mr. Dorrell: As the hon. Gentleman knows, the national heritage memorial fund is independent of Government and, as I am sure that he would expect, support—discreet or otherwise—from the Government might not be helpful to any application that the heritage fund might consider.

Historic Buildings (Damage)

5. **Mr. Dalyell:** To ask the Secretary of State for National Heritage what representations he has received in respect of damage caused to historic buildings in the care of the National Trust and the National Trust for Scotland, or otherwise regarding damage caused by the volume of visitors. [28746]

Mr. Sproat: I have received no such representations about damage caused to National Trust properties, nor about the volume of visitors, and I understand that neither has my right hon. Friend the Secretary of State for Scotland received such representations in respect of historic properties managed by the National Trust for Scotland.

Mr. Dalyell: The Minister will recollect from his previous incarnation as Member of Parliament for Aberdeen, South the beautiful mediaeval castle of Craigievar, for which the National Trust had to remove signposts and cease to advertise—rightly, in my opinion—because of the structural problems caused by over-visitation. Is there not a general problem—or at least

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the danger—of destroying that which people come to see? In those circumstances, is any thought to be given to the financing of such properties and help to those, such as the National Trust for Scotland, who manage them?

Mr. Sproat: Help for the Scottish trust is of course a matter for the Secretary of State for Scotland. Craigievar is a magnificent castle, and I gather that the number of visitors did cause certain of the floors and ceilings to become unsafe. That has now been put right. The National Trust for Scotland no longer promotes Craigievar and, as a result, the number of visitors in the past four years has decreased from about 33,000 to about 15,000. No doubt that experience will be taken into account by all those who manage such properties.

National Lottery

7. **Mrs. Clwyd:** To ask the Secretary of State for National Heritage if he will make a statement on the impact of the national lottery on good causes. [28748]

Mr. Dorrell: The national lottery is already having a major impact on sport, arts and heritage activity throughout the country. About £673 million has been raised for good causes by the lottery, and £95 million has been awarded to a total of 486 projects. I am today placing in the Libraries of both Houses a report giving details of the projects supported to date.

Mrs. Clwyd: As there is no longer a Secretary of State for Wales, may I ask the Minister to look sympathetically at the problems of the Welsh-based cancer charity, Tenovus, which has had to finish its own lottery because it could no longer sustain it? That lottery provided 50 per cent. of its income. May I ask him to consider the possibility of giving Tenovus, and charities like it, some type of compensation for the effect that the national lottery has obviously had on its activities?

Mr. Dorrell: The hon. Lady is wrong to say that there is no Secretary of State for Wales. Downing street made it clear this morning that my right hon. Friend the Member for Wirral, West (Mr. Hunt) is conducting the duties of the Secretary of State for Wales.

On the hon. Lady's question about Tenovus, she will know that there is different experience in different parts of the charities world since the introduction of the national lottery. For example, the takings of the UK charities lottery, which operates a scratch-card lottery alongside Instants, have increased by roughly 50 per cent. since the introduction of the Instants game, so the suggestion that the national lottery has had a uniform effect on charities funding is simply not correct.

However, the Government recognise that the national lottery has an effect on those activities which operate alongside it, and that is why my right hon. and learned Friend the Home Secretary is working with the charities world to ensure that we properly understand the effect of the lottery on charitable funding.

Mr. Waterson: Is my right hon. Friend aware that, if he is looking for examples of good causes that have already benefited from the national lottery, he need look no further than Cavendish school in my constituency, which recently received notification of a grant of well over £200,000 for an activity centre and related activities?

Mr. Dorrell: My hon. Friend quotes one example from a list of nearly 500 valuable projects where lottery money is being used to enhance the level of provision for sports, arts and heritage activities in Britain, not to mention the support that will flow from the Charities Board and the imaginative range of projects that were listed, 10 days ago, for further assessment by the Millennium Commission.

Mr. Faulds: Does the right hon. Gentleman realise that there are a number still of old-fashioned and moral Scots in the House, who vastly disapprove of public gambling and the appalling social consequences of such practices? Will he accept—not much of a hope with the modern Tory party—that heritage and the arts should be a direct responsibility of Government and not of those who are tempted to buy scratch cards during the week?

Mr. Dorrell: I have seen lots of unlikely scenes in the House, but that of the hon. Gentleman as an advocate for old-fashioned moral Presbyterianism is a proposition that is entirely new to me. The hon. Gentleman's suggestion that the Government should continue to accept responsibility for funding for the arts and for sport activity in Britain is not controversial, because the Government have made it entirely clear that we intend to continue to observe our obligations in that regard.

The lottery has, however, unlocked a new source of funds—on a scale which has been offered by no British Government in history—for an activity which I had always thought the hon. Gentleman considered important. I would have hoped that the hon. Gentleman would want to welcome new sources of support for an activity which he thinks, and certainly regularly says, is important.

Mr. John Marshall: Will my right hon. Friend consider reapportioning the proceeds of the national lottery so that more goes to charity, which currently gets only 8p out of every pound spent, and slightly less to some of high-falutin' projects associated with culture, theatre and other minority tastes?

Mr. Dorrell: The allocation of the money available from the national lottery for good causes was, of course, the subject of debate when the legislation establishing it went through the House. It is perfectly true that it can be reassessed, but to reassess it within three months of the beginning of the distribution process is a trifle previous.

Mr. Dafis: Although I welcome the Secretary of State's undertaking to examine the position of Tenovus, we are looking for a firmer undertaking than that. Is he aware that Tenovus has now made it clear that its research programmes, including a research programme conducted in my constituency at the university of Wales, Aberystwyth, will have to be discontinued unless it is able to obtain additional funding? Is he aware that Tenovus has prepared a checklist of six possibilities for changing the way in which moneys are distributed? Will he now undertake that at least one or more of those possibilities are implemented to ensure that Tenovus can continue to conduct its important research?

Mr. Dorrell: No. I have made it clear that we shall look at the effect of the national lottery on the charitable sector as a whole. We shall not seek to assess the performance of individual charities, because they are influenced by a wide range of factors, not least the individual choice of people who give money to charities.

The hon. Gentleman would be wrong to believe—he certainly did not suggest it in his question—that the effect of the national lottery has been uniformly to undermine the effectiveness of charitable lotteries. That has not been the experience. The Government have said that we shall consider the effect of the national lottery on the charitable sector as a whole, but we certainly shall not look at its effect on individual charities, because they are affected by a wide range of factors, of which the national lottery is only one.

8. **Sir Fergus Montgomery:** To ask the Secretary of State for National Heritage what is his assessment of the national lottery's effect on the sporting culture of the United Kingdom. [28749]

Mr. Sproat: The national lottery represents a major boost for sport. So far, 35 different sports have benefited.

Sir Fergus Montgomery: Does my hon. Friend agree that the national lottery will give an enormous boost to sport in the United Kingdom because it will mean more new sports centres and sports scholarships and will encourage international athletes?

Mr. Sproat: My hon. Friend makes an extremely important series of points. So far, some 292 different projects around the country have benefited. When the lottery is operating to its fullest extent, we expect about an extra £320 million a year to go to sport.

Ms Eagle: Is the Minister aware of the increasing worries that a gambling culture is taking hold because of the scale of the national lottery, especially its prizes? Does he agree that that seems to have gone all the way to the top and affected the current incumbent of No. 10, who took an appalling gamble, which he looks set to lose, last Thursday?

Mr. Sproat: I do not agree with the latter part of the hon. Lady's comments. As to the first part, the lottery is benefiting not only sport—to the tune, I hope, of some £320 million pounds a year—but the arts, charities, the built heritage and the millennium fund.

Mr. Hawkins: Does my hon. Friend agree that it is most important that this is new money that would not previously have gone towards sporting ventures? In particular, it gives an opportunity for us to provide new facilities for elite sport. We hope that the beginning of the rebuilding of our sporting excellence will be when England beat the West Indies later this afternoon.

Mr. Sproat: I hope that my hon. Friend is right in his latter prediction. As to facilities, sport has benefited so far to the tune of, I think, £45.22 million, most of which has gone to capital facilities. I look forward to seeing even that sum increased.

9. **Mr. Jim Cunningham:** To ask the Secretary of State for National Heritage what guidelines he is planning to introduce for national lottery funds to be used to enhance disabled people's opportunities in sport. [28750]

Mr. Sproat: My right hon. Friend drew attention to the importance of national lottery funded facilities being widely accessible to people with disabilities in a letter which he sent in June 1994 to the chairman of the distributing bodies covering his directions under section 26 of the National Lottery etc. Act 1993. No further guidance is planned.

Mr. Cunningham: Is the Minister aware that the Secretary of State probably sent that letter to the organiser of the national lottery because I wrote to the right hon. Gentleman asking when action was going to be taken? While the Government are considering funding, will they also consider matching that funding pound for pound to help local authorities assist organisations, because it is going to be an extremely costly and slow process?

Mr. Sproat: As the hon. Gentleman will know, local authorities are usually, or very often, part of a partnership that puts a substantial part of the money towards any project that is partially funded by the lottery. What the hon. Gentleman wants is already happening most of the time.

Mr. Harry Greenway: Has my hon. Friend heard of the apparent distress caused to some people who have won as much as £17 million or £18 million on the lottery? Does he have any plans to limit the top win to £5 million, even if that means changing the rollover programme? Would that not make more money available for disabled sportsmen and everyone else?

Mr. Sproat: My hon. Friend raises an important point to which, I know, many people have directed their minds. However, the Government have no plans to do as he asks, for one simple reason. Experience has shown that the larger the jackpot, the more people buy tickets; the more tickets that are bought, the more money is available for the distributing bodies. The short answer to my hon. Friend's question is no.

Angling

10. **Mr. Hain:** To ask the Secretary of State for National Heritage what is his estimate of the number of people who participate in coarse, game and sea angling. [28751]

Mr. Sproat: According to a 1994 survey by the National Rivers Authority, some 2.3 million people participate in coarse angling in England and Wales, 1.1 million in sea angling and 850,000 in game angling.

Mr. Hain: Is the Minister aware that representatives of millions of those anglers have greatly welcomed Labour's charter for anglers? Will he do the same and consider implementing its proposals? Is he aware that, in south Wales and elsewhere, there is concern about minewater pollution poisoning rivers and affecting angling, and that in Wales that concern will be intensified now that the Welsh Office is rudderless and leaderless?

Mr. Sproat: Problems in Wales are a matter for my right hon. Friend the Member for Wirral, West (Mr. Hunt), who is currently taking over the Secretary of State's duties in Wales.

As for Labour's paper, I read it with great interest. I thought it pretty fudgy and, in places, misleading. Anyone interested in field sports should think carefully about a party which says that it is cruel to hunt foxes but not to

shoot pheasants and which I think is fishing for votes among anglers. Such a party should be regarded with extreme suspicion.

Mr. McLoughlin: Will my hon. Friend confirm that the Government are committed to allowing people to follow all country sports and will take the necessary action to block any moves to stop people pursuing legal sports?

Mr. Sproat: What my hon. Friend says is absolutely and completely true. Our party remains a true friend to field sports.

Mr. Pendry: Although the figures given by the Minister to my hon. Friend the Member for Neath (Mr. Hain) are probably an underestimate, they still prove that angling is Britain's most popular participatory sport, yet the Sports Council's current level of grant to the three angling bodies is a mere £45,000. Recognising that the Government's stated aim during the passage of the National Lottery Act etc. 1993 was that they would not determine what the distributing bodies allocated for lottery grants, will the Minister urge the Sports Council to reassess its grants to sports such as angling, which are more in need of revenue money than the current capital money that is available? Angling needs are mainly in the form of education courses, especially for the young, women and the disabled and for the necessary support for our national angling teams.

Mr. Sproat: The Government remain a strong friend of angling, but it is for the Sports Council to decide how to spend its own money. I should be interested to know whether the Labour party proposes to recede from that long-established position.

National Lottery

13. **Mr. Lidington:** To ask the Secretary of State for National Heritage which museums and art galleries have benefited from grants from national lottery heritage funds. [28755]

Mr. Dorrell: I understand that 14 museums and galleries have so far benefited from lottery funds of some £2.34 million from the national heritage memorial fund. I am sure that my hon. Friend will in particular welcome the grant of £254,000 to the Buckinghamshire museum.

Mr. Lidington: Will my right hon. Friend accept the applause of many people from all party backgrounds in Aylesbury and the surrounding area for the generous grant which will help to provide funds for the Roald Dahl children's gallery in the Buckinghamshire county museum and art gallery? Does he agree that such a local cultural project, designed to provide education and entertainment, is exactly what the lottery funds are for?

Mr. Dorrell: My hon. Friend is absolutely right. Roald Dahl has particular connections with my hon. Friend's constituency, as he lived in Great Missenden. The project, which has been backed by the Buckinghamshire museum, involves the imaginative use of his characters to enhance understanding of the exhibits in the museum. Another point worth mentioning is that the grant ensures the continued use and protection of a grade II* listed building, so, from every possible point of view, it is a good illustration of the power of the national lottery.

Mr. Gunnell: Now that we have a national coal mining museum for England—as the Secretary of State will know, it is in Yorkshire—will the funds be made available for that museum to acquire collections of art and historical documents associated with the mining industry?

Mr. Dorrell: The answer is that the national heritage memorial fund will consider bids that are made to it. I cannot consider the hon. Gentleman's proposition in the abstract; it falls to the national heritage memorial fund and not to me to consider applications when they are submitted. I am sure that the hon. Gentleman should encourage the national coal mining museum, and other institutions in his constituency that may benefit from the national lottery, to submit bids to the relevant distributor body.

Dr. Spink: Can my right hon. Friend confirm that, of the £9 billion that will be raised for good causes during the first licence period of the lottery, a significant amount of that money will be available to assist museums in the next seven years? Will he confirm also that, if the House had followed the policies of the Labour party, which was divided about the lottery, and the Liberals, who opposed it, that money would be denied to the museums?

Mr. Dorrell: My hon. Friend is right to point out the national lottery's power to unlock funds that no Government could have found from other sources. Historically, neither Labour nor Conservative Governments have provided money on that scale to sport, the arts and heritage activities.

The national lottery provides us with the opportunity to invest in the museum sector, among others. For example, the national heritage memorial fund has already made grants to the Ironbridge Gorge museum, which is a major museum illustrating the birthplace of the industrial revolution. It has also made a major grant to the Manchester museum of science and industry, which is a leading science and industry museum on the site of the world's first railway station. There are already many examples of the way in which the national heritage memorial fund has used lottery money to develop the museum sector and I am sure that that will continue into the future.

Windmills

14. **Mr. Frank Cook:** To ask the Secretary of State for National Heritage how many windmills are listed buildings; and what is their exact location. [28756]

Mr. Dorrell: Until the statutory list of buildings of special architectural or historic interest is computerised next year, it is not practicable to identify separately those windmills that are listed.

Mr. Cook: I am somewhat disappointed by that answer, especially as the number of windmills in this country may have decreased in the past four days. I ask the Secretary of State to consider the thesis that national heritage is not only a question of the past, but a question of what we leave for the future. With the accelerating rate of development of new materials and new design techniques, the windmills that are being installed now are every bit as cherishable as those that were built in the past. Perhaps the Secretary of State will be able to convince people that they are not simply a blot on the landscape, as some misguided press representatives out of Downing street try to persuade the electorate.

Mr. Dorrell: Individual windmills that are proposed for listing can be considered on a spot-listing basis. If the hon. Gentleman is suggesting that there are windmills being erected now—by which he probably means wind power generators—which merit protection, I am sure that he will understand that they should be guided by the same rules that apply to every other structure: namely, we do not list many structures until they are more than 30 years old.

Mr. Jacques Arnold: May I draw my right hon. Friend's attention, in compiling his list, to the working windmill on Meopham green in my constituency? It is not only a working windmill but it is unique in being the location at which the Meopham parish council holds its meetings. Whereas windmills use wind for good works, is that not a case of a windmill using hot air for extremely good works on behalf of the people of the parish of Meopham?

Mr. Dorrell: My hon. Friend's question brings Meopham to new prominence in the nation's affairs, and I am sure that that fact will be widely welcomed in Meopham.

National Lottery

15. **Dr. Godman:** To ask the Secretary of State for National Heritage what recent representations he has received about the distribution of national lottery funds to voluntary organisations which are concerned with the encouragement of social, cultural and sporting activities involving the active participation of people with disabilities. [28757]

Mr. Sproat: I have received a number of representations about the distribution of national lottery proceeds and disability issues.

Dr. Godman: Does the Minister agree that far too many theatres, cinemas, galleries, sports halls and swimming pools are utterly inaccessible to disabled people? Should not the question of accessibility loom large whenever grant applications are assessed by those in charge of such funds?

Mr. Sproat: Yes, certainly; the hon. Gentleman makes a good point. The Sports Council has been specifically instructed by my right hon. Friend to take disability issues, including access, very much into consideration when grants are being made.

Fine Art Collections

17. **Mr. Carrington:** To ask the Secretary of State for National Heritage what proposals he has to enable the national museums to expand their collections of fine art. [28760]

Mr. Sproat: It is for the trustees of individual museums to decide on acquisitions. The Government have a number of measures that help to develop the national collections. They include the funding of the national heritage memorial fund, Waverley system of export controls and important tax concessions. The national collections may also benefit from the net proceeds of the national lottery.

Mr. Carrington: Now that national lottery money seems to be used, rightly, to save Waverley-quality items being exported, the problem in our national museums is keeping collections balanced. They must obviously include Waverley-quality items but also items of lesser quality, to show the full range of fine arts. Will my hon. Friend review the purchase money available to museums, to ensure that they are able to keep a balanced collection in future?

Mr. Sproat: My hon. Friend is entirely right to stress the importance of balanced collections. He may be sure that the Government keep all such matters under constant review.

ATTORNEY-GENERAL

Scott Inquiry

28. **Mr. Winnick:** To ask the Attorney-General what further approaches he has received from Lord Justice Scott. [28732]

The Attorney-General (Sir Nicholas Lyell): It is the intention of the inquiry that any exchanges with individual witnesses should be confidential. That is to be respected.

Mr. Winnick: Although we are not given fuller information from the Attorney-General, is it not deplorable that that distinguished judge is being rubbished by the Government machinery, by people who accuse him of not understanding the realities of ministerial life? Is not it unfortunate that Lord Justice Scott is being caught up in the Tory civil war?

The Attorney-General: Neither the hon. Gentleman nor the House is getting any misleading information from me on that topic. If the hon. Gentleman had taken the trouble to read my statement to the inquiry and tried to understand a little more carefully the subject, for example, of public interest immunity certificates, there would be rather less misleading material going around generally.

Mr. McLoughlin: Did my right hon. and learned Friend hear the comments of Lord Justice Scott following the leaking of the report by the BBC, when Lord Justice Scott said that the BBC had demeaned its status and reputation? Does my right hon. and learned Friend agree that, if such a thing were said about members of the Government, Opposition Members would demand resignations? Should we not be looking for resignations from the BBC?

The Attorney-General: I well understand why Sir Richard Scott said what he did. The purpose of confidentiality is fairness. Deliberately to break a confidence when it is known to be likely to be unfair is demeaning to any aspect of the media.

Mr. John Morris: Will the Attorney-General confirm his intention, when he announced the Scott inquiry nearly 20 months ago, that it should be conducted as speedily as possible? The report's publication is a movable feast. What is the latest publication forecast? Will the Attorney-General confirm that no ministerial considerations, including the calling of a snap election, will inhibit the judge's sole discretion as to the date of publication?

While I deprecate the publication of leaks, will the Attorney-General confirm their accuracy, as apparently indicating the judge's prima facie views, before hearing

any further submissions by criticised Ministers? Has the Attorney-General himself received part of the report, and has he responded?

The Attorney-General: The right hon. and learned Gentleman, uncharacteristically, obviously did not listen to my first answer. If he did, he, as much as anybody else, should respect the confidence requested by Sir Richard Scott. The date and timing of any publication of Sir Richard Scott's report is a matter for Sir Richard.

Director of Public Prosecutions

29. **Mr. Campbell-Savours:** To ask the Attorney-General if he will make a statement on the time within which the Director of Public Prosecutions is expected to reply substantively to letters from hon. Members. [28733]

The Solicitor-General (Sir Derek Spencer): The target which my right hon. and learned Friend the Attorney-General has agreed with the Crown Prosecution Service for replies to correspondence from hon. Members is 15 working days. In 1994, that target was met in 77 per cent. of cases.

Mr. Campbell-Savours: Why did it take three months for the Director of Public Prosecutions to tell me that she intended to take no action on the evidence of Miss Eileen McAndrew, secretary to Ms Morgan Thomas—one of the so-called noble Lord Archer's insider dealing friends? Is the reality that this man will never be prosecuted for what we all know was criminal activity?

The Solicitor-General: I am very surprised at the hon. Gentleman's petulant tone. In letters which he wrote to the Director of Public Prosecutions he was at pains to acknowledge her independence. Indeed, he said expressly that that was why he was writing to her rather than to anyone else. The director has considered the matter extremely carefully, independently, having in mind that the primary responsibility for prosecuting and investigating insider dealing cases lies with the DTI. She has decided, as she told the hon. Gentleman—he knows this full well—not to ask the police to carry out investigations at this stage. The decision is a matter for the director acting independently, and neither Law Officer has been involved in her decision.

War Crimes

30. **Mr. Janner:** To ask the Attorney-General what progress has been made on prosecutions under the War Crimes Act 1991. [28734]

The Attorney-General: Further to my previous answers to the House, seven cases have been closely examined by leading counsel and junior Treasury counsel, who have recommended certain further urgent inquiries. These are in hand. Decisions will be taken as soon as all relevant matters have been fully considered.

Mr. Janner: Can the Attorney-General confirm that, as one of the Sunday newspapers alleged, a committee has been set up that will recommend appropriate decisions, and will do so before the summer recess? In any event, will he tell the House how decisions will be announced? Will he confirm that the committee's recommendations will be made before the recess so that the House will be able to make such observations as may be proper, bearing in mind that a majority of the House is in favour of the Act but only, of course, if there is sufficient evidence to warrant prosecution?

The Attorney-General: The matter is one not for committees of any nature but for the Director of Public Prosecutions, who may or may not seek my consent to any prosecution. If she does, it is a matter for me. I have explained that these matters are being examined extremely carefully. Decisions will be taken as soon as all relevant aspects have been fully considered.

Mr. John Marshall: My right hon. and learned Friend said that these matters would be dealt with urgently. May I underline the need to get on with them? It was wrong that the individuals concerned escaped prosecution in the 1940s, and they should not be allowed to escape in the 1990s.

The Attorney-General: I am happy to make it clear to my hon. Friend again that these matters are being progressed with all proper speed and care. I emphasise care as well as speed. Fairness and care are essential in such matters, as they are in relation to any prosecution.

Crown Prosecution Service

31. **Dr. Spink:** To ask the Attorney-General what are the latest statistics for the number of cases brought to court by the Crown Prosecution Service. [28735]

The Solicitor-General: During the year ending March 1995, cases in respect of 1,477,617 defendants were finalised by the Crown Prosecution Service. In the magistrates courts 161,429, or 11.7 per cent. of proceedings instituted, were discontinued compared with 12.5 per cent. and 13.5 per cent. for the two previous years.

Dr. Spink: I am indebted to my hon. and learned Friend for that answer. It confirms that the number of cases discontinued, when compared with the figures for the previous two years, has fallen. Will he welcome that trend and ensure that there is the closest possible liaison between the police and the CPS to encourage it and to build on it in future?

The Solicitor-General: I join my hon. Friend in welcoming that trend. He should be aware that the consultation survey that took place on discontinuance showed that in 74 per cent. of all cases discontinued, the police agreed with that decision in 96 per cent. of those cases. In 29 per cent. of discontinued cases,the CPS had no option but to discontinue because witnesses either did not attend or refused to go to court, or, in motoring offences, defendants produced documents at court. The complaint made by the hon. Member for Blackburn (Mr. Straw) that there is anger in the police service about the level of discontinuance is entirely wrong.

Mr. Hutton: But is the Solicitor-General satisfied with the growing number of cases that have been dropped by the Crown Prosecution Service and subsequently taken on successfully as private prosecutions? Could it be argued that in those cases the CPS has let down many victims of crime?

The Solicitor-General: The hon. Gentleman is wrong in speaking of a growing number of cases. I repeat that it

is not a growing number of cases. Such cases are few and far between. When the House passed the Prosecution of Offences Act 1985 it was astute in leaving with citizens the right to initiate a private prosecution if they so wished. Only very occasionally does the private citizen feel obliged to do that.

OVERSEAS DEVELOPMENT ADMINISTRATION

South Africa

36. **Mr. Hain:** To ask the Secretary of State for Foreign and Commonwealth Affairs what aid is provided for sport in black South African townships. [28772]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tony Baldry): We are currently funding, in conjunction with the British Council, an initiative with the United Kingdom Sports Council to develop sports administration and coaching, and we are about to embark with Voluntary Service Overseas, on a two-year sports development pilot programme. Both projects are aimed specifically at disadvantaged communities in the townships and rural areas.

Mr. Hain: I welcome the Minister's statement. Does he agree that the Springboks' victory on Saturday was a magnificent advertisement for the new multiracial South Africa? Does he also agree that it is vital that there is investment in black township sports so that standards can be raised? In that context, will he welcome the coming tour by the Soweto cricket club, which will play at Ynysygerwyn in my constituency next Wednesday? Will he fund such tours in future so that people will be given opportunities always denied to them historically?

Mr. Baldry: I do not think that anyone reporting on South Africa 10 years ago would have dreamed that a multiracial South African rugby team would win the world cup. The presence of President Mandela at the Springboks' game on Saturday was a further sign of South Africa coming back into the world. As I said, we are supporting the development of sport in townships. We want to support the development of South Africans who have been disadvantaged as a result of apartheid.

Our programme also aims to re-establish those sporting links between the UK and South Africa and to develop sport as a means of community development and bringing youth into organised structures. I certainly welcome the visit to the hon. Gentleman's constituency.

We are helping to finance stands for a tour by English cricket teams to townships in South Africa later this year. So a lot is happening. My hon. Friend the Under-Secretary of State for National Heritage has just visited South Africa and has been able to take forward much of this work.

Mr. Harry Greenway: Is my hon. Friend aware that Archbishop Trevor Huddleston, who is a lifelong friend of mine and with whom I had a meal a week ago, is returning to South Africa to spend such days as are left to him? No one has done more for South Africa than Trevor Huddleston. He hopes to do just the sort of work that my hon. Friend describes to bring better sporting, cultural and educational opportunities to black children. Will my hon. Friend's funding be available to Archbishop Huddleston?

Mr. Baldry: We have an aid package to South Africa of £100 million over three years, including some £60 million of bilateral aid. It is clear from my earlier answer that we are supporting worthwhile projects to help those who have been disadvantaged by apartheid fully to come back into the world. Of course, if Archbishop Trevor Huddleston comes forward with a project, we will look at it, as we look at any of the other projects, all of which we hope will be of worthwhile benefit to the people of South Africa.

Aid (Award Criteria)

37. **Mrs. Roche** : To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the criteria for the award of overseas aid. [28773]

Mr. Baldry: We give aid where it will be most effective in promoting sustainable economic and social development, focused on the poorest countries, particularly in the Commonwealth.

Mrs. Roche: As this is the 50th anniversary of the granting of the United Nations charter, does the Minister agree that it is about time that Britain switched its aid focus to countries that really are the poorest and which need basic health care and education? Instead of that, the Minister and the Government consistently give aid to rich countries such as Indonesia, Malaysia and Bermuda.

Mr. Baldry: The hon. Lady's question contains a number of misconceptions. First, nine out of 10 of the biggest recipients of our bilateral aid are among the poorest countries in Africa and Asia. Secondly, we have just had a question on South Africa, but if one followed the definition of "poorest", one would not give South Africa a penny of aid because it does not qualify as one of the poorest countries. We are about to have a question on renewable energy, but if we followed the hon. Lady's definitions of poverty, health care and education, we would not give a penny of aid to that. One must look at these matters sensibly. Our aid budget is focused on the poorest and on ensuring that they have sustainable economic development.

Mr. Lester: Anyone who had the good fortune to attend the ceremony in Westminster Hall this morning would know that Britain's convincing commitment to the United Nations has been steady from the moment that it started until now. Equally, my hon. Friend knows that those of us who travel the world and who have seen the working of the British aid programme know that the most substantial part of it goes to the poorest countries and the people within them, and that it wholly supports the Government's policy on aid.

Mr. Baldry: As my hon. Friend will know, a recent Opposition Supply day debate on overseas development was thinly attended by Opposition Members. I think that only about four or five bothered to turn up. I do not think that any hon. Member challenged a single Overseas Development Administration project as not being worth while. As hon. Members travel the world and see the ODA's work, they recognise that the projects bring real value to poor countries, helping them to achieve sustainable economic development.

Miss Lestor: I should like to follow up the question by my hon. Friend the Member for Hornsey and Wood Green

(Mrs. Roche) and the Minister's answer. Last week the Prime Minister received a letter from representatives of the African, Caribbean and Pacific states, who represent 70 of the world's poorest countries. The letter urged Britain to reconsider plans to slash its contribution to the EDF by 30 per cent. As the Foreign Secretary has praised the EDF as an effective and efficient channel for European Union aid, will the Government at the Cannes summit this week, and even as I speak, reverse their policy and respond positively to the ACP request?

Mr. Baldry: We have been over this territory before many times. As the hon. Lady knows, we are seeking to strike an appropriate balance between multilateral and bilateral aid. She may have seen press reports today stating that leading UK aid organisations such as Action Aid are already expressing concern leading up to the Cannes summit that far too much of our budget will be spent on multilateral rather than on bilateral aid. As I have said, we must strike an appropriate balance. We have a substantial aid programme of £2.2 billion, and we will strike that balance with the EDF programme.

Sir David Steel: Does the Minister welcome the decision of the G7 leaders in Halifax last week that future trends in military and other unproductive spending should be taken into account by international institutions in their granting of aid? Will that become part of the Government's policy?

Mr. Baldry: It always has been. Good government has always been one of the criteria that we look at when determining aid programmes. We also look to see whether countries are engaging in excessive military spending when we are determining bilateral country programmes. That will continue to be the case.

Mr. Jacques Arnold: One of the advantages of bilateral aid is that we can properly target it. Other than for emergencies, is not the advantage of bilateral aid the fact that we can target it on projects that help people in third world countries to develop their own way of making a living? Surely British technology, particularly in agriculture, is invaluable for that purpose.

Mr. Baldry: Yes, and our bilateral aid programme has been widely praised. The 1994 Organisation for Economic Co-operation and Development review of the United Kingdom's aid programme recognised its concessionality and the way in which it focused on the poor. Britain has the fifth largest aid budget in the world and, apart from the four leading aid donors, no other country devotes so much of its budget to the poor and the poorest countries. That is why we need to ensure that we retain a substantial bilateral aid programme.

Renewable Energy

38. **Mr. Frank Cook:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the renewable energy projects, other than the Pergau dam, which have received funding from the Overseas Development aid programme. [28774]

Mr. Baldry: Since 1987, the ODA has directly funded 46 renewable energy projects. A list of those projects has been placed in the Library.

Mr. Cook: I am grateful to the Minister for that information, but with particular attention to the Pergau dam and the likes of that, will he acknowledge that such projects are costly, first, in terms of capital cost incurred and, secondly, in terms of the voltage drop that is incurred as power is transmitted over a wide network? Does he acknowledge that it is much better to use small-scale, renewable schemes that supply power directly at the point of need in any country, whether it be from wind, water or the sun?

Mr. Baldry: In other countries, as here, different energy needs will be met in different ways. There has never been any inherent criticism of the Pergau dam project or of its inherent worth. The criticism has involved the way in which it was funded. The hon. Gentleman must be careful about this. It is not for us to seek to impose on other countries solutions to their energy problems or to other problems that they face. That has a smack of latter-day imperialism. It is for such countries to come forward with what they think are their solutions to their problems and, where we can, we will assist and support. Often that will involve mini or micro hydrowater projects such as he suggests.

Points of Order

3.30 pm

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Speaker. You will have noticed today that quite a number of Tory Members of Parliament are missing, and we can only presume that they are out plotting or campaigning, or in the Jubilee Room.

I want to ask you a question regarding the constitution. In the past few days, one Minister, the Foreign Secretary, has announced that he will resign shortly, and another, the Secretary of State for Wales, has announced that he will resign today at 2 o'clock, presumably to take part in the election for the Tory party leadership. The point that I should like to raise from a constitutional angle is this: why is it necessary for the Secretary of State for Wales to resign his position as a Cabinet Minister to participate in a leadership contest, while the Prime Minister has not done the same? That should be a matter for the British people.

Madam Speaker: That is a matter for the right hon. Gentleman in question; it is not a matter for me.

Mr. Peter Hain (Neath): On a point of order, Madam Speaker. Do you have any information on a statement from the Welsh Office? Surely it is an insult that Wales is being covered by a moonlighting Cabinet Minister.

Madam Speaker: No, I have no information about any such statements being made.

Mr. D. N. Campbell-Savours (Workington) On a point of order, Madam Speaker. I do not know whether you have received a copy of the letter that was circulated—I understand that it went out nationally—to all hon. Members by the north-eastern region of the National Union of Civil and Public Servants. It says:

"DSS headquarters has set a pilot project for a central correspondence section. The idea of this section is to move away from tailored replies to MPs' inquiries to Ministers on behalf of constituents and to offer standard replies."

Those would be on individual cases. It goes on:

"These standard replies are withdrawn from a stock of paragraphs, then pasted together to give a general reply to the inquiry. This will inevitably lead to bland replies and dissatisfaction amongst constituents who receive them. We would ask you not to accept bland and meaningless replies but to press for complete tailored replies which fully address the concerns of your constituents"—

my constituents, and, Madam Speaker, your constituents.

I have not had a chance to discuss this with my hon. Friends, but I am sure that they are all concerned, as hon. Members on both sides of the House will be—we have no monopoly on concern over these matters. I wondered whether you might consider that letter, which has implications for us all, and, in the great number of forums in which you are able to discuss such matters, raise the letter with the appropriate authorities? Clearly, such a policy would be damaging for our constituents.

Madam Speaker: I know full well that hon. Members on both sides of the House demand the fullest possible information generally, as well as information on an individual basis relating to their constituents—as I do myself. I have not seen the letter to which the hon. Gentleman referred. However, I shall make it my business to see the letter and make inquiries about it.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): On a point of order, Madam Speaker. As you know, I have been in this place for more than 16 years and I have never known anything like what is happening today. As my hon. Friend the Member for Bolsover (Mr. Skinner) said, it is significant that three hon. Members—for Colchester, North (Mr. Jenkin), for Welwyn Hatfield (Mr. Evans) and for Isle of Wight (Mr. Field)—are not here. They have something in common.

We have a Prime Minister whose mind is somewhere else, a Foreign Secretary who is about to retire, and a caretaker Secretary of State for Wales. Is it not the truth that they are all caretakers now? As they cannot turn up, and as their minds and hearts are elsewhere, why not adjourn the House until 4 July, and then we could all come back? Even better, instead of discredited Conservative Members choosing a Prime Minister, why not let the 30 million voters in the country decide?

Madam Speaker: A number of people, including myself, would disapprove of any adjournment, and certainly an adjournment until 4 July.

Mr. Mike Gapes (Ilford, South): Further to that point of order, Madam Speaker. Have you been approached by any Ministers, other than the one who has resigned today, saying that they wish to make a statement to the House in the coming week?

Madam Speaker: I have had no such requests.

Mr. John Gunnell (Morley and Leeds, South): Further to that point of order, Madam Speaker. Knowing, as we all do, how much we are indebted to *Hansard* for recording both what we have to say and our votes on key issues, would it be in order for you to extend the role of *Hansard* to record the forthcoming votes of Conservative Members, which would be for the enlightenment of the whole country?

Madam Speaker: That is an ingenious idea, but I have no authority to do anything of the sort.

Mrs. Ann Taylor (Dewsbury): Further to that point of order, Madam Speaker. We have heard that the Secretary of State for Wales is resigning from the Cabinet. There is a convention that Ministers who resign can make a personal statement to the House. Is that something to which the Secretary of State for Wales would be entitled?

Madam Speaker: A resignation statement, not a personal statement, is sometimes made—although not always. If the former Secretary of State for Wales wishes to make a resignation statement, he must apply to me, and I shall certainly consider his request.

Orders of the Day

Health Authorities Bill

Lords amendments considered.

Clause 3

PREPARATIONS FOR REORGANISATION OF AUTHORITIES

Lords amendment: No. 1, in page 2, line 30, leave out ("prescribed")

The Parliamentary Under-Secretary of State for Health (Mr. Tom Sackville): I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Speaker: With this it will be convenient to discuss Lords amendment No. 2.

Mr. Sackville: I am delighted to turn the attention of the nation to the vital business of Government and, in particular, these important technical amendments to the Bill.

Lords amendment agreed to.

Lords amendment No. 2 agreed to.

Schedule 1

AMENDMENTS

Lords amendment: No. 3, in page 30, leave out line 33 and insert—

("103.—(1) The Employment Protection (Consolidation) Act 1978 shall be amended as follows.

(2) In section 29")

Mr. Sackville: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Speaker: With this it will be convenient to discuss Lords amendment No. 4.

Mr. Sackville: There are a number of national health service staff whose contracts of employment are presently held by regional health authorities because they are undertaking training programmes that require them to move regularly between different NHS employers. While the contracts are held by RHAs, the staff can move between employers without losing any of the employment rights that depend upon staff serving a period of continuous employment—for example, protection against unfair dismissal and the right to return to work after maternity leave.

It is clear that, when RHAs no longer exist, new arrangements must be made for such staff. Junior doctors and dentists in the registrar and senior registrar grades are the largest groups affected; others include clinical psychology trainees, finance and general management trainees, and some pharmacy and scientist training grades. Staff in the training grades must move regularly between employers in order to gain a high standard of professional training, so we need to ensure that there are no obstacles that would discourage them from so moving.

That is what the amendments are designed to achieve. The provisions in schedule 2 ensure protection of continuity for staff who move from RHAs to other NHS bodies next April. Without the amendments, however, continuity of employment of trainees would be broken on any subsequent moves between NHS employers.

Mr. Peter L. Pike (Burnley): Does the Parliamentary Under-Secretary recognise that many employees within the NHS who support the proposals are concerned that most NHS employees at local trust level are being taken on as temporary employees? Why are the Government not seeking to give those people permanent jobs? Should not the Under-Secretary be moving a further amendment?

Mr. Sackville: The amendment deals with protections which now exist and how those apply to regional health authorities. We want the House to agree with the Lords that those protections should continue to exist. The detailed arrangements for devolving contracts to employers are still a matter for discussion with the various professional bodies representing staff. I believe that the amendments offer NHS staff significant reassurances.

Mr. Nicholas Brown (Newcastle upon Tyne, East): We all took note of the Under-Secretary's remark that the business of Government must continue, and he has been sent here to ensure that it does. I am not sure what that implies for his future, but I wish him luck; he will no doubt make a further announcement later.

The matter before us today is slightly at variance with comments which have been made to the House, particularly in Committee. The issue under consideration is the contracts of NHS employees, the largest single group of whom are junior doctors. The question of which body should hold the contracts of junior doctors exercised our minds in Committee.

I asked the Under-Secretary on 26 January where the contracts would be held, and he replied:

"Junior doctors' contracts and vocational training are under discussion with the relevant professional organisations. We must reach a conclusion about the role of the regional offices or district health authorities in those matters. However, those issues must be discussed with the profession."—[*Official Report, Standing Committee A*, 26 January 1995; c. 58.]

Implicit in what the Under-Secretary said is that there would be a role for either the regional office of the Department of Health or the newly created district health authority.

As there was some uncertainty as to what that meant in practice, I intervened on 31 January on the Minister for Health to ask:

"Is it the Government's intention to hold the contracts for junior doctors at regional level?"

The Minister replied:

"I can assure the hon. Gentleman that that is the case; it makes sense in current circumstances to do so. As he asked me that strategic question, I can state that it would not be necessary for the type of organisations suggested in amendment to perform that function."—[*Official Report, Standing Committee A*, 31 January 1995; c. 84.]

In Committee, Labour tabled a probing amendment dealing with who was to hold the contracts for, among others, junior doctors.

What the Under-Secretary is telling us is at variance with those assurances in Committee. He correctly says that the employment contracts of certain groups of NHS staff are held by regional health authorities, which, the House will recall, are to be abolished by this Bill, so the contracts must be held elsewhere. The advantage of having contracts held by regional health authorities is that

[Mr. Nicholas Brown]

the employees could occupy successive posts with different NHS employers as part of a structured training programme, without breaking the continuity of their employment for the purposes of employment protection legislation.

I have no quarrel with the Minister's stated objective of ensuring that there is no discontinuity in employment. The largest group of employees involved are the medical and dental registrars—the backbone of secondary services in the NHS—and senior registrars, who move around a number of hospitals as part of their specialist training. A number of other groups—most notably the clinical psychology trainees and general management and finance trainees—are also affected.

The Lords amendments will make provision for those groups of staff to enjoy continuity of employment even if they are employed by trust bodies or by a consortium of trust bodies. Many Labour Members feared that that was the Government's intention, and probed them on the matter in Committee. We were assured that this was not the Government's intention, yet we are now dealing with Lords amendments that suggest that it is.

3.45 pm

The British Medical Association, as one would expect, is concerned about the amendments. The association does not think that it is right that the contracts of junior doctors should be held at trust level. It believes, as we believe, that the training of junior doctors requires strategic administration at regional level, and that devolution to individual trusts will make it far more difficult to achieve the right number of trained doctors and to get a broad mix of specialty rotation for each doctor under training.

We believe—we explored the matter at some length in Committee—that the new arrangements will increase bureaucracy, although it is a stated purpose of the Bill that bureaucracy will be reduced, not increased. Each consortium of trusts or individual trusts will have to draw up their own contracts for their own junior doctors.

The Government's proposals will bring about distortions in their internal market. Doctors in training are a national, or at least a regional, resource, and their contracts should be at higher than trust level. Having the contracts above trust level would prevent local problems in the purchaser-provider relationship—problems that we believe will distort the requirement for trained doctors.

In addition, it is not clear to me how the arrangements for training rotation will work in practice. The Government are committed to achieving the Calman report's objective of improving the quality of training. Many junior doctors are appointed to posts that are rotational within the duration of the contract. They progress through a series of posts and through a number of hospitals in the region to maximise their experience of different aspects of their speciality. A typical rotation post lasts for six months.

I am quarrelling not with the arrangements, but with the fiendishly difficult practice of making the arrangements work when the contract of employment is held by an individual trust whereas the employment is carried out across a range of different trusts. Presumably the juniors will have to apply for different posts at six-month intervals. There is no guarantee that they can obtain particular posts in aspects in which they require experience.

The Government have not thought the matter through properly. If their idea is that there should be a consortium of trusts holding the contracts, there will inevitably be an increase in bureaucracy, because there will be a need for professional personnel managers and professional training staff to monitor the training programme and to hold the contracts of the individual doctors. It is more economically efficient to do that at regional level, as is the case in England at present.

I am worried that the proposed structure will not protect the educational content of the posts. I have little confidence that the educational part of the junior doctors' training will be retained if they are trust employees. The trusts have to respond to day-to-day commercial pressures, and they are bound to put those commercial pressures above the broader interests of training the doctors.

There is also a threat to the national pay and conditions of staff who will be covered by the arrangements. If their contracts are held locally, the terms and conditions, although this has not yet been stated by the Government, stand to be negotiated locally and not nationally. It is perfectly obvious that the arrangements could be the thin end of the wedge. At best, they facilitate the break-up of the national pay bargaining structure. That cannot be right.

I took careful note of what the Minister of State said about a core of national terms of service for juniors. He said that they would serve

"as a reference point for their employers to establish fair and locally workable contractual arrangements to provide a degree of flexibility".

The BMA is wholly opposed to local pay for doctors—so is the parliamentary Labour party. Amendments that look innocuous are nothing of the kind, but specifically reverse assurances that hon. Members were given, and which they believed in good faith, in Committee. I therefore urge the House to vote the amendments down.

Mr. Alex Carlile (Montgomery): The occupation of the Government Back Benches reminds one irresistibly of the story of Sleeping Beauty. One wonders which prince will awaken the hon. Member for Lancaster (Dame E. Kellett-Bowman) on Thursday, although I must confess that she has competition from Old Father Time behind me.

The Labour Front-Bench spokesman, the hon. Member for Newcastle upon Tyne, East (Mr. Brown), has raised an important issue, because it relates to the training of doctors. I speak as a lay member of the General Medical Council, which has an important responsibility for scrutinising and approving the training of junior doctors, and for their registration after they have been trained.

I hope that the Minister will agree that he owes the House a little more explanation as to how the Government intend to ensure that doctors in training posts are not treated merely as a spare pair of hands. The Calman report made it clear that the Government's objective is to improve the quality of doctors' training. Simply putting doctors in the employment of trusts, where their work may well be demand-led from crisis to crisis, will not be sufficient training, and is unlikely to gain the approval of the postgraduate deans and others who approve the rotational training of junior doctors.

In anaesthetics, for example, a doctor may have a three-year contract, moving to a different hospital every six months to secure his or her full training. Without being told more by the Minister, it is difficult to understand how the Government intend to ensure that that training is harmonised under the regulations proposed following the amendments. There is little confidence that the educational element will be protected if trusts are the employers, when immediate needs could plainly dominate the working week.

The British Medical Association has proposed the establishment of a small special health authority to oversee the training of junior doctors and other doctors undergoing training for one reason or another. The establishment of such health authorities on a regional basis for that purpose would ensure a clear line of accountability, a clearly identifiable purchaser of medical—*[Interruption.]* The hon. Member should not interrupt when she has not been listening to most of the debate. Would she like me to give way?

Dame Elaine Kellett-Bowman (Lancaster): The hon. and learned Gentleman was so boring. I was listening when the intelligent Members were speaking,

Mr. Carlile: I can assure the hon. Lady that she drifted away during the Minister's speech and consolidated her repose well into the beginning of mine, but I am very glad that she is now listening sufficiently intently to become ever so slightly incandescent.

The BMA's proposals for small special health authorities based regionally would be a useful innovation. They would assume responsibility for all doctors in training within the region, which would establish a clear line of accountability and introduce market principles, in that such an authority would be clearly identifiable as the purchaser of medical education and training within the current structure of NHS management.

Whether or not that is the right solution, we have not yet heard from the Minister how that important integrity of rotational training is to be maintained. I hope that he will be able to give the House a better explanation in a moment.

Mr. Sackville: With the leave of the House, Madam Deputy Speaker, I remind the House that the amendments are about continuity of employment and protection of employment rights under new employers, following the proposed end of regional health authorities.

The hon. Member for Newcastle upon Tyne, East (Mr. Brown) should not make too much of a slip of the tongue in Committee by my hon. Friend the Minister of State, because my hon. Friend has made it clear since, in a speech to the annual conference of the British Association of Medical Managers, that junior doctors' contracts will be held by NHS trusts, with deans of postgraduate medicine overseeing junior doctors' educational needs.

Mr. Nicholas Brown: I am the last person in the world to make too much of a slip of the tongue, but I remind the Under-Secretary what was said in Committee. I asked the Minister:

"Is it the Government's intention to hold the contracts for junior doctors at regional level?"

The Minister now says that the Government's response is, "No, they will be held at trust level." That is a perfectly straight answer to a straight question. He must accept that the answer that I was given at the time was not a slip of the tongue. It was:

"I can assure the hon. Gentleman that that is the case; it makes sense in current circumstances to do so."—[*Official Report, Standing Committee* A, 31 January 1995; c. 84.]

—that is, to hold them at regional level. The Minister cannot characterise that as a slip of the tongue.

Mr. Sackville: I am sorry that the Committee was momentarily misled. On examination, it is clear that it would be difficult for the regions to hold all those contracts of employment without asking all doctors to become civil servants, which we would both agree would be unwise.

On the point made by the hon. and learned Member for Montgomery (Mr. Carlile), I see no reason why postgraduate deans and trusts should not co-operate to ensure a proper rotation of doctors. After all, many of those doctors will end up working for trusts. There is no reason to suppose that trusts would wish to require postgraduate deans to short-change junior doctors on their training. Given that provision in the health service is now taken care of by trusts, it seems eminently natural that trusts should employ junior doctors.

Mr. Alex Carlile: What the Minister says makes perfect sense, but if a postgraduate dean took the view that the way in which a junior doctor was employed was not consistent with good training, how would such a dispute be resolved under the arrangements that the Government have in mind? So far, we have not heard the answer.

Mr. Sackville: We must allow that all those involved will, with good will, come to arrangements that are in the best interests of medical training. I have no reason to suppose that those arrangements would be unsatisfactory.

The hon. Member for Newcastle upon Tyne, East talked about consortia of trusts. A number of combinations are possible, but the most likely would be lead trusts for particular specialties, which would hold those contracts in each region; so people in those trusts would deal with postgraduate deans on matters concerning postgraduate education.

People outside this House would be surprised to hear us suggest that junior doctors should be employed by anyone other than hospitals. To set up some alternative procedure—a special health authority—would be a bureaucratic and expensive option, which is exactly what the Bill seeks to put behind us.

May I return to the nub of the matter? The amendments seek to protect the employment rights of junior doctors after the end of regions. For that reason, I commend them to the House.

Question put, That this House doth agree with the Lords in the said amendment:—

The House divided: Ayes 220, Noes 170.

Division No. 175] **[3.58 pm**

AYES

Ainsworth, Peter *(East Surrey)*	Ancram, Michael
Aitken, Rt Hon Jonathan	Arbuthnot, James
Alison, Rt Hon Michael *(Selby)*	Arnold, Jacques *(Gravesham)*
Amess, David	Arnold, Sir Thomas *(Hazel Grv)*

Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baldry, Tony
Banks, Matthew *(Southport)*
Batiste, Spencer
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Day, Stephen
Deva, Nirj Joseph
Dicks, Terry
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir A *(SW Cambs)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'ldford)*
Hughes, Robert G *(Harrow W)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'sth)*
Knox, Sir David
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Richards, Rod
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Twinn, Dr Ian
Walker, Bill *(N Tayside)*
Waller, Gary
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Michael Bates and
Dr. Liam Fox.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Blair, Rt Hon Tony
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Chidgey, David
Church, Judith
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Golding, Mrs Llin
Gordon, Mildred
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hoey, Kate
Hogg, Norman *(Cumbernauld)*

Home Robertson, John
Hoon, Geoffrey
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Jon Owen *(Cardiff C)*
Jowell, Tessa
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Lloyd, Tony *(Stretford)*
McCartney, Ian
McFall, John
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Morgan, Rhodri
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Murphy, Paul
O'Brien, Mike *(N Wlkshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
Orme, Rt Hon Stanley
Pendry, Tom
Pike, Peter L
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Roche, Mrs Barbara
Rooker, Jeff
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Chris *(Islton S & F'sbury)*
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Vaz, Keith
Wareing, Robert N
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wright, Dr Tony

Tellers for the Noes:
Mr. Joe Benton and
Mr. Jim Dowd.

Question accordingly agreed to.
Lords amendments Nos. 4 to 7 agreed to.

Jobseekers Bill

Lords amendments considered.

Clause 2

THE CONTRIBUTION-BASED CONDITIONS

Lords amendment: No. 1, in page 2, line 17, leave out from ("not") to end of line and insert ("entitled to income support.")

4.14 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Roger Evans): I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss also Lords amendments Nos. 2 to 4, 50 and 51.

Mr. Evans: The amendments are intended to prevent the making of duplicate awards of the jobseeker's allowance and income support to the same claimant or duplicate awards of benefit to members of the same family. The original wording of the Bill does not achieve that, as it makes the criterion the fact that benefit is "payable". That might, on the face of it, sound sufficient, but there are a small number of cases in which the sum awarded is less than 10p—the de minimis figure—and the benefit is not payable.

To clarify the position, the amendments lay down the criterion of "entitlement", but I should stress that they in no way remove the choice open to the claimant and family to choose between the benefits and claim the one that they prefer. If a claimant wishes to switch between income support and the jobseeker's allowance, he need only terminate one claim before the next is made. The purpose of the amendments is to make that clear and less confusing.

Mr. Keith Bradley (Manchester, Withington): I am grateful for the Minister's brief explanation of these technical amendments—I accept that they are technical. It is apposite that, today of all days, we are discussing the jobseeker's allowance because so many Conservative Members will shortly be involved in exactly that process, which is probably why there are so few in the Chamber—they are racing around seeking help for their causes.

This is the first opportunity since the Bill returned from another place for the Government to tell us precisely why they have delayed its introduction by six months from April 1996 to October 1996. As we know, they did not have the courtesy to make a proper statement to the House, despite many attempts by me and my colleagues, especially my hon. Friends the Members for Glasgow, Garscadden (Mr. Dewar) and for Makerfield (Mr. McCartney) who raised points of order, to explain why, as a result of deliberations in another place, the introduction of the Bill has been put back six months.

Madam Deputy Speaker: Order. I remind the hon. Gentleman that we are dealing not with the whole Bill but with specific Lords amendments. He must confine his remarks to them.

Mr. Bradley: I accept your ruling, Madam Deputy Speaker. My point is that, during deliberation on these

[Mr. Bradley]

amendments in another place, the Government decided to delay the introduction of the Bill. I think that it is relevant in our debate on the first group of amendments to seek an explanation of why the Bill has been delayed for six months—

Madam Deputy Speaker: Order. The hon. Gentleman has not convinced me. If he wishes to pursue that point, he must find another way to do so. He cannot pursue the matter on this group of amendments.

Mr. Bradley: Again I accept your ruling, Madam Deputy Speaker. As you know, the amendments change many things with which Benefits Agency staff will have to deal. The result is that the Bill's introduction has been delayed by six months. We need to know precisely why. We did not know about the chaos in which the Government now find themselves.

Mr. Patrick McLoughlin (West Derbyshire): My understanding is that the Labour party is opposed to the Bill. If that is the case, why are they objecting to a six-month delay in its introduction?

Mr. Bradley: If the hon. Gentleman will listen, I shall explain the Labour party's exact position. He is right to say that any delay in this nasty piece of legislation is welcome, but we do not want legislation that we have tried to improve to fall into the same chaos as other recent Acts. The Child Support Act 1991 and the introduction of the disabled living allowance are examples of the chaos in benefit delivery that can result from inadequate consideration.

We obviously welcome any delay that will result in the Bill's smooth introduction, even though we do not approve of its provisions. We want to ensure that Employment Service staff are fully trained and understand the implications of the amendments that are before us today. It is crucial that the computer systems—which I understand are the root cause of the problem—are running effectively.

The amendments are part of what the Government and the other place recognise as a package of carrot-and-stick measures for the unemployed. The carrots, as the Government describe them, are the national insurance holiday for employers, the run-on of housing benefit and council tax benefit, and the Government's perception of the jobseekers agreement. However, the stick part of the package has not been delayed for six months; only the carrot parts have been delayed.

I understand that the crucial cut in the contributory benefit from 12 to six months, the introduction of means-tested benefits at six months, and the reduction in benefit for people under 25 will go ahead in April 1996. I should be grateful if the Minister would clarify that point. We must know how the delay in introducing the benefit will be dealt with in practice to ensure that people who become unemployed either side of April 1996—*[Interruption.]* Does the Minister wish to intervene?

The Minister of State, Department of Employment (Miss Ann Widdecombe): What does any of that have to do with the amendments under discussion?

Mr. Bradley: It is extraordinary that the Minister does not recognise that the key amendments made in another place, which affect the whole Bill, will also have consequences when the cuts in benefit are introduced in April 1996 and when the Bill's other provisions come into effect in October 1996. Opposition Members are trying to ensure that there is full public understanding of the way in which the Bill is to be introduced, including the amendments that are before us today. I think that that is very relevant business of the House.

Dame Elaine Kellett-Bowman (Lancaster): Does the hon. Gentleman accept that, whether we are talking about benefit or the jobseeker's allowance, many people will apply for jobs as groundsmen at Lords now that we have beaten the West Indies for the first time since 1957?

Mr. Bradley: I do not wish to try your patience again, Madam Deputy Speaker, but I add the congratulations of Labour Members to the England cricket team on that victory. Perhaps Conservative Members can replicate the leadership lessons to be learned from the victory. As a Member of Parliament from the north-west, I am pleased that the England captain comes from the north-west of England.

It is clear that the Lords amendments would add to the insecurity being experienced by people who are unemployed or who will become unemployed as a result of Government policy. We recently debated the fact that mortgage tax relief in the income support context is to be cut. That will have a dramatic effect on people's feelings of security about their homes. The unemployed will now have their contributory benefit cut to only six months and they will be forced to use their savings—whether they be redundancy pay-outs or life savings—when means-tested benefits are introduced after only six months.

This is another example of Government policy adding to insecurity and uncertainty. It is part of a Government package that includes Lords amendments that will do nothing to create real jobs, real training and real opportunities. I am sure that you, Madam Deputy Speaker, want to know—as do we—why the Government have not had the courtesy to offer the House a proper explanation of why the Bill in its real form is being delayed until October 1996.

Mr. Roger Evans: With the leave of the House, Madam Deputy Speaker, I should like to reply to the debate.

Lords amendment No. 1 and those grouped with it deal with a limited, narrow, technical point and improve the drafting to streamline the Bill's operation. The wider issues that the hon. Gentleman mentioned might just about have some remote connection with them.

The hon. Member for Manchester, Withington (Mr. Bradley) is right when he says that the Government are concerned to keep this major project under close scrutiny. In line with our announced intentions, we commissioned an external review to report on the project's progress. Significant progress has been made, but the review led us to conclude that an April 1996 implementation date would entail unacceptable risks to the streamlined and smooth delivery of an efficient service to the jobseeker. That is the legislation's purpose, and we did not want it put at risk.

The announcement of the deferral was made while the Bill was being debated in the other place. That was a perfectly proper time to explain our actions.

Ms Angela Eagle (Wallasey): Does the Minister agree that, if the Government did not take their legislation so

for granted, were humble enough to admit that, during the passage of legislation through both Houses, constructive and improving amendments from any part of the House might be made and did not tell civil servants to begin to implement legislation before it became law, we would not find ourselves in such a situation? Will the Minister admit that many Government amendments are made to Bills these days? Does not that indicate great change between the first and final shape of the Bill?

Mr. Evans: Clearly the hon. Lady does not understand how the Government operate. They are humble in that sense. We proceed in three stages, which are highly relevant to this issue. First, Parliament must pass the legislation. It amends the legislation. We are doing that here and now. When Parliament has passed legislation, and not before, the delegated legislation—in the form of statutory instruments—that is to be made under a Bill must be drafted, laid and approved by Parliament.

It might have struck the hon. Lady that, if one is designing complicated computer software to implement a project of this importance and complexity—given that software is more unforgiving than the law—that work cannot be completed until the legislation and delegated legislation have been prepared, laid and approved. We have followed that procedure. One plans and anticipates as far as one can, but it is clear that the parliamentary programme has meant an impossible burden on the software writing. The external review confirmed that was the appropriate course to take.

Mr. Bradley: I am grateful to the Minister for his explanation of parliamentary procedure. He said that the regulations will be laid and approved before implementation. Will he confirm that there will be votes in the House on the regulations before the legislation takes effect?

Mr. Evans: The hon. Gentleman took my shorthand explanation of the procedure too literally. He is well aware, after our debates in Committee, that the Bill involves a complex series of procedures for dealing with the regulations made under it. I was referring to that in short form. Of course we will go through the necessary procedures in due time. I was making the substantive point that one cannot write computer software until Parliament has determined the law. That is how government ought to operate and does operate—and how the hon. Member for Wallasey (Ms Eagle) wants it to operate if I understood her earlier sedentary intervention.

Lords amendment agreed to.

Lords amendments Nos. 2 to 4 agreed to.

Clause 3

THE INCOME-BASED CONDITIONS

Lords amendment: No. 5, in page 3, line 26, leave out subsection (4).

Motion made, and Question proposed, That this House doth agree with the Lords in the said amendment.—*[Miss Widdecombe.]*

Madam Deputy Speaker: With this, it will be convenient to discuss also Lords amendments Nos. 19, 21, 22, 30, 32, 34, 35, 37, 38, 40 and 41.

4.30 pm

Mr. Bradley: I merely seek some guidance and clarification from the Minister. The amendments cover, among other things, prescription in regulation of the definition of training and other assistance. Following the Bill's passage through Committee and consideration in another place, there has been much discussion and debate on definition. Some organisations, especially colleges of further education, have some anxiety. They are worried about how training will be defined and how the reduction in supervised study from 21 to 16 hours will work in practice. That stems from anxiety about the amount of course skills that will be developed during the 16 hours of supervised study.

I seek assurances that there will be further debate and further consultation with all relevant parties as the regulations are framed to ensure that all the problems that have been identified with understanding and interpreting the forthcoming regulations are taken on board. It is important that the regulations reflect the anxieties that have been expressed. We all intend that those who seek further qualification and training, and education generally, are not limited by the benefit rules. We all want successful courses that lead to real qualifications and skills, which will lead to proper jobs.

When will the regulations on definition be laid? What consultation will the Minister undertake with the various bodies that have already been in discussions with her and her Department? Is the hon. Lady able to give us an outline of how she sees these processes unwinding over the coming months?

Miss Widdecombe: We have decided that the move from 21 to 16 hours of part-time study will be introduced in October 1996. There will be an elongation of six months. That should assist further education colleges, about which some concern was expressed, to prepare for the changes that will be introduced. The elongation should also assist students who are considering courses.

It is on the advice of further education colleges that we have decided to take the course that I have described and to seek a firm definition, which is best done on the basis of guided learning hours. The extension of time will make it possible for the colleges to consider the full implications. If, during that time, they wish to raise issues with us, we shall be delighted to take into account anything that they have to say.

The substantive amendments are purely about how we define training. They are designed to tidy up the drafting of the Bill. As the hon. Gentleman will be aware, there were three separate powers to define training in the original Bill. Those powers have now been reduced to one composite power. That was done in response to concerns expressed by the Opposition and in another place. The amendments are purely drafting amendments.

As I think we have explained, the intention is that we should have some definition of training along the lines of "Training for young people"—so we are talking about our 16 and 17-year-olds in this context—"provided directly or indirectly by a TEC under its operating agreement with the Secretary of State". We have specified that definition during proceedings on the Bill both in this House and in another place.

The objective is to be able to take on board such things as modern apprenticeships and to carry forward existing arrangements and define them as training for the purposes

[Miss Widdecombe]

of the definition. As we are trying to carry forward existing arrangements and as we have already explained and debated extensively in both places how we intend to define training, I do not believe that further consultation will benefit us. That is not to rule out any organisation putting its views to us if it wishes to do so, but there will certainly be no further formal processes of consultation.

Ms Eagle: I want to take this opportunity to ask the Minister some questions about training definitions, especially as we had a fairly long debate in Committee about quality and some of the reasons for poor attendance. I wish to pick up those themes and seek some reassurance.

Will the Minister give me some idea of how the Department would react to a course I came across the other day? I am grateful to Mr. Gerry Williams of Birkenhead for pointing it out to me. It is called the jacuzzi course and is for people who are unemployed. It is run by Merseyside TEC. The leaflet says that, on Friday afternoon,

"you will accept a personally engraved key to your future
complete a personal Action Plan
receive a specifically designed certificate of attendance
find the whole experience a piece of cake."

It goes on to say that participants will go to the four-star Liverpool Moat House hotel, where they will start every morning at a quarter to nine. It says:

"You must meet at 8.45 am on each day in the Jacuzzi. This is an essential part of the course so please bring your 'cossie' each day.

Each day you will be served a top quality lunch in the hotel restaurant and you may well meet celebrities staying in the hotel."

As enjoyable as that sounds, is it reasonable to count that as training for the purposes of the Jobseekers Bill? Should we not try to do something that is slightly more relevant?

I would not define the jacuzzi course as training. I might define it as a nice, enjoyable thing. Perhaps the unemployed should be allowed access to the Moat House hotel, but it seems an odd use of public money. If one of my constituents was offered the jacuzzi course and said, "I would rather try to find a job or do some computer training and establish new skills," he might be told that he would lose his benefit unless he agreed to do the jacuzzi course. Perhaps the Minister could say something about the issue and tell us whether the definition of training will make the jacuzzi course compulsory.

Miss Widdecombe: I am worried that, now that the hon. Lady has read out the details of that course, there might be more applications for it than Merseyside TEC can possibly manage. I have no details of the course. That is regrettable, because it sounds fascinating. The hon. Lady read out selected quotations. I do not know the entire picture. Therefore, I am most unwilling to comment on a particular type of course. However, I am sufficiently fascinated to look into it further. I shall write a letter about jacuzzi courses to the hon. Lady when I have established the facts.

Lords amendment agreed to.

Clause 6

AVAILABILITY FOR, AND ACTIVELY SEEKING, EMPLOYMENT

Lords amendment: No. 6, to leave out clause 6 and insert the following new clauses—*Availability for employment*—

(".—(1) For the purposes of this Act, a person is available for employment if he is willing and able to take up immediately any employed earner's employment.

(2) Subsection (1) is subject to such provisions as may be made by regulations; and those regulations may, in particular, provide that a person—

(a) may restrict his availability for employment in any week in such ways as may be prescribed; or

(b) may restrict his availability for employment in any week in such circumstances as may be prescribed (for example, on grounds of conscience, religious conviction or physical or mental condition or because he is caring for another person) and in such ways as may be prescribed.

(3) The following are examples of restrictions for which provision may be made by the regulations—

(a) restrictions on the nature of the employment for which a person is available;

(b) restrictions on the periods for which he is available;

(c) restrictions on the terms or conditions of employment for which he is available;

(d) restrictions on the locality or localities within which he is available.

(4) Regulations may prescribe circumstances in which, for the purposes of this Act, a person is or is not to be treated as available for employment.

(5) Regulations under subsection (4) may, in particular, provide for a person who is available for employment—

(a) only in his usual occupation,

(b) only at a level of remuneration not lower than that which he is accustomed to receive, or

(c) only in his usual occupation and at a level of remuneration not lower than that which he is accustomed to receive,

to be treated, for a permitted period, as available for employment.

(6) Where it has been determined ("the first determination") that a person is to be treated, for the purposes of this Act, as available for employment in any week, the question whether he is available for employment in that week may be subsequently determined on a review of the first determination.

(7) In this section "permitted period", in relation to any person, means such period as may be determined in accordance with the regulations made under subsection (4).

(8) Regulations under subsection (4) may prescribe, in relation to permitted periods—

(a) the day on which any such period is to be regarded as having begun in any case;

(b) the shortest and longest periods which may be determined in any case;

(c) factors which an adjudication officer may take into account in determining the period in any case.

(9) For the purposes of this section "employed earner's employment" has the same meaning as in the Benefits Act.

ACTIVELY SEEKING EMPLOYMENT

.—(1) For the purposes of this Act, a person is actively seeking employment in any week if he takes in that week such steps as he can reasonably be expected to have to take in order to have the best prospects of securing employment.

(2) Regulations may make provision—

(a) with respect to steps which it is reasonable, for the purposes of subsection (1), for a person to be expected to have to take in any week;

(b) as to circumstances (for example, his skills, qualifications, abilities and physical or mental limitations) which, in particular, are to be taken into account in determining whether, in relation to any steps taken by a person, the requirements of subsection (1) are satisfied in any week.

(3) Regulations may make provision for acts of a person which would otherwise be relevant for purposes of this section to be disregarded in such circumstances (including circumstances constituted by, or connected with, his behaviour or appearance) as may be prescribed.

(4) Regulations may prescribe circumstances in which, for the purposes of this Act, a person is to be treated as actively seeking employment.

(5) Regulations under subsection (4) may, in particular, provide for a person who is actively seeking employment—

(a) only in his usual occupation,

(b) only at a level of remuneration not lower than that which he is accustomed to receive, or

(c) only in his usual occupation and at a level of remuneration not lower than that which he is accustomed to receive,

to be treated, for the permitted period determined in his case for the purposes of section 6(5), as actively seeking employment during that period.

(6) Regulations may provide for this section, and any regulations made under it, to have effect in relation to a person who has reached the age of 16 but not the age of 18 as if "employment" included "training".

(7) Where it has been determined ("the first determination") that a person is to be treated, for the purposes of this Act, as actively seeking employment in any week, the question whether he is actively seeking employment in that week may be subsequently determined on a review of the first determination.

(8) For the purposes of this section—

"employment" means employed earner's employment or, in prescribed circumstances—

(a) self-employed earner's employment; or

(b) employed earner's employment and self-employed earner's employment; and

"employed earner's employment" and "self-employed earner's employment" have the same meaning as in the Benefits Act.

ATTENDANCE, INFORMATION AND EVIDENCE

.—(1) Regulations may make provision for requiring a claimant—

(a) to attend at such place and at such time as the Secretary of State may specify; and

(b) to provide information and such evidence as may be prescribed as to his circumstances, his availability for employment and the extent to which he is actively seeking employment.

(2) Regulations under subsection (1) may, in particular—

(a) prescribe circumstances in which entitlement to a jobseeker's allowance is to cease in the case of a claimant who fails to comply with any regulations made under that subsection;

(b) provide for entitlement to cease at such time (after he last attended in compliance with requirements of the kind mentioned in subsection (1)(a)) as may be determined in accordance with any such regulations;

(c) provide for entitlement not to cease if the claimant shows, within a prescribed period of his failure to comply, that he had good cause for that failure; and

(d) prescribe—

(i) matters which are, or are not, to be taken into account in determining whether a person has, or does not have, good cause for failing to comply with any such regulations; and

(ii) circumstances in which a person is, or is not, to be regarded as having, or not having good cause for failing to comply with any such regulations.")

Read a Second time.

Mr. Ian McCartney (Makerfield): I beg to move, as an amendment to the Lords amendment, amendment (a), in first proposed new clause, in subsection (2)(a), after 'prescribed;', insert—

'(aa) may restrict his availability for employment in any week by refusing employment which may reasonably be expected to impair his future career prospects;'.

Madam Deputy Speaker: With this, it will be convenient to take the following: Amendment (b) to Lords amendment No. 6, in first proposed new clause, after subsection (2)(c) insert—

'(cc) restrictions on the rate of remuneration of employment for which he is available;'.

Lords amendments Nos. 8, 24, 29, 33, No. 36 and amendment (a) thereto, No. 39 and amendment (b) thereto, and No. 53.

Mr. Ian McCartney (Makerfield): Amendment (a) is one of a range of amendments to clause 6 to which I shall allude. Hopefully, some of my hon. Friends will also be allowed to speak to amendment (a).

Within three hours of my right hon. Friend the Leader of the Opposition tabling amendment (a), the Prime Minister had resigned. Within 24 hours, the Foreign Secretary had announced his intention to retire, and the Secretary of State for Wales resigned today. There is no truth in the rumour that the Chief Secretary to the Treasury provided a smoking gun free of charge.

In what will become the Redwood amendment, we should like to know where the Minister stands. Planet Vulcan is in the ascendancy, eclipsing planet Portillo, and both are on collision course for planet—

Madam Deputy Speaker: Order. I am having some difficulty in relating what the hon. Gentleman is saying to the matters which are under consideration, or which ought to be under consideration.

Mr. McCartney: I am trying to get the Minister in a relaxed mood.

Madam Deputy Speaker: Order. The Chair is not interested in relaxing anybody. Please get to the main point.

Mr. McCartney: After the jokes that we heard about the jacuzzi, I thought that I was speaking in the spirit of the House. However, I do not wish to incur your wrath, Madam Deputy Speaker, as I do occasionally.

The amendment is about insecurity at work. Are the new clauses a Government apology? On Second Reading and in Committee, my hon. Friends and I made it clear that clause 6 was not only badly worded and draconian in its dealings with the unemployed, but was so wide ranging that its implementation could mean anything. Our amendments, many of which we moved in Committee, tried to elicit what was in the Government's mind, and also sought to improve the clause. We tried to ensure that, when it arrived in the other place, the principle of the Government's intention to attack the unemployed instead of unemployment was understood.

The clause was unamended when it went to the other place. Labour, Liberal Democrat and Conservative Members of the other place, and Cross Benchers, decided that the Government were wrong about clause 6. Therefore, the Minister owes the House and the other place an apology for the Government's arrogance in failing to recognise the weight of evidence about the way that they proceeded on the issue.

At the heart of the matter is the Government's drive to open up the labour market and create even further work insecurity for many people. The amendment is designed to

[Mr. McCartney]

protect people who, through no fault of their own, become unemployed for short or long periods. As a result of the legislation and the interpretation placed on clause 6 by officers of the Government, those people will have no income early in their unemployment.

The Government have used temporary employment and other measures as arms of economic activity. Over the two years between autumn 1992 and autumn 1994, the net rise in jobs was entirely in non-permanent employment. Temporary employment grew by nearly 260,000 jobs, but total employment grew by fewer than 160,000. That means that permanent employment continued to fall.

In December 1994, the Department of Employment admitted to me that 587,000 people were in temporary jobs because they could not find permanent work. Some 43 per cent. of all temporary workers wish to have permanent employment. Temporary work, which is increasingly dominated by fixed-term contracts that allow employers to avoid employment rights—notably on dismissal and redundancy pay—is rife. Temporary workers are excluded from long-term benefits such as occupational pension schemes and training.

The number of people working part-time because they cannot find full-time work has increased by more than 60 per cent. in the past 10 years. There are now 850,000 involuntary part-timers in the British economy, representing about 14 per cent. of the total work force.

Miss Widdecombe: That is a very misleading figure. The percentage of those who are in part-time work but who would prefer to have full-time jobs has been steady over the past 10 years, at between 13 and 14 per cent. There has been no change in the proportion, and the increase of which the hon. Gentleman speaks is due purely to the increase in part-time workers and the growth of the work force as a whole. The hon. Gentleman is not being entirely fair.

4.45 pm

Mr. McCartney: The hon. Lady has got it wrong again. During this recession, 1.7 million full-time jobs were lost. People no longer have a choice in the labour market. All they are offered is part-time or temporary work or nothing, and the Bill will deliver even more people into that scenario. Their simple choice will be a loss of benefit or a loss of career, status or income if they do not accept part-time temporary employment.

That is a key factor in the Government's economic policy. The Minister does not like us saying that, because the Government have been rumbled by the public. That is why there is no feel-good factor in the economy. How could one feel good trying to pay rent or a mortgage or trying to develop a career in part-time employment? It cannot be done, and the Minister knows it.

Instead of trying to reduce inequality and insecurity in the labour force, the Minister has introduced a Bill to cut benefits by £400 million a year. She will take about 90,000 off the register altogether, and another 150,000 people will have their benefits reduced by between 20 and 70 per cent. The measures are supposed to develop and improve people's employment opportunities, but that is nonsense. That has been recognised, and it is why many of the Government's social and economic policies are a shambles. The Minister cannot glibly get away from that.

According to a labour force survey, in the winter of 1994-95, there were, believe it or not, 26,000 unemployed teachers and lecturers, and 14,000 unemployed nurses and midwives. There is a crisis in education and in the health service, but tens of thousands of doctors, nurses, midwives and teachers are on the dole. What does the Bill propose to do about those people? The Minister suggests that they should be denied benefit if, for example, they refuse to take jobs in burger bars. They may be offered other low-paid jobs, which would mean that they would have to work long hours to make ends meet.

In her perorations in Committee, the Minister did not outline her intentions. However, she said that the clause would be widely interpreted. People want to maintain the level of skills they had in their former employment, but the clause will undermine that possibility. After 13 weeks of unemployment benefit, such people will be forced into low-paid work or removed from the register, thereby being denied the right to income.

Miss Widdecombe: What new provisions against which the hon. Gentleman rants so wildly are being introduced? At the moment, it is not permissible for somebody to turn down a job merely on the basis of its nature or the level of pay. What is new? What is in the Bill that is not already in the system and has been working well for a long time?

Mr. McCartney: When the hon. Lady does not like what someone is saying, she describes it as a rant. She is getting boring. When someone shows a bit of passion because of an interest in people who are in difficult circumstances, the hon. Lady describes it as a rant.

Miss Widdecombe: The hon. Gentleman should answer the question.

Mr. McCartney: I will answer the question, but I am surprised that I have to answer it, after all the months that we have spent on this legislation. The Government propose to reduce the period during which unemployment benefit is paid, from 12 months to six months. Instead of having 12 months to get back into their career structure, people will have only six months.

In addition, however, the hon. Lady knows that, after 13 weeks, individuals will be asked whether they will accept another form of employment, and they will be offered part-time, temporary employment. If they do not accept it, after 13 weeks—not after 26 weeks—they will lose their right to benefit. That is the truth of the matter, and that is what the Bill is about.

The hon. Lady should be honest about it. That is what she is proposing, both in relation to its principle, and in terms of what she said in Committee. Clause 6 is about implementing that principle of undermining people's rights to benefit where they seek appropriate work in a labour market.

Miss Widdecombe: Does the hon. Gentleman accept that, under the present rules, even if a person is on contributory benefit—and has been on it for 12 months—and if, in the course of that time, he is offered a job, he is not allowed to turn it down merely on the basis of pay levels and nature of work? What will change?

Mr. McCartney: The hon. Lady is wriggling and wriggling and wriggling, but she cannot get away from the concept and principle of the Bill, by which she has

reduced people's entitlement to unemployment benefit from 12 to six months, while at the same time increasing national insurance contributions. It is a matter, therefore, not only of paying more, but of getting less and being blamed for unemployment caused by the Government's crass economic policies.

I shall give hon. Lady another figure that she might not like and that I should like her to explain. Why is it that, leading up to the introduction of the Bill, benefit disqualifications have increased by a devastating 81 per cent? In 1991-92, referrals for benefit disqualification totalled 142,300, and disqualifications totalled 68,800—a disqualification rate of 48 per cent. However, in the run-up to this legislation, with the Government already putting in place, with the Benefits Agency and others, as part of their massaging of the unemployment figures, targets for the reduction of people who could have the right to benefit, the referral rate has increased dramatically, to 200,400.

Disqualifications, however, are up to 162,400—81 per cent. of people now referred are disqualified because of the draconian interpretation of the legislation. I shall give examples of what the Minister does in terms of her Department's political direction and the consequences for everyone in the labour market, particularly people who find great difficulty in gaining employment.

I think that it was the hon. Member for Stratford-on-Avon (Mr. Howarth) who said on Second Reading that, if the Government provided employment measures, jobseekers would look after themselves. That is a general paraphrase, but his analysis was correct. If the Government did not stand back, but became involved with both the public and private sectors in stimulating the economy and the development of a job strategy, people who seek employment would quickly and readily seek and gain employment in the labour market.

Even the Government's strategic surveys show that more than 80 per cent. of people seeking employment are absolutely desperate for employment, and will take almost any job at any price. The Bill is about driving them down even further, in cutting their rights to adequate training, employment levels and standards at work, including employment in terms of labour markets and the right to a minimum wage.

Madam Deputy Speaker: Order. I remind the hon. Gentleman that we are considering not the whole Bill, but a group of amendments, including his own, which he is supposedly moving.

Mr. McCartney: I am moving my amendments. Clause 6 is at the heart of the Bill. As Conservative Members will know, it contains availability for work provisions and is wide-ranging because of the amendments in another place. Our amendments are on the Order Paper. They cover a range of issues relating to the clause, they have all been accepted by the Speaker as in order, and they are contained within the family of amendments relating to the clause. I said at the beginning that I intended to refer to the other amendments that were rightly on the Order Paper. That is what I am doing, and intend to continue to do, in making my points about the Bill.

Other fears have been expressed on the labour market system that will replace current computer systems in Employment Service job centres. It is feared that it will be used to refer more claimants for adjudication in relation to refusing vacancies, rather than to improve the matching of claimants to suitable jobs.

Currently, refusal of vacancies offered by the Employment Service carries a benefit sanction of up to six months, but with automatic hardship payments for those eligible for income support. Under the jobseeker's regime, those automatic hardship payments will cease, and all claimants will have to demonstrate hardship, with childless claimants banned from making an application in the first two weeks of sanction—for two weeks, they will be without any form of income.

The figures on the strategy, even before the Bill is passed, outline the savagery of the present arrangements. After the Minister intervened, I said that the levels of referrals and disqualifications were at record levels. Those record levels will increase dramatically with the passing of the Bill, and in particular clause 6.

It is true that, along with clause 6, the Government will utilise other connected measures to undermine and further restrict the capability of unemployed people to meet the requirements of the availability for work tests. It is astonishing that, when we should be freeing up the restrictions to make it easier for people to seek employment, the Government, through clause 6, will restrict people if they are unable to explain fully that efforts have been made to seek employment.

Under clause 6, they will not be encouraged to seek employment; they will be undermined and will run the risk of losing benefit. That will involve people studying part-time, those looking for employment, those doing both, people with disability, and carers. On a range of issues, the clause will undermine people, and for what? Simply to cut the training budget and the benefits already paid to those in employment.

I want to give an absolute example of what I am talking about, and why the Minister and her hon. Friends are increasingly treated with utter contempt outside this place. A constituent of mine visited me some four weeks ago. He has living difficulties and special needs. He resides with his brother, who provides him with the support required to cope with day-to-day routine. Up to 1990, he was in regular employment, either in sheltered or semi-sheltered accommodation, or in the private sector doing unskilled work. Since then, he has been unable to find employment.

My constituent was invited to an interview. Despite his disabilities, there was no referral to a disability officer—he was given no right to be represented, but was brought in on his own for the interview. He was asked what his wishes were in respect of employment, and he answered honestly: he wished to work in a factory or a warehouse or to find some other form of manual occupation.

He was then asked what he meant by that, and how many hours he would like to work. He stated that he was prepared to work from 8 am until 4 pm on Monday to Friday, and from 8 am to 12 noon on Saturday—a total of 44 hours, six days a week. He said that there was no restriction on how much he should earn, but the hours were in relation to his own personal circumstances and the need for his brother to assist him to and from work. The Minister's Department has a record of sheltered accommodation.

After supplying the information, my constituent received a letter from the Employment Service threatening his entitlement to benefit. Naturally, that caused him

[Mr. McCartney]

concern. When he and his brother came to my advice centre, they were in a state of distress. I thought that there must have been an error—no more than that—and that it could not be true. My constituent had offered to work 44 hours a week, six days a week. He did not give a level of income—he would take whatever was provided to him.

The acting senior adjudication manager wrote to me. The letter states:

"Any person who claims unemployment benefit must be capable of and available for work."

Fine.

"However, if they . . . impose restrictions on the nature of the work they will accept, or the hours they will work, or the rate they will accept, or the locality of the employment, or any other conditions they are prepared to accept, they would not be entitled to unemployment benefit . . . unless they can show that they have reasonable prospects of finding work within the restrictions".

The restrictions are: being willing to work 44 hours, six days a week, for any amount of money. My constituent did not ask for travelling time, or even for time off or lunch breaks—nothing. All he asked for was a reasonable time so that he could be assisted back home because of his disabilities.

The letter continued:

"The person who interviewed"

my constituent

"explained that employers who employ people for the types of work that he was looking for . . . mainly require greater flexibility in day time hours than those stated on the form and often require shift work."

So six days, 44 hours, a week, are not enough any more.

The letter continued:

"In"

my constituent's

"case there is no evidence in the papers we have to show that the only reason he can work from 8 am to 4 pm Monday to Friday and 8 am to 12 noon on Saturday is because of his physical or mental condition."

My constituent was refused benefit, he has lost all right to an income, and his elderly brother now has to look after him on his meagre income. Is that really the way the employment market must operate? It is a consequence of the Minister's policies. That is the reality.

5 pm

Miss Widdecombe: Given the rather unsatisfactory state of affairs resulting from the facts as the hon. Gentleman has stated them, why did not he make me aware of the case? Will he now do so, and allow me to examine it?

Mr. McCartney: I shall certainly send the case to the hon. Lady. Is she now giving the commitment that, when hon. Members submit cases and questions to her, she will not refer them to the chief executive of the agency? Will she no longer say, "The chief executive will answer, because this is not my responsibility"?

She cannot have it both ways. She knows that, as a matter of course, she and her colleagues refer Members' complaints and cases back to the person to whom we originally complained. The hon. Lady cannot wriggle out of the embarrassment of her policies with the weak, limp excuse that I should have written to her. The case is a consequence of her policies.

Miss Widdecombe: I am most grateful to the hon. Gentleman for his continuing generosity in giving way, if not for the generosity of his comments. As a courtesy to the hon. Gentleman, I offered to look carefully at the case. In the first instance, anything that refers to the way in which a particular case has been handled in a particular employment office would go to the Employment Service. However, that is not to say that a Minister would never become involved.

On the broader point, will the hon. Gentleman admit that he is making the case for the Bill? It specifies 40 hours general availability, and the jobseeker's agreement will set out the exact times that people can work. Agreements can be made about restrictions. I have already particularly quoted disability as a reason for a restriction. If the restriction is not acceptable, the case can go through a process of adjudication. Therefore, will the hon. Gentleman now admit that he is making the case for the Bill?

Mr. McCartney: To be perfectly frank, that is an absolutely silly comment. The current regulations are replicated in the Bill. The hon. Lady knows that the gentleman in my case already has current rights because of his disability. The problem is the Government's constant drive to undermine people's rights to benefit. Instead, they should be doing something about the high unemployment level. The Department is taking draconian action, even against the most vulnerable in the community who are seeking employment. It beggars belief that the hon. Lady should suggest that the case I have cited makes the case for the Bill.

The clause is all about continuing draconian measures and leaving people vulnerable to the possibility of losing their rights to benefit over a whole range of circumstances, including disability. The reason we raised the issue in Committee and again today is that the Minister has not even convinced the disability groups that the Bill's proposals will protect people with disabilities—especially the changes in incapacity benefit. Those changes, together with this clause, are a major attack on people with disabilities in the labour market.

I want to deal now with the question of restrictions and the rate of remuneration for employment. Our amendment in this respect goes to the heart of the Government's policies in the labour market. We know that the Government want the longest working hours in Europe—and they have achieved that, after 16 years. We know that the Government want the least holiday entitlement in Europe—they have achieved that after 16 years. We know that the Government want the poorest pensions in Europe—they have achieved that after 16 years. We know that they want the highest levels of insecurity in Europe—they have achieved that after 16 years. Finally, they want to impose the lowest pay in Europe. Britain's wage rates are still just above those of the new entrants to the European Union, but the Government plod on regardless.

The final piece of the Government's jigsaw to deregulate the labour market and introduce insecurity in the marketplace is their wish to drive down pay rates. As part of their strategy, they have removed the legal right of young people under 21 not to be paid paltry wages and salaries. They have abolished the wages councils and inspectorates that helped to protect millions of workers. As a result, in real terms the Government have driven down the wages of many people, among them the most vulnerable workers, in many sectors of the economy.

Mr. Jim Cunningham (Coventry, South-East): I hope that my hon. Friend intends to comment on the latest developments in Government policy—to force people to take out insurance policies against unemployment.

Mr. McCartney: My hon. Friend is right—the Government believe that the market can resolve anything and everything. Of course, the vast majority of unemployed people cannot afford insurance. The Government are also trying to force people to take out mortgage insurance policies. They want to opt out—

Madam Deputy Speaker: Order. The hon. Gentleman is going wide of the matter that is being considered. I suggest that he continues with the main thrust of his argument.

Mr. McCartney: I apologise, Madam Deputy Speaker. I am too soft with hon. Members, and allow them to take me down highways and byways. I shall try to be a little tougher with interventions.

After 16 years of Tory government, the bottom tenth of the population is 17 per cent. worse off in absolute terms than when the Conservative party took office. The proportion of households living in poverty has tripled, from 7 to 24 per cent. since the late 1970s. Some 300,000 people earn less than £1.50 an hour. At least 1.3 million people earn less than £2.50 an hour. Women are badly hit by low pay, with almost 700,000 of them earning less than £2.50 an hour.

In every region of Britain where unemployment is high, there is low pay—whether it be Yorkshire, Humberside, the north, London, the east or the west midlands, the eastern region or the south-west of England. High unemployment goes hand in hand and side by side with low pay.

We now know that, between 1984 and 1994, there has been an increase of more than 1 million people holding down two—sometimes even three—part-time or temporary jobs just to make ends meet. A further 4.5 million people earn so little that they live on or below the poverty line. That is the reality, after 16 years of the Tory Government's economic miracle.

Young people are also badly hit. One in three earn less than the national insurance threshold of £57 a week. Eight out of 10 jobs for 16-year-olds, and seven out of 10 for 17-year-olds, now pay less than £2 an hour. Since 1990, hourly pay rates have fallen in real terms by 15 per cent. for 16-year-olds and by 11 per cent. for 17-year-olds. Low pay is not an accident; it is a central feature of Tory economic policy. It is a central feature of the Bill. The Government, through the Bill, will drive down wages even further.

I want to refer to the hypocrisy of the Government and their absolute audacity in saying on the one hand that they want to introduce a minimum wage, while on the other giving support to people like Iain Vallance, the chairman of British Telecom, who earns £383 an hour—more than the 1.3 million to whom I referred earn in four weeks; and to Cedric Brown—good old Cedric—the chief executive of British Gas, who earns £9,838.50 per week, what those 1.3 million people earn in two years.

Lord Young, the former Tory Cabinet Minister who is chairman of Cable and Wireless, attacked teachers for their greed earlier this year. Lord Young earns more in one month than those 1. 3 million people earn in a decade. Lord Younger, another former Tory Cabinet Minister—

Madam Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman again, but I must remind him that, although this group of amendments is reasonably wide, it is certainly not wide enough to include extended references such as the hon. Gentleman is making.

Mr. McCartney: The heart of the Bill and the jobseeker's agreement is that people will be required to indicate before they get benefit what level of pay they will work for. The Government will take measures in respect of those at the lowest level of income to ensure that those people work for £1 an hour or less. Those at the upper level—those who earn more in a month than millions of people earn in a decade—suffer no restrictions on their incomes, and are in fact encouraged.

That is why it is important to highlight not just the hypocrisy of the measure, but the social injustice and unfairness of it. The British people will be outraged if the Bill goes through tonight without an appropriate debate about how the Government defend the rights of fat cats while undermining the rights of the low paid.

The Secretary of State for Employment, whom I have renamed the Secretary of State for greed and privilege, is a vociferous opponent of the amendment, which is a precursor to a minimum wage. The right hon. Gentleman earns £1,304.21 a week; more than 15 million Britons earn in a month. The Government have no shame at all when it comes to this issue.

Mr. Thomas Graham (Renfrew, West and Inverclyde): My hon. Friend may not be aware that a lemonade factory in my constituency is paying folk who have worked in the place for 20 years £1.90 an hour. There is a sweetie factory not far from my home which nearly pays its workers in sweeties—they are paid £2 an hour. One woman—a top confectioner with about 30 years' experience—went to work at the factory and was told that she was to be given a short-term contract. After that contract was finished, she was to be given £2.50 an hour. It is mind-boggling that the Government are allowing our folk to be paid in sweeties.

Mr. McCartney: My hon. Friend is right. The Bill will provide unscrupulous employers with a large number of unemployed people from local labour markets who can be paid on or below benefit levels. There is no minimum level in respect of the right to refuse employment measure under the legislation, which means that the Secretary of State is telling unscrupulous employers that they can offer through his Department a range of jobs—full-time, part-time or temporary, it does not matter—with pay on or below the level of benefit. The Department will secure a number of people from the ranks of the unemployed to take those jobs. That is deeply anti-competitive, as well as unfair.

What about the local employers in the labour market who pay decent wages, train people and have proper standards? They will be undermined by the proposal, which is about not just social unfairness and injustice but economic strategy. The Bill shows us why we need to invest in people and in the research and development of goods and services. People should not compete for skivvy pay in skivvy jobs and insecurity at work. That is the difference between the Opposition and the Minister.

Ms Eagle: Does my hon. Friend agree that paying people such low wages undermines the national insurance system, as so many people earn under the threshold and

[Ms Eagle]

will not pay into the system? Not only does the Bill undermine the national insurance system by means-testing benefit for the first time: it completely destabilises the system, because so many people will simply not earn enough to make contributions.

Mr. McCartney: My hon. Friend is absolutely right, and that is a part of the long-term strategy of the Government. The Bill is essentially an enabling piece of legislation—

Madam Deputy Speaker: Order. I remind the hon. Gentleman—not for the first time—that we are considering not the whole Bill, but a group of amendments.

5.15 pm

Mr. McCartney: My hon. Friend the Member for Wallasey (Ms Eagle) was making a point about the £57 national insurance contribution threshold. Under the clause with which the amendment deals, individuals who refuse to take up employment at or below—sometimes significantly below—the benefit level will lose their right to benefit. That is the point that my hon. Friend was making.

The scheme will result in a net loss to the Exchequer from national insurance, which the Government want to make up by private insurance schemes. That is why I said that the Bill forms part of a wider agenda to rid ourselves of the whole principle of contributory benefits and replace them with private sector insurance.

Is it not astonishing that someone who gets over the first hurdle and says that he will work for wages on or below the benefit level is not given the key to opportunity or success, or a guarantee of employment or a training scheme? Not at all. If they are 18 to 24 years old, they are guaranteed that they will immediately lose 20 per cent. of their current benefit. For co-operating with the Government and agreeing to accept wages below £2 or £1 an hour, that person is fined £499.

An 18 to 24-year-old who has a partner working full-time and who agrees to accept all the restrictions placed on him by the Government is not congratulated or thanked—not a bit of it. He loses £1,457, or 60 per cent. of his income. For simply agreeing to participate in the jobseeker's measures, those who already have the lowest incomes and who are living in absolute poverty have a 60 per cent. cut in their income.

How do the Government expect these families to live? How can they possibly live on the same level of income for a year that Sir Iain Vallance receives in just over an hour? It is astonishing that the Government believe that people in Britain will accept such purgatory as we come to the millennium.

Those who are aged 25 and over and who are working full-time will lose 50 per cent. of their benefit. Those of a similar age who have £8,000 savings—those who have done what the Government asked them to do, and who have tried to save when they worked, and to get redundancy if they lost their jobs—lose 70 per cent. of their income. That is scandalous.

For all those reasons, I ask my right hon. and hon. Friends to support the amendment. If Conservative Members are serious about ridding this country of inequality and insecurity, and about investing to create employment and success while not taxing for failure, they should also support the amendment.

Mr. Alan Howarth (Stratford-on-Avon): New clause 6—which Lords amendment No.6 incorporates—is the core of the Bill. A range of highly contentious propositions in the Bill are found there.

I am concerned that the requirement that a jobseeker should be available for any employment may have some miserable consequences, and I take it that the amendment to which the hon. Member for Makerfield (Mr. McCartney) has just spoken has been tabled with that thought very much in mind.

I fear that the requirement to be available for any employment will lead to more poverty in work. I would be grateful if my hon. Friend the Minister would clarify to the House—perhaps other hon. Members know the answer—whether it is the Government's policy that the jobseeker should be required to accept jobs that pay below the income support or jobseeker's allowance rate. If that is the case, there will be some very worrying implications, and it will certainly lead to much destitution and suffering. My hon. Friend may wish to respond to that point when she winds up.

If that were to be the Government's policy, it would also lead to a deterioration in the quality of our economy. We would be moving towards a low-pay, low-skill and low-productivity economy. Such a strategy would carry with it mounting costs in terms of social security, health expenditure and expenditure on law and order—the very escalation in public expenditure which my right hon. and hon. Friends wish to avert.

Some of our most modern and, indeed, best-known employers will be all too ready to exploit the absence of any floor to pay. We hear, for example, of the phenomenon which is, I believe, known as reservism, whereby a person is taken on—employed—by, for example, a retailer, but has to wait by the telephone for the moment at which he or, more commonly, she may be required. Such people have to be available for 40 hours, but they are expected to work for only 15 hours. The particular difficulty is that it becomes impossible for those employees to put together a portfolio of earnings that is sufficient to keep them in decency and dignity.

Miss Widdecombe: I am becoming increasingly puzzled by references by the Opposition and now by my hon. Friend to changes in the law. There is currently no floor underneath somebody's right to refuse a job. If we do not have adverse effects at the moment, why, if there is no change, does my hon. Friend believe that there will be substantial adverse effects in the future?

Mr. Howarth: I would have hoped that my right hon. and hon. Friends would have taken advantage of this legislative opportunity to ensure positively that the eventualities that I apprehend do not occur.

Consideration of availability for employment necessitates consideration of the policies and regulations on study and training. We need to upgrade our labour force—in the words of Disraeli, to

"elevate the condition of the people."

I fear that the Bill fails to take the opportunity that it might to do that. The Labour party's amendment (a) is also germane to education and training.

The proposed new clause, the subject of the Lords amendment, requires a jobseeker to be immediately available for work. My right hon. and hon. Friends have given some considerable attention to the relationship between study and benefits under the jobseeker's allowance. I fear, however, that they may have missed the opportunity for a thorough-going reform of this area of policy. That is what is needed, because we must make up our minds that we are going to invest in our nation's skills and in the intellectual quality of our labour force. Today's labour market requires literacy, numeracy, ever-greater degrees of intellectual sophistication and, of course, a capacity to handle with ease information technology, as well as personal confidence and adaptability. All that argues for higher and higher levels of education and training.

Long-term unemployment is certainly concentrated among those who have few or no qualifications. I, like Opposition Members, fear that our society may be polarising, essentially between those who have fared well in the education system and those who have not. A Tory Government cannot wish to promote such polarisation.

I put it to my right hon. and hon. Friends that it will cost the taxpayer more in the long term if we fail to invest in education and training. Even from the point of view of the Treasury, that must make sense. I recognise, of course, that there are difficulties in using the jobseeker's allowance as a means of subsistence for students in a range of circumstances. The job of Ministers, however, is to overcome the difficulties to achieve the purposes that, we are all agreed, are desirable. We need much more flexibility built into the system. We need bridges at least between the system of grants for education, the system of funding for training that comes from the Department of Employment and the benefits system. I cannot see that we are using the opportunity of policy-making in the Bill to achieve that kind of constructive integration.

My right hon. and hon. Friends may fear that, if we invested, through whatever system, more extensively in education and training, there would be a terrible visitation by the financial markets because the Government would be found guilty by the markets of letting public expenditure rip. I strongly suspect that international investors would prefer to invest in an economy that was upgrading its skills and intellectual capacity than in an economy that was devaluing them. I have been puzzled, therefore, by the decision to cut the training budget and by the rumour which is now circulating that my right hon. Friend the Secretary of State for Employment has offered the Chief Secretary to the Treasury a further cut in his Department's budget in this year's public expenditure negotiations.

Come what may, we must extend to all improved education and training opportunities. We must extend them to the low-paid, to people working in small businesses, to people doing part-time work and to people who have hitherto been poorly educated. Nowadays, we are not bad at providing better opportunities for those who are already relatively successful and advantaged, but we must ensure that these opportunities are extended throughout our society and our labour force.

I hope that my right hon. and hon. Friends will not be too preoccupied with the few who may "study" as a device to avoid work. The huge majority of the unemployed want to be able to work and they want to be able to work in better jobs.

I know that my hon. Friend the Minister envisages that, as a result of the changes that she has introduced, including the change from a 21-hour to a 16-hour rule, no fewer people will have the opportunity for study while they are unemployed than at present. We should, however, be trying to bring to many more people that kind of opportunity. It is getting easier for us to do so, if we want to, because of the development of modular courses and because of the new technologies, such as cable, that people are able to access to learn. We can now break out of some of the old rigidities in our approach and find new ways in which to make education and training a positive outcome, in the jargon, in terms of the Department's policies.

It is now quite safe to ignore the whole question of hours of study and to ignore the distinction, which is becoming increasingly blurred, between full-time and part-time study. We need the jobseeker's agreement to take sensible account of the studies and the upgrading of skills on which unemployed people embark and we need, of course, the colleges, the further and higher education institutions, to be flexible in helping people to continue to study once they are back in work.

The hon. Member for Makerfield spoke about the "permitted period" when considering career prospects and skills. It seems to me that the existing 13-week permitted period, which the Government intend to carry forward in the new system, in which a jobseeker is allowed, without forfeit, to look for a job that matches his skills and experience, is too short. It seems to me prodigal and destructive that, after only 13 weeks, we should set aside the accumulated skills and experience that someone has built up over, perhaps, quite a long working life.

I now turn to some of the exemptions that occur under the proposed new clause and, in particular, under proposed subsection (2)(b). I welcome the Government's recognition that in certain circumstances, the physical or mental condition of a jobseeker ought to entitle that person to some exemption from the full rigours of the requirement to be available for work.

We need clarification and one of our problems is that we do not have the regulations under the Bill before us, so it is difficult to judge what the policy may mean in precise terms. We understand that the Government expect 190,000 people to appeal against a decision to refuse them incapacity benefit. It might take about 26 weeks for appeals to be heard, during which time they have an option to sign on, but being to some extent disabled they might find it difficult to fulfil the requirements to be available for and actively seeking work, or to claim income support, but only at 80 per cent.

5.30 pm

The Minister in another place, Lord Mackay, said that, rather than changing the rules, one must act with sensitivity in each case, which is an attractive idea but would be a break with precedent, judging by the history of what has occurred with invalidity benefit and people appealing against refusal. They have not always found officials in jobcentres as sensitive as my noble Friend would wish. If I can catch the attention of my hon. Friend the Minister for a moment, I would be grateful if she could tell us clearly in her reply whether an appeal against refusal of incapacity benefit would prejudice a claim for jobseeker's allowance.

New clause 6 also touches on the delicate question of behaviour and appearance. While I recognise the Government's valid concern that some people who claim

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the benefit and pretend to be looking for work will present themselves so offensively that no right-minded employer would take them on, we may be exaggerating the danger and giving Employment Service officials a licence for officiousness. So I have a third request of my hon. Friend the Minister.

Will she undertake that officials will not deprive any jobseeker of benefit because they find their behaviour objectionable on the grounds of religious practice or sexuality, or on grounds of appearance—for example, the length of their hair? May I have an assurance from my hon. Friend that in no circumstances will it be tolerable for officials to deprive people of benefit on such subjective and prejudiced grounds? I am sure that that is the Government's intention, but it would be helpful to have it on the record.

The Bill's provisions allow much scope for officiousness and for a martinetish or even bullying approach on the part of officials. The huge majority would not conduct themselves in such a way, but the requirements on attendance, for example, lend themselves to that danger.

The new clause also provides for penalties. The legislation already involves penalties on a much broader scale. People who are unemployed for a year will find that they lose between 20 per cent. and 70 per cent. of the benefit that they would have had under the old system. As has been said, people will lose contributory benefit after six months instead of 12 and will find themselves in the poverty trap that much earlier. There is some anxiety about the adult dependant's allowance disappearing from contributory benefit and about the lower rate of benefit for the under-25s being transferred from income support to contributory benefit.

Penalties already exist in a certain sense, but there will be penalties in another. They may be draconian and could be administered somewhat arbitrarily. If, for example, a single person under 25 is penalised and finds herself on only 60 per cent. of the jobseeker's allowance, it will amount to only £22.10 a week, which is awfully little to live on. If an official thinks that a single person—or a childless couple—is insufficiently energetic in the search for work, he may even refuse a hardship payment. Even someone who has contributed to national insurance might be without income on the mere doubt of an employment officer. That does not seem to be the highest state of the welfare state.

I hope that my right hon. and hon. Friends will think carefully about the application of penalties to people in the 50-plus and certainly the 55-plus age group. At the moment, that age group is expected to be active in the search for work, but for all too many people in the group the jobs are not there and it would be cruel to require such people to go on that dismal merry-go-round.

I am less optimistic than I might be about how the system will work in practice because of the annual performance agreement with the Employment Service and the target set for officials to challenge a certain proportion of claims to benefit.

As my hon. Friend the Minister knows well, I dislike the substance of the Bill. The little that it will do to promote employment or to save money does not redeem it. It sets aside the national insurance contract—*[Interruption.]* It is nice of the Whip, my hon. Friend the Member for Langbaurgh (Mr. Bates), to sit beside me and keep me company, but I have a little more to say and must detain the House for a few more minutes. I hope that he will not mind too much. I appreciate the fact that other hon. Members want to speak and I know that that is his concern.

It is even more astonishing that contributory benefits should be reduced in a year when contributions have risen. The Government have altered the terms of that contract and have introduced an agreement of a different kind in the Bill—the jobseeker's agreement. I have never heard, however, of an agreement or a contract that falls to be arbitrated by one of the parties to it and under which one party may impose penalties. In such circumstances, to talk of a jobseeker's agreement is an abuse of language in an abuse of power.

If the substance of the Bill is objectionable, so too is the manner of the enactment. We are indebted to the admirable House of Lords Select Committee—the Delegated Powers Scrutiny Committee—and to members of that unreformed and unelected House for amendments Nos. 36 and 39, which deal with the regulation-making powers. Members of the House of Lords have proved more vigilant in the defence of the liberties of the people than the people's elected House of Commons, and it is by no means the first time.

The power of the Select Committee's arguments in its reports was such that the Government bowed to their Lordships' insistence that clause 6 be re-committed. I appreciate and welcome the fact that the Government agreed to rewrite it, to fill out the definitions and to make regulations under it subject to the affirmative procedure. That is as well, because clause 6 still provides large powers to make regulations to control the practical implications of the requirements to be available for work and actively to seek it.

As the Minister in another place, Lord Mackay of Ardbrecknish, acknowledged, the Bill is a skeleton Bill. Paragraph 16 of the memorandum from the Departments of Employment and Social Security to the House of Lords Select Committee stated:

> "The Bill has 87 subsections and 17 paragraphs of Schedule 1 which contain powers to create delegated legislation."

The Bill would effectively give the Government carte blanche to determine policy as they will.

Is it right for Parliament to delegate law-making powers so extensively? Under most sections of the Bill, regulations will still be approved under the negative resolution procedure, even after these amendments. In effect, that means on the nod. Whatever the Government want will be approved by Parliament automatically, unless it is one of the few pieces of secondary legislation that is prayed against.

This is not trivial legislation, nor should our responsibility in the House be taken lightly. Clause 6, which deals with the requirement to be available for work and seek work actively, is but one important section of the Bill. Clause 4 creates the power to set the amount of the jobseeker's allowance. The Select Committee suggested that the decision on that should be by affirmative resolution, but the amendment was not made. The Government's memorandum argues that that is in accordance with precedent under social security legislation, but that does not seem to be a convincing case for the negative resolution procedure. The affirmative resolution procedure takes more of our time and it runs against the spirit of the times to allow that. The Jopling reforms—more timetabling of debates

and fewer late sittings—are seductive and are supposed to present us as a more modern and businesslike assembly, but our job is to scrutinise the Executive's policies and hold them to account.

The regulation-making powers under clause 16 might also have been amended here so that they would be under the affirmative procedure. This clause creates the most draconian powers for adjudication officers to impose benefit sanctions on those whom they regard as recalcitrant, who may have broken benefit rules or left employment voluntarily. The penalties can be extremely severe: officials have the power to impose disqualification from the jobseeker's allowance for up to 26 weeks. The very language of the memorandum, describing such action as "misdeeds", should alert us to the need to keep control of the use of such powers. The memorandum acknowledges that the use of regulations to prescribe periods of sanction is an innovation, which is all the more reason for Parliament to act cautiously in conferring such powers.

What we have, however, is a proposal not only that the Government should have an untrammelled power to promulgate regulations, but that those regulations should give huge discretion to employment and adjudication officers. If such powers are to be granted by Parliament at all, they should be granted only by affirmative resolution and be renewable rather than indefinite.

Ms Eagle: I am enjoying the hon. Gentleman's speech and agree with almost all of it. Does he agree that local members of the Employment Service want nothing to do with those arbitrary powers? I have the impression that they, too, feel uncomfortable with them and realise that the Bill places them in a difficult position. They want to help people in a positive way to get back to work rather than to police them, which is what those clauses suggest they should do.

Mr. Howarth: I am sure that the hon. Lady is right. Decent officials will approach those powers with diffidence and wish to use their powers as constructively and benignly as they can. But I fear that, if officials are invested with ill-defined and arbitrary powers, including powers to impose severe sanctions, some may slide, almost subconsciously, into using those powers to excess. As a law-making body, it is our responsibility adequately to define the powers which servants of the state are entitled to use.

My right hon. Friend the Secretary of State for Employment recently spoke forcefully of

"the need for the British people to take the decisions which affect their daily lives in the Parliament which they elect".

He was referring, of course, to our claims of parliamentary sovereignty against the predatory institutions of the European Union. In the same speech he suggested that the Conservative party had a unique capacity to respond to that need. If a Conservative Government introduce legislation on this model and we, as Members of the United Kingdom Parliament, are so effete as to hand over law-making powers wholesale to the Executive, we abuse the institution that we profess to cherish.

There has been a vast increase in secondary legislation, particularly in the past 10 years. In the 15 years from 1970-85, an average of 2,000 statutory instruments were made each year. Since 1985, the number has risen steadily from 2,080 in that year to 3,334 in 1994.

Mr. Deputy Speaker (Mr. Michael Morris): Order. *[Interruption.]* Order. The hon. Gentleman must be hard of hearing this afternoon. We are not here to review the number of statutory instruments that have been made. I assure him that I know better than anybody how many there have been. We are dealing with amendment No. 6 and I should be grateful if the hon. Gentleman would return to it.

5.45 pm

Mr. Howarth: Indeed, Mr. Deputy Speaker. I understand that you speak with feeling.

Mr. Ian McCartney: On a point of order, Mr. Deputy Speaker. I seek clarification. The hon. Member for Stratford-on-Avon (Mr. Howarth) is speaking to one of our amendments, which deals precisely with regulation and how the House should deal with it. Amendments Nos. 36(a) and 39(a) are grouped on the Order Paper with new clause 6. I hope that that is helpful.

Mr. Deputy Speaker: I am grateful to the hon. Gentleman for telling me what the amendments are about. I hope that he will do me the courtesy of recognising that I read the amendments before coming to the Chamber. I repeat my complaint: we are not here to review the total number of statutory instruments in this Parliament. I hope that that line of argument will be desisted from.

Mr. Howarth: Indeed, Mr. Deputy Speaker, I am about to move on. My hon. Friend the Whip will be pleased to know that I am about to draw my observations to a close. Amendments Nos. 36 and 39 are in this group and deal specifically with secondary legislation and the use of the affirmative or negative resolution procedure.

All secondary legislation is unamendable, and the vast majority is not even considered by the House. No wonder my right hon. Friends are against constitutional change, when our present constitution and the directions in which political energies run enable them to legislate whatever they will. We have seen a rolling back not of the frontiers of the state but of parliamentary accountability. Against that background, I tabled the Human Rights Bill, which was passed in another place. It would provide some protection for those who may be threatened by this Bill, particularly through article 4(2). However, that debate is for another day.

The Bill creates large and potentially dangerous new powers for the state, bearing particularly on those who are most defenceless: the unemployed. It behoves us as Members of Parliament to champion those who most need champions. We do it in our surgeries and we should do it here.

I find both the substance and the manner of this legislation profoundly unacceptable. Today's proceedings do not provide another opportunity to vote against the principles of the Bill but, while we secure limited improvements in the Lords amendments—we should thank the other place for them—we should reflect deeply on the progressive abdication by the House of Commons of our constitutional role of holding the Executive to account.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): Last time I followed the hon. Member for Stratford-on-Avon (Mr. Howarth), I had to admit that it was a pleasure and a privilege. It is getting a bit boring because this is the second time I have followed him and again I have to say that I agree with much of what he

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said. He is a lone voice—I wish that he were a chorus—on the Conservative Back Benches in trying to persuade Ministers to reconsider their legislation.

Interestingly, in the Minister's interventions, both in the hon. Gentleman's speech and in the speech of my hon. Friend the Member for Makerfield (Mr. McCartney), her defence was that the Bill did nothing new but was simply enforcing existing practices and regulations. That defence was made by the noble Lord Mackay in another place and subsequently led to this new clause. Of the original clause 6, he said:

"Our intention was merely to provide for a more direct route through regulations rather than through the indirect route of treating or deeming people available or not available which legislation has until now employed."—[*Official Report, House of Lords*, 11 May 1995; Vol. 564, c. 200.]

The concern of my constituents and of many Opposition Members is that that direct route will lead to a loss of benefit, and that the purpose of the Bill is to deprive more people of their benefits. The direct route means a more rigorous application of the principles enshrined in previous legislation and regulations, the application of which has bedevilled the House, not only in this day and age, but in previous ages.

The Minister was right in one fundamental respect: there is nothing new in what is proposed. The concept of the terms "available for employment" and "actively seeking employment" is not new to our legislation. It has a long and rather inglorious legislative pedigree. It started in 1921. I read with fascination, in preparing for the debate, the arguments of the 1920s—from 1921 to 1930. Arguments were made during that time which were identical to those that have worried and created queasiness in the other place.

That is why the Lords made the Government change new clause 6. They were worried about the way in which those words would be interpreted, applied and, more importantly, enforced by officials on the ground. The hon. Member for Stratford-on-Avon argued that point very effectively.

I come from and represent a group of communities with long-standing, vivid and bitter memories of the early application of the active availability for employment and seeking work qualification for benefit. A generation of people in my constituency can remember being called before courts of referees, insurance officers and local employment committees to prove in detail the efforts that they had made to obtain work at a time when 65 per cent. of the people in those communities were out of work.

I say to the Minister, the reason why we treat the Bill with suspicion—I am not convinced by what she and other Ministers have said that the Bill and the clause are not designed to enforce much more rigorously the application of the actively seeking work regulations and so on—is that we already have a long history and memory of the experiences of a whole generation, and we are witnessing in 1995 an eery re-application of those arguments and principles to the extent that they were applied in 1925.

I have read through the earlier legislation, the debates and arguments and the application. The chairman of the court of referees for Rhymney in 1929 said, of the application of legislation very similar to that which is before us, that its task was to go into the "state of the applicant's mind".

I believe that much of the jobseeker's agreement and the questionnaires are designed to try to do exactly the same thing: they seek to discover the state of the applicant's mind and his attitude towards employment and work.

Curiously, in the 1920s and 1930s the legislation led first to mass-scale coaching by the trade union movement to help people get through those questionnaires. I wonder whether in the 1990s we shall have a curious repetition of behaviour and administrative practices that we believed had long gone.

Shall we have citizens advice bureaux and individual members of trade unions advising people how to fill in those questionnaires, how to cope with the new jobseeker's agreement and how to ensure that they are not caught out in the interrogations by the new officials in applying the new regulations, or applying the old regulations in a specific way? I have a horrible feeling that in some ways we are being dragged back to the 1920s and 1930s rather than carried into the next century in terms of legislation and regulations and their application.

I have a sneaking feeling that in part the aim of the Bill and of the provisions in the clause is similar to the aim of the legislation of the 1920s. The legislation of the 1920s was not—and I do not believe that the Bill is—designed to help people into employment, to take a positive view. I believe that behind it is a cost-cutting exercise, aimed at reducing the number of those able to claim benefit. It has been accompanied by a savage cut in unemployment benefit, anyway. They have gone hand in hand.

The House may be interested to know that, curiously, the original words devised in the legislation—making it necessary to prove that one was seeking employment—were really designed to make fewer women eligible for unemployment insurance benefit. After the first world war, as a result of working in munitions factories during that war, a large number of women were entitled to unemployment insurance benefit. Because the numbers were increasing, much of the legislation in the 1920s and 1930s was designed to take away from women the right to claim unemployment insurance benefit. Moreover, it succeeded and 250,000 women lost their rights as a result of that legislation.

I wonder whether there will be an eery repetition in the 1990s, at the tail end of the century, in the application of the new regulations, in the new attitude and in the new conditions of availability for work or the active seeking of employment. I wonder how the legislation will be applied to women and their rights to unemployment benefit. I wonder whether, 70 years later, we shall witness, in a new style, the attitudes and approaches that the communities that I represent still vividly remember being experienced by the generation of most of the old-age pensioners in my constituency. We therefore have every right to suspect the weasly words and the pretence that the Bill and the new clause do nothing new.

I will tell you another thing that the Bill does, Mr. Deputy Speaker. We should not bring in that type of Bill at this moment, in a labour market which, in the communities that I represent, I have never known to be so disoriented and to have so many difficulties and problems.

The concept of "actively seeking employment" and the ruling out of the idea that one should seek employment suitable to one's skills or one's experience is meaningless

in the context of the community in my constituency, which has lost all its mining jobs, which has experienced a severe shrinking of the number of jobs in manufacturing, and where training opportunities have been thrown into disarray. Not only has there been destruction of apprenticeship schemes of the kind and character that made post-war Merthyr Tydfil and Rhymney a skilled community, but people do not know what skills they need now.

There is a genuine question as to what kind of skills and training required to meet the needs of a local or a national economy at the end of the century. Yet apparently those are the tests that will be applied to decide whether a person will continue to be entitled to a jobseeker's allowance and whether he is meeting his requirements under his jobseeker's agreement. We do not want to be dragged back and we certainly do not want the enforced application of rules and regulations of that kind in a fluid and difficult labour market of the kind and character represented by Merthyr Tydfil and Rhymney.

As the hon. Member for Stratford-on-Avon argued very effectively, to those people may well be added hundreds, if not thousands, even in my local community, of people in their mid-fifties losing their invalidity benefit, not qualifying for the new incapacity benefit and being driven back into the labour market. I would like the Minister to say when she replies whether, as I assume will be the case, a person in that category, having found that he or she does not qualify under the new incapacity benefit and loses their existing invalidity benefit, in order to gain any form of benefit at all from the age of 54 up to the age of 58 will have to write out a new jobseeker's agreement. Will he or she be expected to sign on some dotted line as to what efforts he or she—often having been out of the labour market for two to three years—has made to find work so as to be able to collect some form of benefit?

We have a right to question Ministers whether it is right to introduce that specific measure, at this moment, against the background of the labour market and against the background of the demotivated younger generation that, I am sorry to say, exists in my region. The parents of those young people were made redundant when they believed that they had secure jobs, and they feel angry and disaffected about work, jobs, employment and training. Sadly, youngsters entering the labour market in Merthyr and Rhymney feel the same.

Great changes have occurred in our community. I took the trouble to check the local vacancies at the Merthyr jobcentre. There are about 457 vacancies. The mixture of jobs available is interesting. It is certainly very different from what once would have been available in a community such as mine. I suppose that those vacancies reveal the new diverse economy that Ministers are so happy to describe.

Just over a quarter of the vacancies are for jobs in factories, engineering or fitting—the sort of well-known occupations in which the middle-aged generation in my community have experience and skills. The rest of the vacancies are for interesting jobs such as chefs, or in office work, service work and, of course, as security guards—a growing employment sector. I have already told hon. Members about the vacancy for a security job which paid £1.80 an hour and where applicants were told they had to "bring your own dog". If one did not have a suitable dog, would that be a justifiable reason for not accepting such employment?

6 pm

Such are the stupidities and the bizarre situations that the Bill and new clause throw up. We therefore have every reason to question whether the mechanistic approach taken by the Bill, and prescribed in some detail in the new clause—it will be prescribed in much more detail in the jobseeker's questionnaire—is the right way to provide jobs and opportunities for our people, who have, in many cases, been out of work for so long. I doubt that. I doubt the motives behind the Bill and I do not think that it offers a positive view about employment. I believe that it is born out of the nasty, mean-minded spirit which has characterised so much of the Government's legislation. For that reason, I shall certainly vote against the Lords amendment.

Ms Liz Lynne (Rochdale): It is frustrating to have to confine myself to one group of amendments, but I will do my best.

The Bill is not very different from the one which left this House: even though people in the other place tried to change it, the results are minor and I do not believe that they are enough. The Bill should be scrapped, but we cannot debate that proposition now.

The Bill attacks the unemployed and its implementation is likely to be extremely costly. The Government have not provided a proper breakdown of the figures, but have merely offered a blanket figure of the costs involved. I should like to know how much it will cost to implement the jobseeker's agreement and I should be grateful if the Minister would give that answer when she replies to the debate.

The group of amendments relate to how the expressions "availability for employment" and "actively seeking employment", are defined. In the original Bill those expressions were to be given

"such meaning as may be prescribed."

I know that there should be a balance between flexibility and parliamentary control, but some issues concern the disentitlement of groups of people to social security benefit. Those issues are far too important to be consigned merely by regulation.

I know that it was pressure from the Lords Delegated Powers Scrutiny Committee that persuaded the Government to change their mind on some issues and to alter clause 6 in particular. Everyone is aware of the need for flexibility in legislation. We know that it should be possible for it to adapt and that its implementation should not be subject to rigid stipulation. It is clear that the Government have departed from that precedent with clause 6. As a result, the Government's intentions have been exposed. We now know what they mean by "actively seeking employment" and "availability for employment". I do not like what they mean, but at least that meaning is now out in the open.

I should like to know how the Bill will work in practice. Many hon. Members have already said that people will be forced to take jobs for which they are not suitably qualified. Will someone who has been a labourer for a long time be forced to take a job in an office and vice versa? I am afraid that that will happen, because nothing is said about someone having the right qualifications and expertise for a job.

The changes contain some positive aspects. I am glad that the regulations governing a person's availability for employment and their active seeking of it will only be

[Ms Liz Lynne]

introduced subject to affirmative resolution. I am glad that the Government have finally relented on that matter. At least that gives the House the opportunity to challenge any changes to the regulations that the Government of the day might want to introduce.

I welcome that opportunity for proper scrutiny. That is one of the few things that I can welcome, however, because the jobseeker's agreement will cause a lot of pain and frustration to a lot of people. A number of people now in receipt of unemployment benefit will not be entitled to receive the jobseeker's allowance. I greatly fear for those people.

I hope that the Government will change their mind about the Bill, but I do not believe that is likely. At least they have moved slightly on the terms of clause 6, but they have not gone far enough.

Mr. Graham: The Bill represents one of the most pathetic plans that the Government have ever come up with. When one considers how the level of unemployment has gone up in the 16 years that they have been in power, their proposals are mind-boggling. Given that length of time, one would think that the Government would have come up with something to get folk back to work.

In my constituency I have seen an enormous growth in part-time work and short-term contracts—in some cases jobs with no contracts. The Government's proposals are therefore absolutely mind-boggling.

I have no hesitation in supporting the Labour amendments to the clause, because they are sensible. If the Government had any common sense, they would follow their Prime Minister and resign from leadership of the country. I hope that a real change comes with the general election.

I have listened to many, many debates in the House; some I have enjoyed, some I did not like. I must say that I thoroughly enjoyed the speech of the hon. Member for Stratford-on-Avon (Mr. Howarth). I was delighted to hear something from the Conservative Benches that showed a bit of compassion and feeling for the unemployed and for their rights to get back into the job market.

I genuinely agree with his sentiments about training. It is nonsense to make training compulsory. I remember a story I heard when I was an apprentice about service men who were captured during the war in Italy and Germany. They made sure that their work was gerry-built so that it would collapse. That story shows that people could not force other folk to build stuff which was meant to defeat them.

The Minister should think about what I am saying: one cannot force folk to take training. Those people will do what I did when I was schoolboy, when I sat in class and went asleep. I used to leave at 4 o'clock, glad to go home to get my tea. Is that what we asking the unemployed to face? Those folk should get the training they need, which will benefit the country. That training should not mean a lecturer speaking to a crowd of folk who do not want to be there.

There is no doubt that the unemployed want training and education in order to enter the job market. They will do anything to get into it. A young man came to see me recently. He had been ill and was on invalidity benefit. He told me how people from social security were now trying to drive him into work. He said that, if he was fit, he would be working, but he said that he had been told he should be working first as a checker, or as an express driver on a motor cycle.

That is unbelievable. The folk working in social security do not know about the world they live in. Such are the folk who will try to implement the Government's policies in our constituencies—they live in cloud cuckoo land. They do not realise that certain jobs are not on offer in my constituency.

Mr. Jim Cunningham: Does my hon. Friend agree that, under the jobseeker's agreement, skilled engineers made redundant from some major factories might be forced into taking jobs as shelf stackers or taxi drivers?

Mr. Graham: I agree with my hon. Friend. I could go on and on, but there is no doubt that in my constituency there are thousands of folk working in jobs they are not happy with. However, they are working desperately for the funds they need to give them a life.

The Government have had 16 years, and those 16 years have been abysmal for millions of people. Young folk have seen other nations such as Germany, France and Italy all doing better. They see that our kids are at the bottom of the pit in respect of education, training and opportunities. However, the Government still want the jobseeker's allowance and the jobseeker's agreement.

Listen to what they are telling folk who have been unemployed for years and, indeed, some folk who have not been unemployed for that long. It is rubbish. They say that people must write to, telephone, and visit employers every week, contact the jobcentre so many times a week, ask family, friends and people for whom they have worked before, look at the newspapers and trade papers. Claimants are expected to name the papers and specify how often they will look at them. They must register with employment agencies and contact them every week.

The Minister and the people who compiled that list must live on the moon; they certainly do not live in this world. Friends of mine who are looking for work do nearly every one of those things, but it takes money—money that the Government are not prepared to put into the hands of the unemployed—to telephone, contact folk, buy newspapers, or write letters. Have the Government made that plain to folk? Have they made such money available? Never in a million years. It is all a Treasury-driven exercise to save money. It is not to help the unemployed.

I have a challenge for the Minister. Tomorrow morning, she and I can sit down in my office with a telephone and the yellow telephone book and telephone employers. She can be a wee lassie of 18 or 19 and I will be a guy of 51. I challenge her to see how many firms will talk to us. Come on Minister—try it. We will sit down and write letters to all these folk. For fun, we will telephone my friends. The Minister may not realise that half my friends are unemployed anyway because of her Government's failure. People are expected to contact the jobcentre every week, but the jobcentres are sick and tired of telling folk that they cannot get them jobs.

Let us be honest: the Government will never do anything for the unemployed. They have been driving wages down and at the end of the day it is the taxpayers who will have to pay to keep folk living. I know a woman who works for £2 an hour in a sweet factory. Is that right? The Minister can smile all she likes—she probably enjoys

the sweeties—but that woman does not need sweets: she needs money to buy groceries, pay the rent and provide some of the comforts that we in the House have no problem in getting.

My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) spoke earlier about a man with a dog. They tell me that all the security guards are trying to borrow the dog to keep themselves in their jobs. However, I know that people work for £2, £1.50 or £1.69 per hour. They are also forced to work hours that God never gave man the energy for. They work 12, 14, and 16 hours a day, every day. If they do not do it, they are fired. If they go back to the dole, they are told, "Ah, no. You had a job but you chucked it because you couldn't do it. On your bike." They will get no money from the dole. I say in all sincerity that I pray for a general election.

Mr. Deputy Speaker: In all sincerity, perhaps the hon. Gentleman could come back to the amendment.

Mr. Graham: I am most grateful for your direction, Mr. Deputy Speaker. In all sincerity, I believe that I have been speaking about the amendment all along. I have spoken about the unnecessary compulsory training. We need training that folk want to do and that will give them the energy and enthusiasm to get back into the job market. I agree with the hon. Member for Stratford-on-Avon. We also want folk to have decent pay that will allow them to go the shops. We all enjoy walking down to the shops buying things and ensuring that we have a good quality of life. That is what life is about. Unfortunately, the Government have denied that to millions of people by their crazy economic policy.

I have kept very well to the amendment but I will finish on this note. The other day when we heard in my constituency about the changes taking place to the leadership of the Tory party, I thought that it was interesting. The question of who will be the leader of the Tory party and Prime Minister concerns our folk in the constituencies. Folk will wonder who is going to lead the Tory party. At the end of the day, that person will lead the country as Prime Minister until the next general election.

A woman on the plane today asked me why the Government cannot have a general election to settle the issue and ensure that the unemployed have their rights—

Mr. Deputy Speaker: Order.

6.15 pm

Ms Rachel Squire (Dunfermline, West): As always, it is a real pleasure to follow my hon. Friend the Member for Renfrew, West and Inverclyde (Mr. Graham). There have been many first-class speeches on both sides of the House. I realise that the time available to speak on these amendments is limited.

I, too, want to touch on how clause 6 is about giving the unemployed a blunt ultimatum to accept any job, however low paid, or come off benefit and become destitute. The amendments, clause 6 and the Bill as a whole will mean that people will not only have to prove, according to whatever conditions the Government decide on, that they are actively seeking employment but that they have to sign an agreement. If they do not comply with whatever the Minister and the Government determine, they will be removed from benefit.

The occasional comments of Ministers during the debate have been to the effect that people have no need to worry if they are genuinely seeking work. The reality is that the jobs are not there for people to find; people cannot find a decent income and life style for themselves and their families. The Government have been constantly determined to fiddle the way the unemployment figures are calculated so as to be able to claim there has been a reduction in unemployment because of their policies. The method of calculation has changed 27 times since 1979.

Another point, Mr. Deputy Chairman, is that money is being used not to create genuine jobs for people to find but to subsidise the ever lower wages being paid by many employers out there in the marketplace. It is reckoned by the Inland Revenue that in 1994, taxpayers topped up low wages with £2.4 billion of benefits. I am sure that Opposition Members would rather see that money being used to provide decently paid jobs. The Government are taking us back to the days of the workhouse and workfare. We now have the biggest gap between the highest and lowest paid than at any time since 1886. I only wish that we could confine the Government and the Bill to a museum or, perhaps even more appropriately, a chamber of horrors.

I was going to cite some examples of low pay in my constituency where people are already being offered £1.50 an hour and are expected to support a family on that. I clearly do not have the time for that, Mr. Deputy Chairman—

Mr. Deputy Speaker: Order. This afternoon, I am Mr. Deputy Speaker. On other occasions I am the Chairman, but never Mr. Deputy Chairman.

Ms Squire: I apologise, Mr. Deputy Speaker.

I have run out of time, so I conclude by quoting J. K. Galbraith's comment that the conspicuously wealthy turn up urging the character-building value of privation for the poor but they never urge that character-building value on themselves. We have no doubt that that reflects the Government's attitude towards the unemployed. The only people on whom I wish privation are the Conservatives, with the exception of the hon. Member for Stratford-on-Avon (Mr. Howarth), who made an excellent speech.

Miss Widdecombe: The way in which the hon. Member for Dunfermline, West (Ms Squire) concluded her speech by wishing Conservative Members ill characterises Labour's debate, if one can dignify the Opposition's contributions as "debate".

During our debate on this group of amendments, we heard no welcome from the Opposition for how we responded to their concerns by redrawing clause 6 or defining in broad terms the phrases "availability" and "actively seeking". Instead, they raised old canard after old canard about the Bill in general. I am sure, Mr. Deputy Speaker, that you would not wish me to be led down their tempting path of debating the Bill as a whole, but I hope that you will allow me to respond to some of the specific points that they raised.

The hon. Member for Renfrew, West and Inverclyde (Mr. Graham) told us that he went to sleep in class—I think that he has been asleep ever since, and certainly through all our debates on the Bill. Almost every issue he raised had already been covered. He said that the Government had done nothing to help the unemployed,

[Miss Widdecombe]

but omitted to mention workstart, worktrial, job clubs and the 1.5 million opportunities, and even omitted the measures included in the Bill.

Mr. Graham: The Minister has not mentioned remotivation. How can the Government remotivate folk when they cannot even motivate themselves?

Miss Widdecombe: All that I can say to an Opposition who have been jobseeking for 21 years without success, who have endured the sanctions of the electorate time after time, who are well past their permitted period and who have already rolled higgledy-piggledy down the slope that we allow after the permitted period, is that we need no lessons on motivation from them.

The Opposition have consistently suggested that the Bill introduces new measures. They suggested that we have introduced a measure under which there will be no floor in the rates of pay that people must accept, but they consistently overlooked the fact that that is already the case. As ever, they have tried to deceive the electorate—although they have not succeeded in deceiving the House—into believing that the Bill introduces new draconian measures which will be applied unreasonably. We have heard myth after myth and consistent claims that new measures are being introduced in the Bill whereas they have, in fact, been a feature of employment law for years and have not resulted in the horrors suggested by the Opposition.

Mr. Richard Burden (Birmingham, Northfield): Will the hon. Lady give way?

Miss Widdecombe: I have no time, and that is entirely due to the verbosity of members of the Opposition Front Bench and the excessive eloquence of my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth). Had I more time, I should be delighted to give way to the hon. Gentleman and to demolish whatever nonsense he was about to put before me.

The Bill is the epitome of tailoring for unemployed people. It will meet each individual's needs and will allow restrictions and special circumstances to be taken into account in a way that the Opposition should welcome. The Opposition's amendments can be summed up in one simple phrase: spend, spend, spend. They want to let people spend as long as they like on benefit while specifying unrealistic rates of pay and unrealistic job requirements. That is a summary of the Opposition's suggestions. Almost every amendment that they tabled in Committee came with a huge bill. We shall make certain that the electorate understand that.

I recommend to the House that it firmly reject the amendments. In doing so, it will reaffirm its confidence in the Bill and, at the same time, its complete contempt for the Opposition's ineffectiveness.

Mr. McCartney: The Minister spoke about the quality of debate, but I have never heard such a rant. Is there a doctor in the House? I know that she is in a difficult position deciding which John to support, but the Bill is not about keeping the Prime Minister in his job or replacing him. It should have been about measures to increase employment opportunities, to take millions of people off the dole and to do something about fairness at work for the 1.3 million who are earning £2.50 an hour or less. It should have been about putting money back into training instead of cutting the training budget. Because the Bill does none of those things, we shall vote against the Government. Let us hope that this will see the beginning of the end for this corrupt, sleazy and out-of-date Government.

Question put, That amendment (a) to the Lords amendment be made:—

The House divided: Ayes 226, Noes 254.

Division No. 176] **[6.27 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dalis, Cynog
Dalyell, Tam
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa

Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lynne, Ms Liz
McAllion, John
McCartney, Ian
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pearson, Ian
Pendry, Tom
Pike, Peter L
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Vaz, Keith
Walker, Rt Hon Sir Harold
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jon Owen Jones and Mrs. Barbara Roche.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(Dorset)*
Budgen, Nicholas
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod

Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Colin *(Hereford)*
Shephard, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Waldegrave, Rt Hon William
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Simon Burns.

Question accordingly negatived.
Lords amendments Nos. 6 to 41 agreed to.

Clause 36

TRANSITIONAL PROVISIONS

Lords amendment: No. 42, in page 30, line 9, leave out ("by virtue of regulations under") and insert
("under regulations made by virtue of").

7.45 pm

Mr. Roger Evans: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this, it will be convenient to discuss also Lords amendments Nos. 43 to 47.

Mr. Evans: Amendment No. 42 and the amendments grouped with it make changes to clause 36 concerning transitional arrangements for the introduction of the jobseeker's allowance. It is normal for the Government to make transitional arrangements when changes are made to the benefits system and we intend to apply that principle to people who move from unemployment benefit or income support to the new jobseeker's allowance.

This group of amendments clarifies the legislative basis for the transitional arrangements. In particular, they correct a drafting error in clause 36(2)(b), improve the clause's clarity by specifying where payments of jobseeker's allowance are made under the transitional arrangements and enable the arrangements to be tailored to reflect more closely current legislation for unemployment benefit and income support.

Amendment No. 42 is simply a drafting amendment to correct the Bill's phraseology. Amendments Nos. 43, 45 and 46 deal with the term "transitional allowance" and explain that it is used to cover payments of jobseeker's allowance made under the transitional arrangements. That clearly identifies where the payment of jobseeker's allowance is to be made.

Mr. Alan Howarth: Presumably, the Government are deferring introduction of the jobseeker's allowance under the transitional arrangements established in part by the amendments. Will my hon. Friend explain why the Government none the less plan to introduce from next April the provision that contributory benefits should cease after six months instead of 12 months?

Mr. Evans: My hon. Friend is correct to say that the transitional arrangements are partly to do with the Government's deferment of the introduction of the jobseeker's allowance. Under those arrangements, the Government have provided a mixture of provisions to be introduced at different times.

My hon. Friend's point is correct; but, taking the Jobseekers Bill and the Budget measures as a total package for dealing with unemployment—one must consider the positive side as well—the one-year national insurance contribution holiday for employers for every person whom they take on who has been unemployed the previous two years will be introduced in April 1996.

Those who take a job after six months of unemployment will be able to keep their housing benefit at their existing full rate for an extra four weeks. We propose that that should begin in April 1996. It is expected that almost all new claims for family credit from April 1996 will be arranged within five working days. The Opposition's suggestion that the carrot will be deferred and that the stick will be introduced at the beginning is not a fair picture of the overall balance of the transitional arrangements.

Mr. Bradley: We know that the Government intend to reduce the payment of contributory benefit from 12 to six months. Why will they not defer that decision until the real carrot, in the Government's terms, of the back-to-work bonus is introduced in October 1996? If there is to be a reduction in benefit, surely the compensating back-to-work bonus should start at the same time.

Mr. Evans: Again, the hon. Gentleman is looking at only part of the picture. We take the view that it is important to introduce these measures as best we can in the way shown.

I intended, before I gave way to my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth), to explain the individual amendments. Amendment No. 47 provides that, where a person meets the conditions for contribution-based jobseeker's allowance, any payment under the transitional arrangements shall be a contribution-based transitional allowance. The House will note that amendment No. 43 includes a new provision that would state that the "transitional allowance" shall be of such kind as

"may be determined in accordance with the regulations".

That is important, because, together with amendment No. 44, there is a provision for the transitional process to be tailored to take account of the variation in the operational arrangements for JSA and for the transitional regulations to reflect more closely the current structure of unemployment benefit and income support.

The importance of the proposals is to introduce a large-scale change to social security provision requiring the development and installation of large computer systems in such a way as to ensure that the system works effectively. We have concluded that it would be prudent to examine the change carefully to ensure that JSA can be brought in where it can be effective, and delivered properly, and that the transitional arrangements can be properly tailored to cover the intervening period.

Mr. McCartney: I have a genuine technical question. I wish to apologise in advance if I get things wrong. One area of transitional change is the move from 21 hours to 16 for those who are studying under JSA. What is the position? When will the 16-hour rule come into operation? Will it take effect on 7 October 1996 or will implementation be further delayed?

Mr. Evans: I understand that the answer to the hon. Gentleman's question is October 1996.

Miss Widdecombe: I did say so.

Mr. Evans: As my hon. Friend says from a sedentary position, she made that clear earlier.

The purpose—

Mr. McCartney: October 1996 is rather a wide definition. Will the 16-hour rule come into effect on 7 October, the vesting day for the other changes? That is all that I am asking. Will it be 7 October or later?

Mr. Evans: Perhaps I did not appreciate the precise nature of the hon. Gentleman's question. I apologise. The answer is yes: the 16-hour rule will come into operation on 7 October.

I shall continue to develop my explanation of the powers relating to transitional regulations that we intend to operate. To ease the burden of implementation, we have decided that only new and repeat claims for benefit will be paid by the new JSA payments computer system from October 1996. Unemployed people receiving unemployed benefit and income support at the point of change will continue to be paid under the national unemployment benefit system, known as NUBS2, and the income support computer system.

There will later be phased transference to the JSA system. That will mean that those who remain on the current payments system will receive benefit under many of the current rules relating to unemployment benefit and income support, which will advantage many claimants; for example, part-time workers in receipt of contributory benefit for the transitional period will be subject to more generous earnings rules than those that are applicable to the majority of JSA claimants.

The Government have kept the major project that I have outlined under close scrutiny. In line with our announced intentions—

Mr. Oliver Heald (Hertfordshire, North): My hon. Friend has said that new and repeat claims will go on to the computer immediately. He has said also that other claimants will be phased into the system. Does that mean that claimants who had been within the income support system for some years would suddenly be moved into a less advantageous position? For a period, would some claimants be within a better regime than others, in a rather piecemeal way? If that is the position, why is there to be phasing? Will it be done for practical reasons? Is it a matter of convenience? What are the details of the practical considerations?

Mr. Evans: The simple answer is no. It is a matter of how we propose to organise the delivery of the new system when it is introduced. It is important to ensure that the administration works smoothly.

Mr. Heald: What are the practical considerations? Is it too difficult to introduce the date into the computer system within a limited time frame, or is there a more complicated reason? Are we dealing with computers and administration or with something else?

Mr. Evans: Perhaps my hon. Friend did not hear my interchange with the hon. Member for Wallasey (Ms Eagle). There is a perfectly respectable constitutional problem. First, Parliament must pass legislation. That is what we are doing now while arguing about specific amendments. Until Parliament has enacted primary legislation, delegated legislation consequent upon it cannot be laid. As my hon. Friend will appreciate, it must be understood that, when it comes to writing computer software, computers are even more literal than lawyers. It is necessary that the legal system, in all its magnificence and complex detail, be spelt out so that the rules of law can be translated into simple statements that can be introduced into computer software.

When the external review took place, the Government were advised by consultants that the design of the computer software and all that goes with it should ensure that at the end of the legislative process the system would work effectively and reliably. On the basis of that expert advice, we decided to defer.

Mr. McCartney: The complexity of the computer system is said to be the reason for deferral. The Government have spent £110 million so far. Has that expenditure been coupled to penalty clauses? Delay will lead to further public expenditure.

Mr. Evans: The hon. Gentleman takes me by surprise in asking about precise contractual arrangements. He should understand that it is not merely a difficulty of drawing software in the correct fashion. The process cannot begin definitively until Parliament has done its duty and completed its work.

Lords amendment agreed to.

Lords amendments Nos. 43 to 53 agreed to [one with Special Entry].

6.59 pm

Sitting suspended until Seven o'clock, there being private business set down by THE CHAIRMAN OF WAYS AND MEANS, *under Standing Order No. 16 (Time for taking private business).*

PRIVATE BUSINESS

City of Westminster Bill *[Lords]*

As amended, considered.

Preamble

7 pm

Mr. Harry Cohen (Leyton): I beg to move amendment No. 1, in page 2, line 10 [*Preamble*], at end insert

'but not of their duty to use the land for educational purposes'.

Mr. Deputy Speaker (Mr. Michael Morris): With this it will be convenient to take the following amendments: No. 27, in page 2, line 32 [*Clause 2*], at end insert—

" 'the Order' means the Education (London Residuary Body) (Property Transfer) (No. 3) Order 1991;".

No. 28, in page 6, line 47 [*Clause 9*], leave out Clause 9.

No. 26, in page 6, line 49, [*Clause 9*], at end add—

'(2) This section shall come into force on such date as the Secretary of State may by order appoint.

(3) The Secretary of State shall not make an order under subsection (2) above unless he is satisfied that—

(a) the Moxton Street land is not required for any educational purpose; or

(b) the Moxton Street land is not required for the establishment of a new county primary school but is required by the council or any other publicly funded body for another educational purpose and arrangements have been made, whether by disposal of the land or otherwise, for that educational purpose to be fulfilled.

(4) In this section—

"the Moxon Street land" means the land at Moxon Street transferred to the council by the Order; and

"the Order" means the Education (London Residuary Body) (Property Transfer) (No. 3) Order 1991.'.

No. 29, in page 6, line 49 [*Clause 9*], at end add—

'(2) Within three years from the passing of this Act the council shall, on terms to be approved by the Secretary of State, dispose of the land at Moxon Street transferred to the council by the Education (London Residuary Body) (Property Transfer) (No. 3) Order 1991.'.

No. 30, in page 6, line 49 [*Clause 9*], at end add—

'(2) This section shall not relieve the council of any condition imposed upon it by or under the Order in respect of the land at Moxon Street transferred to the council by the Order.'.

No. 31, in page 6, line 49 [*Clause 9*], at end add—

'(2) Within one year of the passing of this Act the council shall transfer without charge to an educational body nominated by the Secretary of State the land at Moxon Street which was transferred to the Council by the Order.'.

No. 32, in page 6, line 49 [*Clause 9*], at end add—

'(2) This section shall come into force on such date as the Secretary of State may by order appoint.

(3) The Secretary of State shall not make an order under subsection (2) above unless he is satisfied that the council has established that there is insufficient demand to justify the provision of a new country primary school at Moxon Street.'.

No. 33, in page 6, line 49 [*Clause 9*], at end add—

'(2) This section shall come into force on such date as the Secretary of State may by order appoint.

(3) The Secretary of State shall not make an order under subsection (2) above unless the council has:

(a) published the reasons for not establishing a new county primary school at Moxon Street; and

(b) consulted in relation to those reasons such persons as appear to the council to be appropriate in the same manner as the council would be obliged to publish and consult upon the establishment, discontinuance or alternation of a school under section 12 of the Education Act 1980.'.

No. 34, in page 6, line 49 [*Clause 9*], at end add—

'(2) This section shall come into force on such date as the Secretary of State may by order appoint.

(3) Before making an order under subsection (2) above the Secretary of State shall require the council to submit a scheme for the future ownership and use of the land at Moxon Street transferred to the council by the Order and, where that scheme is for the sale or use of the land other than for educational purposes, the Secretary of State shall direct the council to consult interested persons for the purpose of establishing that the land is not required for any educational purpose.'.

No. 35, in page 6, line 49 [*Clause 9*], at end add—

'(2) This section shall not relieve the council of any condition imposed upon it by or under the Order in respect of the land at Moxon Street transferred to the council by the Order and the use of that land by the council for any purpose other than educational purposes shall be treated as a disposal of that land for the purposes of the Order.'.

No. 36, in page 6, line 49 [*Clause 9*], at end add—

'It shall remain the duty of the Council to use the land designated for such a school primarily for educational purposes, or for social housing or for a mixture of the two.'.

Mr. Cohen: I note that you have taken these amendments in a cluster, Mr. Deputy Speaker. They all deal with the removal of the educational aspect of the Bill. It will, perhaps, be a little tedious but, for the record and the sake of clarity, I shall explain a little of the amendments and comment on them.

Amendment No. 26 is supported by the university of Westminster. It would like the House to carry the amendment. I am happy to support the university of Westminster in that respect. Subsection 3(a) provides that the Secretary of State must be satisfied that the Moxon street land is not required for any educational purpose. I shall explain and give documentary proof that there is an educational need for the land. I have correspondence from St. Marylebone school and a great deal of correspondence from the university of Westminster to the effect that there is an educational purpose for the land. It is wrong to extinguish the requirement to take that purpose into account. I recommend amendment No. 26 to the House.

The Secretary of State should have a role in safeguarding the educational use of the land. It is not right for the Government to say that they are neutral on the matter. I am not sure whether they are neutral in any case. I suspect that, when the House divides later, we will see the payroll vote of Conservative Members of Parliament come out to vote against the amendment. That does not imply neutrality; rather it implies that the Government and Conservative Members are on the side of Westminster council and against the university of Westminster.

The Secretary of State for Education has an important role to play in protecting education and giving the university of Westminster a better and a fair deal. Neutrality is not the appropriate word, when Conservative Members will come out and vote the amendment down. That will not take us anywhere. It will be seen through. The Minister should live up to his responsibility and support the university of Westminster and the educational purposes which were clearly laid down in respect of the Moxon street land.

Subsection 3(b) of amendment No. 26 provides that the Secretary of State must be satisfied that

"the Moxon Street land is not required for the establishment of a new county primary school but is required by the council or any other publicly funded body for another educational purpose and arrangements have been made, whether by disposal of the land or otherwise, for that educational purpose to be fulfilled."

There is clearly another educational purpose for the land. The university of Westminster is crying out for land for an educational purpose. That should be properly taken into account. Amendment No. 26 is important.

Mr. Simon Hughes (Southwark and Bermondsey): I am sorry that I missed the very beginning of the hon. Gentleman's speech. He implies that the university of Westminster does a good job and is a popular institution. An article in the press at the weekend suggested that the university awarded Mickey Mouse degrees and did not do a good job. Perhaps the hon. Gentleman would like to join me in putting it on record the fact that some of its courses, particularly its media studies degrees, for example, have been pioneering and extremely far-sighted, that much of its work is at the forefront of new areas of learning and that it is an extremely important institution.

Mr. Cohen: I am extremely grateful for that good intervention. I am pleased that the hon. Gentleman has put that observation on the record. I echo his comments about the excellent work done by the university of Westminster in several respects and with a large number of people. This central London university has many students from ethnic minority backgrounds. It helps them to obtain degrees and educational qualifications that are vital to them. It plays an important role for people who work in London and want to study after work. I echo the hon. Gentleman's expression of support for the university of Westminster and the excellent work that it does.

I hope that the Minister will express his support for the university. I am sure that he will, but it is not enough for him just to say that and to claim to be neutral on the matter while other Conservative Members come to vote and kick it in the teeth. I hope that the Minister will pick up the point made by the hon. Member for Southwark and Bermondsey (Mr. Hughes), give credit to the university of Westminster and do something about it by supporting the amendment.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): May I help my hon. Friend on this point? The amendment would effectively give the university of Westminster some rights over the possible purchase, leasehold or use of the site at some future date. One good reason for accepting the amendment is that the university has a large proportion of ethnic minority students. Some 40 per cent. of its students come from ethnic minority backgrounds. That is one of the highest proportions in Britain. Given all the problems of inner London, and the fact that ethnic minority students are disadvantaged in getting to university, that is one very special reason for accepting the amendment.

Mr. Cohen: I am grateful to my hon. Friend, whose intervention reminds me of a recent letter that I received from the GMB trade union. It stated that almost 60 per cent. of London's black youths are unemployed. The United States Secretary of State for Employment, Robert Reid, said at a meeting that for young people there were upward and downward escalators and that the upward one was for those with qualifications.

I reject the allegation that the qualifications gained at the university of Westminster are Mickey Mouse qualifications, because they have to be worked for and earned. By granting qualifications, the university puts ethnic minority youth on the upward escalator and gives them a chance to make something of their lives. That is good for Britain, because disaffection among ethnic minority youth can lead to alienation and riots such as occurred in Bradford. Education is a way out of that, and that adds to the importance of the work that is carried out by the university of Westminster and other universities. That university is at the forefront of educating ethnic minorities.

Mr. Jeff Rooker (Birmingham, Perry Barr): My hon. Friend is setting out some of the advantages and disadvantages of allowing Westminster university to consolidate and to expand in central London. Some 60 per cent. of its students are part-time, and many of them work in central London during the day. Does my hon. Friend agree that those people could not engage in part-time education at the university if they lived in the suburbs? It is vital to maintain city centre education, not just for city centre dwellers but for those who work in inner London. That unique feature must be taken into account.

Mr. Cohen: That is an excellent intervention. It is crucial that people be able to study part time in central London. I studied part-time and recently obtained a master's degree. I studied in the first two years of this Parliament, not at the university of Westminster but at Birkbeck college, which also does excellent work. Such opportunities are vital for people who, like me, work during the day and, as in my case, sometimes have to return to work at night. Excellent courses are available in London and people should be able to use them. The Government are making people work longer and harder and they need opportunities to reach the upward escalator. The university of Westminster gives all sorts of people, including ethnic minorities, a chance to improve themselves.

I neglected to mention the location of Moxon street. It is between Marylebone and Baker street and it is currently used as a car park. It is a perfect site for the university of London to build facilities. Later, I shall go into the detail of its background for educational purposes. It is quite wrong of Westminster council to try to renege on its commitment by way of a clause at the end of a Bill about sex shops. That is an attempt to sneak a measure through the House.

Mr. Sedgemore: My hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) spoke about part-time students, and my hon. Friend the Member for Leyton (Mr. Cohen) says that it would be a good idea to let Westminster university have access to the site to help such students. I do not wish to appear to be a statistician, but I can tell the House that there are 10,300 part-time students and 9,000 full-time students at the university. We are debating the purchase of the land and the expansion of the university, and I hope that my hon. Friend will not forget that 16,000 people at that university are pursuing mid-career courses and that the university is anxious to increase their number.

Mr. Cohen: I am grateful to my hon. Friend for putting those figures on the record. They show the work that the university is doing and how it can make the best use of the site. Its proposal for the site is certainly better than that of the council, which wants to enter deals with property speculators and land dealers and, perhaps, put a

[Mr. Cohen]

supermarket on the land. It would be far better to use the land to teach part-time and full-time students. On the criterion of the best use of the land, the university wins hands down over Waitrose or Tesco or whoever else the council is trying to put on the site and make a profit from in the process.

7.15 pm

Mr. Rooker: Every hon. Member will have received a statement on behalf of the Bill's promoters. It should have been received today or on Friday, after the debate had been announced. The final paragraph, paragraph 11, is about clause 9 and it does not mention what Westminster city council plans to do with the site. My hon. Friend spoke about commercial or supermarket use, but that is not mentioned in the statement. Perhaps an hon. Member who speaks for the promoters could say whether they have already fixed things so that, when the Bill is passed, they will know what to do. If that is the case, they are being less than frank in their brief to hon. Members.

Mr. Cohen: I think that the council has sought to enter a deal with Howard de Walden Estates, a big property owner and developer in the area. I shall deal with its role and how it is holding the council and the House to ransom. It has some access to the land and is trying to get a deal. It has distributed a newsletter to local residents, in which it states, "It's Waitrose" and that the deal for a supermarket has already been struck. That says something about how Westminster council operates. I have not yet come to the homes-for-votes scandal and all that history—I shall keep away from that for the time being. The newsletter shows how Westminster can enter such a cosy deal because, in it, the developers say that Waitrose has been chosen.

Mr. Sedgemore: My hon. Friend introduces matters that I did not know about—Howard de Walden Estates and Waitrose—and says that a deal has possibly been struck. He also mentioned Tesco. Would there not be a conflict of interest over Tesco, in that Lady Porter is heavily related to Tesco and would have an interest which would cause some sort of public eruption? Even in the case of Westminster council, there would be a real problem.

Mr. Cohen: My hon. Friend makes a good point. It would not be surprising if Westminster council or Howard de Walden Estates shifted from Waitrose to Tesco in due course if it was thought that that would result in a better profit. My hon. Friend is right. Lady Shirley Porter, the former lead[illegible]minster council, is currently up under an adverse report from the district auditor for abuse of her role in the homes-for-votes scandal. My memory goes back further than that, to when she sold—

Mr. Deputy Speaker: Order.

Mr. Cohen:—council homes to hon. Members for 15p.

Mr. Deputy Speaker: Order. If the occupant of the Chair says, "Order," he expects the hon. Member to resume his seat and not to continue his speech. I do not think that detailed references to any member of Westminster city council are appropriate to the amendments before us.

Mr. Cohen: I take your point, Mr. Deputy Speaker. Would it be appropriate for me just to point out that I met representatives of Tesco because it has opened a store in my constituency, which I welcome, that they played down the Lady Shirley Porter role and that they said that she was a minority shareholder in Tesco? They were keen to distance themselves. I do not want to upset Tesco.

In a way, that is a response to my hon. Friend the Member for Hackney, South and Shoreditch (Mr. Sedgemore), but I take your point, Mr. Deputy Speaker, and I shall try not to refer again to members of Westminster council.

My hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) talked about the promoters' statement. I have not really made progress with my speech in relation to referring to the amendments, but it would be appropriate at this point just to refer to the statement issued on behalf of the promoters of the Bill. I want to refer only to a couple of points.

In paragraph 9, they state:

"The Moxon Street site was originally acquired by the Greater London Council in 1966 under slum clearance powers. At that time it is understood that the site was to be appropriated to education use".

That is the admission from the promoters that, ever since it was bought and came into the control of a public authority, the land was designated for educational use. That is a crucial statement. They use the words "education use." I make that point because Westminster council is saying that the land was actually designated and given to it for a primary school and that there is no need for a primary school, so it can get out of that commitment, but we have it on the record, in the promoters' own statement, that the land was bought and appropriated for education use.

The Parliamentary Under-Secretary of State for Schools (Mr. Robin Squire) *indicated dissent.*

Mr. Cohen: The Minister is shaking his head, but it is in the promoters' own statement and he should take that seriously. The statement talks about not just a primary school, but education use. That is why Westminster council has the land. It got it free of charge for education use. It now wants to get out of that commitment by using a clause at the back of a sex shops Bill and to sell the land at open market development rates, make a big profit out of it, and put in a supermarket and some luxury homes. That smacks of the homes-for-votes scandal, in which the council was accused of gerrymandering.

The land was given for education use. It is in the promoters' own statement. That is a vital point. Out of the promoters' own mouth comes the admission that the land was for educational use, and the House should keep it for educational use, especially as the need for such a use by the university of Westminster clearly exists.

Mr. Sedgemore: I want to try to act as a mediator between the Minister and my hon. Friend, who said that in, I think, 1966, the land was designated for education use, which is correct. The Minister appeared to be shaking his head in relation to the point that it was designated for education use. I understand that, in 1991, there was a property transfer order and the Secretary of State for Education satisfied himself, or herself, that the site was needed for a primary school. Of course, if it had not been needed for a primary school, the Secretary of State might have deemed that it should be used for general education purposes. That is where the problem between the two sides arises.

Mr. Cohen: I take that point. Westminster council is clutching at straws, pretending that the land was

designated only for a primary school and that it does not need one now. It wants to sell the land off on the open market and make a big profit out of it. The reality is, however, that, since it came into public ownership, the land has always been designated for educational use. While the need for it to be used for educational use exists, that commitment should not be snuffed out.

I was extremely disturbed to see the Minister shake his head. It made me think that some cosy deal had been done between the Department for Education and Westminster council. When he makes his speech, the Minister might say that he is neutral, yet it is proposed that the education use mentioned in the promoters' statement should be snuffed out.

In paragraph 11 of their statement, the promoters state:

"Amendments have been tabled to clause 9."

Those are the amendments in my name and those of other hon. Members. The statement continues:

"The City Council is glad of the opportunity for open discussion about the future of the Moxon Street site".

The university of Westminster has told me that, basically, it was listened to politely and ignored. The council has not been that keen to have open discussion about the future of the Moxon street site. The council's planning brief plays down the educational aspects of the argument. I therefore dispute that part of the promoters' statement.

The statement continues:

"The City Council is glad of the opportunity for open discussion about the future of the Moxon Street site, for which there may in due course be competing proposals. It respectfully submits that it would be premature to prejudge these proposals at the present stage."

Those are weasel words because the council is prejudging the issue. That is what clause 9 is all about: prejudging the issue, getting the House to make the change, and getting rid of the educational purpose so that the council can sell the land off to developers. If the council was not prejudging the issue, it would have had full consultation and full discussions with the university of Westminster and all others who are interested before sticking that clause at the bottom of a sex shops Bill and trying to get out of its commitment.

I know that I am not allowed to use the word "lie" about hon. Members, but that statement comes as close as it is possible to come to a lie. Westminster council is prejudging the issue and forcing a Bill with this clause through because it wants to get out of its commitment to use the land for educational use.

Once the council has done that, it will tell anyone who protests and the university of Westminster, which says that we should have a better deal, "Sorry, the proposal has been through Parliament, so don't come and talk to us now. You had your chance. It has been through Parliament and that's it. We got a majority because this neutral Government got their payroll vote out and marched them all through to support Westminster council." That would be prejudging the issue with a vengeance.

Mr. Sedgemore: Will my hon. Friend confirm that the fundamental and important point that he is making is that whereas the Bill's promoters argue that we can discuss later the use of this land and that we should not try to constrict the clause by accepting any amendments, if the Bill and clause 9 go through as they stand, Westminster council would be obliged by law to get the full market value for the land? It would not even have the option of selling the land, because the district auditor and district valuers would be interested.

Unless the clause is constricted now, there is no chance that any educational establishment, whether Westminster university or any other, could conceivably buy the land because the market value for educational use is considerably below that for commercial use by, for example, Waitrose or for residential development.

7.30 pm

Mr. Cohen: My hon. Friend makes an extremely telling point. It shows that the whole issue is being prejudged by pushing the Bill through the House in this way. Once the clause is accepted, Westminster council will say that it is obliged under the law of the land to sell the site to the highest bidder. It is no wonder that the property developer put out a leaflet saying that that would be Waitrose. The council thinks that this House can be easily rolled over, and that what happens after that is inevitable.

The promoters' statement says:

"What is desirable is that the way forward should be worked out in discussion with the interested parties, for the benefit of the area and the community. There is no dispute, so far as the Council is aware, that the obligation to establish a primary school should be removed, and the Promoters therefore submit that clause 9 should be allowed to proceed without amendment. "

There certainly is a dispute about educational use, as Westminster university has made clear.

On the point about discussion with interested parties, all that the council has done in respect of Westminster university is deal with the matter through a few junior officers. The council has not taken the argument seriously; it has not held discussions in a serious manner. The promoters' statement verges on the scurrilous. I am worried that the House might make a decision on the basis of a statement that is as near as it can be to a lie.

I have strayed a little, but I wanted to explain the background to the amendments. I have already explained amendment No. 26, which is supported by Westminster university.

Mr. Sedgemore: My hon. Friend has rightly found cause for criticism of the promoters' statement. Being a modest person, I might use less strong words than my hon. Friend. I would describe the statement as disingenuous rather than scurrilous.

Does not paragraph 10 raise a question about integrity? It claims that pupil numbers in the Moxon street area have fallen, and that there are already 31 schools providing primary education. It states:

"In the event that clause 9 of the Bill were not enacted the City Council would remain under its statutory duty to build and establish a new primary school".

That is essentially a primary school that the council does not want, and which the promoters claim would cost about £3 million.

Of course it would be silly to build a primary school that is not needed at a cost of £3 million. However, the promoters must be aware of the amendments, which have been on the Order Paper for some time, under which the council would not have a duty to build a primary school. If it proved that the £3 million would be wasted

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expenditure, it would be under a duty to use the site for educational purposes, such as for the Westminster university or even for a nursery school.

Mr. Cohen: Again, my hon. Friend makes a good point. He was right to use the word "disingenuous" about the promoters' statement. He is better with language than I am. He was also right to point out that the amendments have been tabled for some time. They encompass what was understood to be the position when the transfer—free of charge—originally took place: that the land would be used for educational purposes.

If the Minister is properly looking after his brief to promote education, he should accept that the land should be used for educational purposes. He should accept the amendment, which is backed by Westminster university. It would enable the university to use the land, and it would not cost £3 million. The promoters' statement is ridiculous. The university has ideas for putting nursery provision on the site to help students with children. That is an important element, and it should be welcomed.

Mr. Rooker: My hon. Friend has mentioned the very point that I wanted to raise. The promoters' statement refers to a cost of £3 million. Will the Minister give examples of one-form-entry primary schools—seven classrooms, hall, toilet block and head teacher's office—that have cost £3 million to build? That sum does not include the cost of the land. It is double the rate of building costs for primary schools in Birmingham, and I do not believe that the costs in London would be that great, either. I hope that the Minister will give us examples.

Mr. Cohen: My hon. Friend highlights the dubious nature of the promoters' statement. It is an untrustworthy document, and it should not form the basis of a decision to extinguish educational use on such an important site.

As I said, the amendment is supported by Westminster university, and I hope that the Minister and the House will agree to it. Indeed, I hope that the Minister will comment on it fully, and not use weasel words about the difference between a primary school and educational use. He should not say, "I can't do anything about it, so I wash my hands of it." The land should be used for educational purposes. If the Minister wants to fulfil his duties, he should accept the amendment. I hope that he will not say, "I am neutral, and it is nothing to do with me."

Another important amendment is No. 36, which states:

"It shall remain the duty of the Council to use the land designated for such a school primarily for educational purposes, or for social housing or for a mixture of the two."

I am the leading signatory to the amendment, which is also supported by every member of the London Labour group of Members of Parliament. After the next election, that group will have many more members, while the Conservative group will have fewer.

The amendment reflects the position of the Labour opposition on Westminster council. It is a sensible opposition, which is more than can be said about the councillors who have ruled the council—as the evidence clearly shows. The Labour opposition believe that the site should be used for educational purposes, for social housing or for a mixture of the two. The social housing element would be affordable housing, unlike the yuppie homes-for-votes housing that the council envisages producing a huge profit.

I do not think that this amendment is incompatible with the amendment that relates to the university of Westminster, and I will be happy if either of the options are taken. I would prefer the site to be used for educational purposes by the university, but there may be some scope for affordable social housing connected with the university on this land.

Mr. Sedgemore: My hon. Friend knows that I am the Member for Hackney, South and Shoreditch. The university of Westminster has supplied hundreds of students with brand new housing association homes at the bottom of Pitfield street and Coronet street. Would the term "social housing" in the amendment include student accommodation such as the university provides on that site? If such housing were of the same quality as that which the university has opened in Hackney within the past few months, it would be superb for the students. Their accommodation would also be nearer to where they are taught.

Mr. Cohen: I am again grateful to my hon. Friend, whose intervention shows that the university deserves more from this House and from the Minister than mere words of praise—it deserves practical support. The social mix envisaged by the amendment would include such accommodation, and would be of great benefit to students.

I stress that the social housing would be affordable, and that is the difference between the amendment supported by all the London Labour Members of Parliament and by the honourable opposition on Westminster council, and the amendment proposed by the ruling group on Westminster council. I will not say that that group is corrupt, as you would pull me up, Madam Deputy Speaker. I shall pull back from saying that, and we must see what the district auditor says in the report on the homes-for-votes scandal.

The ruling group on Westminster council wants to deal with Waitrose, Tesco and other supermarkets, and with Howard de Walden Estates, so that those involved can make a bloody great profit—*[Interruption.]* I am sorry; a huge profit. My cockney origins are the getting better of me. I am upset that education is to get a kick in the teeth from Westminster council and from a Conservative Government who pretend to be neutral.

The council's ruling group wants some housing involved in the supermarket and property development deal, but it would be highly expensive luxury housing to fit in with its plans. The district auditor has said that the ruling group's housing policy is aimed not at the people of the borough but at winning votes for the Conservative party in Westminster.

I should have thought that, following that criticism, the group might have stepped back from the policy. But here we see the homes-for-votes policy continuing, because the group thinks that it can get away with tagging this measure on to the end of a sex shops Bill. That is a scandal, especially when the measure is compared with what would be a proper use of the site for educational purposes.

7.45 pm

There are a number of other amendments, but, to save the House some time, I shall summarise them. The best way I can do that is to read the notes on the amendments sent to Members of this House by Dyson Bell Martin, the parliamentary agents for the university of Westminster.

The amendments are described as Nos. 1 to 8 in the notes, which does not reflect the numbering on the amendment paper. That does not matter, and I shall read what the agents say about the amendments.

Madam Deputy Speaker (Dame Janet Fookes): Order. I remind the hon. Gentleman that he should make his own speech.

Mr. Cohen: I take the point, Madam Deputy Speaker. There are various amendments, one of which—

Mr. Sedgemore: On a point of order, Madam Deputy Speaker. I used to be a civil servant and a private secretary to a Minister. We used to write notes in considerably more detail than those to which my hon. Friend was about to refer, and the Minister used to stand up at the Dispatch Box and read them out every time.

Madam Deputy Speaker: I was not in the Chair. *[Laughter.]*

Mr. Cohen: Well done, Madam Deputy Speaker.

I shall summarise the amendments in my own way, although I was trying to save the House some time. Amendment No. 28 seeks to delete the clause whereby the council gets out of its commitment to use the land for educational purposes, and would stop the council using that escape route. The amendment would also mean that the land would then have to be used for educational purposes, and Westminster council would have to think again and come forward with new plans.

Dr. Kim Howells (Pontypridd): Is not tacking a completely anomalous clause on to private business one of the worst features of such legislation?

Mr. Cohen: I agree with my hon. Friend. He raises another point which I intended to deal with later, but which I shall gladly deal with now.

We are debating a Bill which deals with sex shops, and which consists of several detailed pages—eight clauses, none of which is short—concerning sex shops. However, tucked away at the end of the Bill is part III, consisting of three lines which seek to remove the duty to establish a new school. The clause states:

"Notwithstanding the matters recited in paragraph (5) to (7) of the Preamble to this Act, it shall not be the duty of the council to establish a new county primary school at Moxon street in the city."

Tribute has been paid on the Floor to the higher education role of the university, and the Government and the council should be helping the university. It is not right that this matter should be dealt with in a Bill concerning sex shops. That is scandalous, and shows scant regard for this House and for education in Westminster or anywhere else. I understand that that can be done under the procedures of this House, but it is not right. It makes a mockery of the House. Although the issue of sex shops is important, it should be dealt with by legislation that relates only to sex shops.

The educational aspects—the role of the university of Westminster and what, in planning terms, the land should be used for—should not be tagged on to the Bill. The fact that they are makes a mockery of the procedures of the House, even though it is probably okay—

Madam Deputy Speaker: Order. We are dealing with a series of amendments which have been grouped together. The hon. Gentleman is now rehearsing matters that would have been more suitable for the Second Reading debate. We have got beyond that.

Mr. Cohen: I take your point, Madam Deputy Speaker. However, the House is extremely busy; there are always an enormous number of issues before the House. It is often not possible to look at private Bills as they proceed through the House, especially as this private Bill was about sex shops and then suddenly had a clause about education tagged on to it—

Madam Deputy Speaker: Order. The hon. Gentleman now has the opportunity to talk about the educational features. I suggest that, if he wishes to do so, he does so now.

Mr. Cohen: Thank you, Madam Deputy Speaker. I have been doing so for 50 minutes, and I am happy to continue to do so.

My hon. Friend the Member for Pontypridd (Dr. Howells) asked whether it was right procedurally to discuss education under this Bill. The procedure is right, as you have confirmed, Madam Deputy Speaker, but I do not think that it is proper to deal with the matter in this way. The House has been treated extremely badly—almost contemptuously.

I come now to the important point that you made, Madam Deputy Speaker, about Second Reading. It was—

Madam Deputy Speaker: Order. There is no need for the hon. Gentleman to make the point. He must return to the amendments.

Mr. Cohen: All I wanted to say was that there was no opportunity to raise the education aspects on Second Reading, because hon. Members had not spotted clause 9 at that time. Indeed, the university of Westminster thought that it would get a fair hearing from Westminster city council, so it did not object or bring hon. Members' attention to the matter at that stage. That was not unreasonable. The university thought that Westminster city council was acting in good faith.

However, it has now found that Westminster council was not acting in good faith. It was not possible, because of the circumstances, for these issues to be raised on Second Reading, Madam Deputy Speaker. I wish that it had been. I would have raised the issues myself if I had known that the matter would be dealt with in this way. I would have raised the issues on Second Reading, and I would have done my best to block the Bill on Second Reading and in Committee, but—

Madam Deputy Speaker: Order. The hon. Gentleman is now engaging in repetition. He is apparently anxious to talk about educational features. I suggest that he does so.

Mr. Cohen: I have made my point, and I will not repeat it.

The other amendments need a little explanation. Amendment No. 29 would insert at the end the words:

"Within three years from the passing of this Act the council shall, on terms to be approved by the Secretary of State, dispose of the land at Moxon Street transferred to the council by the Education (London Residuary Body) (Property Transfer) (No. 3) Order 1991."

That would ensure that the Secretary of State for Education had a role. In addition, as far as I can tell from the information from the parliamentary agent, Dyson Bell Martin and Co., within three years of the Bill being

[Mr. Cohen]

enacted, and with the sale being approved by the Secretary of State, the council would be prevented from carrying out a site swap under which it could transfer an existing council function to Moxon street, and then sell the site that was thus released.

Amendment No. 29 is important because we never know what Westminster council will get up to next. It has forfeited the right to have its measures go through unopposed, and it has forfeited the right to be treated as an honest dealer. The district auditor has, in his provisional findings, cast doubt on the council's probity.

The council might well carry out a site swap. It might put an existing council function on to the Moxon street land, and then sell off the land released in a deal with Howard de Walden Estates Ltd. or with some other property dealer. It might then make a profit on land that was given to it free of charge for educational purposes. Amendment No. 29 is important, because it would prevent the council from doing such a deal.

Amendment. No. 30 would insert at the end the words:

"This section shall not relieve the council of any condition imposed upon it by or under the Order in respect of the land at Moxon Street transferred to the council by the Order."

Again, that emphasises that the land should be used for educational purposes.

Amendment No. 30 also draws attention to how the land came into the ownership of Westminster city council. It was Greater London council land; the Government wound up the GLC. The land was then transferred to the Inner London education authority; the Government wound up ILEA. The land then went to the London residuary body, which transferred it to Westminster council, free of charge, for educational purposes.

Westminster council now wants to get out of that deal. The important point here is that, when the LRB, which had all the proceeds of the GLC and ILEA, was wound up, the money was distributed to all the London boroughs, each of which got a fair share.

Mr. Robin Squire: Of course.

Mr. Cohen: The Minister says, "Of course." It was right that each borough got a fair share. However, the land had been given free to Westminster council by the LRB on the condition that it had to have an educational use. Londoners would not quibble with that, and they would not say that they wanted their handouts. The use of the land for educational purposes was a fair, local use.

Two years after the free gift of land for educational use, Westminster council comes along and says, "We are going to get out of the educational provision, sell the land to a property speculator and make a bloody"—sorry about my language, Madam Deputy Speaker—"a bloomin' great killing." The land came from the LRB, which distributed earlier proceeds across London. The money from property speculation, therefore, is not the money of Westminster council. It is the money of Londoners. It is the money of the people of Hackney—the poorest borough in the country. Hackney residents deserve their share of the money, and Westminster should not use the money of Londoners.

Mr. Peter Brooke (City of London and Westminster, South): I can abbreviate this passage of the hon. Gentleman's speech. Were the property to be disposed of by Westminster city council and funds to be realised from it, the money would be distributed to the other boroughs. That is the procedure that would apply to any other similar asset.

Mr. Cohen: I am interested in that important comment; I do not doubt the veracity of the words of the right hon. Member for City of London and Westminster, South (Mr. Brooke). However, I should like to know the mechanism for such a procedure. The LRB has been wound up; the distribution of the GLC and ILEA proceeds has taken place.

Is the right hon. Gentleman saying that Westminster council will make a gift of the money to the other 32 London boroughs, and that the amount received will be publicly accountable? That is an interesting statement by the right hon. Gentleman. However, I want to know the mechanism for that distribution. As I said, the LRB has been wound up.

Mr. Sedgemore: No doubt the Minister will describe the legal mechanism by which the money from the land can be transferred, if there is a large profit. No doubt the Minister will tell us the legal position later.

My hon. Friend rightly mentioned the equitable distribution of the money, and the fact that Hackney is the poorest borough in the United Kingdom—a tag that we do not like but which, judging by the indices of poverty published by the Department of the Environment, appears to be correct. People in Hackney are desperately keen on education.

Rather than a small, or even a large, sum of money being shared around, the London borough of Hackney, like all the other inner London boroughs, can only benefit from the land being kept in educational use. It would benefit particularly if the university of Westminster used it.

8 pm

Mr. Cohen: I appreciate that statement. We have mentioned the wide range of needy students who benefit from the work of the university of Westminster. I agree that the best use for the land—far better than a Waitrose, a Tesco or luxury housing—would be for educational purposes and for the university of Westminster; then people in my hon. Friend's constituency and in other London constituencies, as well as people who work in London and can pursue only part-time education, would have the chance to get on the upward escalator and improve their lives. That is the best way forward and the best use for the land, rather than distributing the money.

I am grateful to the right hon. Member for City of London and Westminster, South (Mr. Brooke) for pointing that out and I hope that the Minister will say more about how the money will be distributed. I hope that the Government will recognise that, as my hon. Friend the Member for Hackney, South and Shoreditch said, it is best to use the land for the education of Londoners. That is what they want. They do not want a few quid to be distributed to the 32 councils; they want the land to be used for education and to improve facilities for our people. That amendment is important and it certainly generated some interest in the House.

Amendment No. 27 would insert at the end of clause 2

"'the Order' means the Education (London Residuary Body) (Property Transfer) (No. 3) Order 1991."

It will enable a definition to be included in the interpretation section, which should contain some definitions of the educational aspect, as all the other

definitions in the clause concern sex shops. By referring to the London residuary body transfer, the amendment shows that it took place for educational purposes. That should be included in the interpretation.

Amendment No. 31 adds the following:

"Within one year of the passing of this Act the council shall transfer without charge to an educational body nominated by the Secretary of State the land at Moxon Street which was transferred to the Council by the Order"—

the order to which I just referred. The key words are that the land should go

"without charge to an educational body nominated by the Secretary of State".

I do not see why the Secretary of State cannot accept that amendment. Why does she persist in this so-called neutrality? The amendment makes it crystal clear. One is either for the land being used for educational purposes—the amendment gives the Secretary of State that power and role—or one does not accept this or any of the other amendments and goes with the clause that snuffs out the educational requirement. It is as simple as that. As my hon. Friend the Member for Hackney, South and Shoreditch said, the panoply of the law would then come into play and Westminster would have to sell the land off to the highest bidder—the property speculator.

The Under-Secretary of State for Schools cannot get away with that neutrality. The amendment beards him in his den. He is either for the land being used for educational purposes or for it going to speculators and to the highest bidder—to Waitrose or whatever. This professed neutrality will not do. If the hon. Gentleman talks about neutrality, perhaps he will mention that amendment, which offers a straight choice. If he says that he will not do anything to protect the educational use of the land but that he is neutral, he will have to explain his position.

When the LRB transferred the land to Westminster, it intended it to be given to an educational body. That was also the intention of the Inner London education authority—the original owners—and of the Greater London council after 1966. The House should fulfil that intention.

Amendment No. 26 states:

"(2) This section shall come into force on such date as the Secretary of State may by order appoint.

(3) The Secretary of State shall not make an order under subsection (2) above unless he is satisfied that"

the council has established that there is insufficient demand to justify the provision of

"a new county primary school"

at Moxon street. The amendment would prevent the council from being relieved of the obligation to build a school until the Secretary of State was satisfied that it was not required.

In their disingenuous statement, the promoters said that there was no case for a primary school, but we have not seen any proper figures or information resulting from detailed consultation. We should not just take Westminster council's word in that respect.

Amendment No. 33 adds the words:

"(2) This section shall come into force on such date as the Secretary of State may by order appoint.

(3) The Secretary of State shall not make an order under subsection (2) above unless the council has:

(a) published the reasons for not establishing a new country primary school at Moxon Street; and

(b) consulted in relation to those reasons such persons as appear to the council to be appropriate".

It would require the council to consult the university of Westminster realistically and not, as it has done until now, a few junior officers who are polite but merely say, "Wait until the legislation is enacted and then we'll talk to you." Once the legislation is enacted, they will say, "We have nothing to say to you."

The amendment continues:

"in the same manner as the council would be obliged to publish and consult upon the establishment, discontinuance or alternation of a school under section 12 of the Education Act 1980."

Because the land was transferred free of charge and was clearly always intended to be used for educational purposes, the change should not be brought about through a clause in a sex shop Bill but should be treated in exactly the same way as the discontinuance of a school—under section 12 of the Education Act 1980.

What objection can the Under-Secretary of State for Schools, or any other hon. Member, have to that amendment? It is a serious proposal. It was always intended that there should be a school there—the land was handed over free of charge for that purpose—and, if the council wants to get out of that commitment, the land should be treated as though there were a school there already. That is a reasonable proposal and the Under-Secretary of State could take it on board.

Amendment No. 34, in page 6, line 49, inserts at the end:

"(2) This section shall come into force on such date as the Secretary of State may by order appoint.

(3) Before making an order under subsection (2) above the Secretary of State shall require the council to submit a scheme for the future ownership and use of the land at Moxon Street transferred to the council by the Order and, where that scheme is for the sale or use of the land other than for educational purposes, the Secretary of State shall direct the council to consult interested persons for the purpose of establishing that the land is not required for any educational purpose."

There should be proper consultation on whether the land is required for educational purposes. Westminster council is simply scared. In Baroness Thatcher's words, it is "frit" of a proper consultation because it knows that, other than the big moneyed people—Howard de Walden Estates and property developers—most people in the community, including the university of Westminster, would say that the best use of the land is for education or, as I suggested in an amendment, a bit of social housing as well. Proper consultation should take place before the House allows Westminster council to get away with what it is trying to do.

The final amendment in this cluster, No. 35, is in page 6, line 49, and adds at the end:

"(2) This section shall not relieve the council of any condition imposed upon it by or under the Order in respect of the land at Moxon Street transferred to the council by the Order and the use of that land by the council for any purpose other than educational purposes shall be treated as a disposal of that land for the purposes of the Order."

The amendment would thus treat the Moxon street site's use for non-educational purposes as a disposal by the council and require the council to account for its value to the Secretary of State, who may require the council to make payments to other ILEA boroughs. That was the point raised by the right hon. Member for City of London and Westminster, South.

[Mr. Cohen]

It is interesting that Dyson Bell Martin, the agents of the opponents to the Bill, the university of Westminster, have had to table an amendment saying that arrangements should be made for payment to other ILEA boroughs. Given that the agents have looked closely at the Bill and said that, if the land is to be used for non-educational purposes, an amendment is needed to say how the money will be distributed to other London boroughs, that seriously implies that no such provision exists at the moment. It is an important amendment and I should have thought that the Minister would accept it.

In the interests of clarity, I have summarised the meaning of all the amendments. I should have thought that a Minister responsible for education who was doing his job properly by protecting and enhancing education could accept at least one of those amendments. I now come to the substantive part of my speech.

In 1966, the GLC designated the land at Moxon street for educational purposes, as did the ILEA and the London residuary body. The land was given free of charge to Westminster for educational purposes but, within two years, Westminster council said that it did not need another primary school and set out to relieve itself of that commitment under current law and enter into a cosy deal with land speculators and profiteers.

8.15 pm

Mr. Sedgemore: I have seen that Westminster changed its mind within two years of the 1991 transfer of property order. The promoter says that it changed its mind because all the figures for primary schools were hopelessly out. Has anyone explained at an earlier stage of the Bill—I have seen none—how such a mistake could be made? The figures for birth rates are fairly standardised and Westminster council must have known about its other school places. What, in such a short space of time, could have brought about such a fundamental change by Westminster council? Might the original transfer of land have been phoney? Perhaps it was not completely open and something was going on behind the scenes.

Mr. Cohen: My hon. Friend makes his own point, which casts doubt over the transfer of land. There was some concern that the LRB was a quango which, like so many other quangos set up by the Government, had a Conservative in charge, and that a deal might have been done between the two Conservative leaders on the transfer of land. The LRB was not particularly friendly to Labour councils that wanted to transfer land, yet that transfer went through relatively easily and free of charge. So my hon. Friend might have a point. I do not know. I must assume that the LRB acted in good faith. ILEA certainly acted in good faith and believed that the land would be used for educational purposes and that the first in the queue was a primary school. As my hon. Friend says, the figures must have been worked out at that time, just three years ago.

The land was given free of charge because it was believed that a primary school was needed. For Westminster council now to say that those arguments and figures were spurious is extremely disturbing. As my hon. Friend says, it casts doubt on the original transfer of land, although I still prefer to believe that the LRB acted in good faith and thought that the land was needed for an important educational purpose. It was probably in ILEA's mind when it made that transfer that, if the land was not used for a primary school, it could go to the university of Westminster. It is interesting that the promoter and Westminster council talk in their document of "educational purposes". I suspect that that is what they had in mind.

Mr. Sedgemore: I hope that my hon. Friend does not find me tedious if I ask him to help me on the same point. Paragraph 10 of the promoter's statement says:

"Pupil numbers in the area of Moxon street have not risen as anticipated".

If one has studied logic, as I did at university, one would realise that that statement could have many meanings. It could mean that the birth rate was lower than anticipated, although I find that difficult to believe. It could mean that pupils in that area are being sent other schools. We hear that there are 31 schools within the area and that a school called St. Vincent's is next to that site—which makes it bizarre that such a transfer took place. It could mean that the whole of the educational planning by the local educational authority went hopelessly awry. What does that statement mean?

Mr. Cohen: My hon. Friend makes a good point. If Westminster council wanted to get out of its commitment, it should have justified that statement. My hon. Friend's question takes me back to the point that some sort of deal may have been done between the LRB and Westminster council. If it was not a deal, Westminster council may have been disingenuous in its original representation to the LRB for the land. Perhaps it went to the LRB and said, "Give us that land free of charge because we need it for a primary school and can produce figures to show that." The LRB, in good faith, gave the council the land on that reasoning, and now the same council has stepped down from that argument without providing those figures.

That is a serious allegation that my hon. Friend is, not making, but hinting at. It is such a serious allegation that, before the House makes any progress on that matter, we should see all the documents relating to the original transfer by the LRB of that land to Westminster. We should know what the documents said then. I am not sure whether quangos keep proper records, but I hope they do. If they do not, that would tell us a lot about quangos and that one in particular and the way in which it was run.

Let us assume that the LRB kept proper records. We should have the right to see them. We should be able to read what Westminster council said the pupil numbers would be, and to read the arguments. I hope that they would all be minuted. That should all be out in public for us to read, because the allegation that my hon. Friend the Member for Hackney, South and Shoreditch makes has serious implications.

Mr. Sedgemore: For the avoidance of doubt, because it is a serious matter, I make it clear that I am not making any allegations. I am asking what I call pertinent and perhaps difficult questions, but surely it is the function of the House, when a Bill such as this comes before it, to question issues that appear to be incomprehensible.

I do not suggest that anyone has done anything improper; I merely ask questions. I think that my hon. Friend is moving towards the conclusion that something improper may have happened, but nothing is further from my mind. I am simply acting as an investigative Back-Bench Member of Parliament.

Mr. Cohen: I appreciate my hon. Friend's statement of his position; it was honourable for him to make it. It is

right for Members of Parliament to ask such questions, and they deserve answers. Perhaps, as my hon. Friend said, I am taking the implication of what he says and turning it into an allegation, but when one deals with a council such as Westminster council it is not surprising that any person of logic—my hon. Friend referred to logic—would start to make such implications. It makes the case for full and open disclosure of what took place at the time of that transfer and of what Westminster said at that time even more relevant and worthy of answers from the Secretary of State and from Westminster council.

In considering that matter, I spoke to a couple of opposition councillors on Westminster council. I shall put before the House a couple of their comments, because I believe that they are relevant. First, I spoke to Councillor Ben Summerskill about the subject, and he told me that he thought that there possibly was a need for the school to be there; he was not sure. It is interesting in itself that he was not sure whether there was a need. That shows that Westminster council has not come clean with the figures regarding the need—but I shall not hark back to the argument that my hon. Friend the Member for Hackney, South and Shoreditch made a short time ago.

Mr. Summerskill said:

"What the Council is doing . . . the site is targeted . . . by Lady Porter for yuppie housing in a marginal ward, Cavendish."

That is the comment that he made to me over the telephone. He said:

"they are now trying to do a deal with a supermarket."

Mr. Summerskill told me during the discussion—or perhaps I told him: I am not sure; I have only a note of our telephone conversation—that the land should be used for a school, or the university of Westminster should have the land because it is desperate for accommodation. There is a note of that conversation.

Because the university of Westminster cannot get its hands on that sort of site in Westminster, it is being forced to build on a site in Harrow. That is disgraceful treatment from the council and the Government. An argument was made earlier about part-time workers in the City of London needing that educational facility. If they work in the district around Marylebone and Baker street and want to improve themselves, why should they not go to a site in Westminster? What will it do for their educational opportunities if they have to go off to Harrow? People in Harrow may be able to take advantage of a site there, but what about those people in central London? That site should have been available for them in Westminster.

That was a good part of my conversation with Councillor Summerskill, which I have related to the House. I return to the argument that the site has been targeted, in a marginal ward, for yuppie housing. Those were Councillor Summerskill's words, and that is a serious allegation, bearing in mind the district auditor's report, which said that the council misused about £21 million in a housing policy designed for gerrymandering—homes for votes. My hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) has produced a paper that shows that the spending was much more than £21 million—it was £100 million.

I see that you are becoming a bit edgy, Madam Deputy Speaker, and I shall leave that subject. However, this does cast light on the argument. There is a choice between the land being used for educational purposes—for a school or for the university of Westminster, which I believe would be the best use—and it being used for yuppie housing. We either have social housing for students—perhaps some housing association homes which are affordable—or yuppie housing in a marginal ward. The latter smacks of things that are untoward, bearing in mind the district auditor's provisional findings about Westminster council.

Mr. Sedgemore: I do not believe there is any reason why my hon. Friend should become edgy about this matter. If there were the slightest suggestion that that was in any way related to obtaining votes—that it was some homes-for-votes scandal—it would provide the House with the strongest possible reason for rejecting clause 9. If there were the slightest suggestion that what my hon. Friend has just said will happen, it would be immoral of the House to allow the clause to pass. I am sure that even the present Government, if they thought that that was partially true or even might be true, would want to desist from allowing the clause to pass and would ask further questions about it.

Is it only a suspicion based on a feeling of a lack of trust or a feeling that Westminster council lacks integrity, or have there been any conversations about that? Are there any documents? Do we need some kind of—

Madam Deputy Speaker: Order. The hon. Gentleman has intervened on a number of occasions. I have no quarrel with that, but each intervention seems to be getting slightly longer than the previous one. I think that he will know my views that interventions should be short and sharp.

Mr. Cohen: I accept my hon. Friend's argument, and Mr. Ben Summerskill's argument about the land being targeted for that yuppie housing speaks for itself.

My hon. Friend asks whether there are any documents to show Westminster's intentions. Its planning brief refers to using the land for a supermarket and some luxury housing in a deal with speculators. There is that doubt. The shadow over that land is cast by the district auditor's report on what Westminster council was doing. There is that shadow of doubt, and it is quite a dark shadow—a dark stain, actually. It is a dark stain on Westminster council.

One would have thought that Westminster council would keep its hands clean in those circumstances, yet here we have its proposal which smacks of the supposition that the policy of homes for votes has not been abandoned by the Westminster Tories. That is a serious matter. As my hon. Friend the Member for Hackney, South and Shoreditch has said, if there is a hint of that homes-for-votes policy—clearly there is—the House should not agree to clause 9. It should accept one of my amendments—I do not care which one—so that the land is kept for educational purposes for the benefit of the university of Westminster. The Minister and the promoters should respond to that serious charge and come clean on how the proposal is tied up in with the homes-for-votes scandal.

I also had a word with Councillor Peter Bradley of the Westminster Labour group. He told me that the site should be designated for housing to meet the needs of local people or for the education of local people. In his view, those objectives should remain the primary uses of the land.

8.30 pm

Councillor Bradley said that the GLC site had been given to Westminster council free of charge, and that when the council took over the land from the LRB, it said that it would be used for educational purposes. Within a couple of months, however, it changed its mind. It is therefore clear that there was some action behind the scenes about that land.

Councillor Bradley also told me that Howard de Walden Estates has plans for a food store and a car park on the site. That is confirmed in the planning brief. Howard de Walden Estates does not own the site, but it controls access to it. In effect, it is holding Westminster council, the university of Westminster and the House to ransom. It is using its interest in a little bit of access land to pull the council into booting the university of Westminster in the teeth. It can then strike a deal for a food store, a car park and perhaps luxury housing.

I do not know whether the council officers got involved in the deal through naivety, or whether they decided that they had to deal with Howard de Walden Estates given its little bit of access land and power. I suspect that might be the case. They have failed to use their common sense and ask about the best use of the land. They have failed to take into account the site's history, when it was handed over free of charge for educational purposes. If those officers had considered that and asked the relevant questions, they would have realised that the land should be used for educational purposes by the university of Westminster.

I suspect that planning officers thought, "Oh dear. Howard de Walden Estates has got some access and a bit of control over the site. We'd better fall into line with everything that it wants." That may be one scenario, in which case those planning officers are not doing their job properly. The House therefore has a duty to take an overview on the best use of the land and should not allow one private property developer to hold the council to ransom.

Mr. Sedgemore *rose—*

Mr. Cohen: My hon. Friend had better be brief, because Madame Deputy Speaker pulled him up for speaking for too long in his previous intervention.

Mr. Sedgemore: I am having some difficulty in following my hon. Friend's argument. If a school was to built on the site, access would be needed for people and vehicles. If someone is now arguing about access held by Howard de Walden Estates, either there must have been some mistake in the original planning or that is a spurious argument.

Mr. Cohen: My hon. Friend may be right that that is a spurious argument. All I am doing is relating my telephone conversation with Councillor Peter Bradley.

Howard de Walden Estates has obviously got significant leverage in some way or other either over planning officers or the Conservative councillors because it has been given, or is in the process of being everything that it has asked for by Westminster council.

According to Councillor Bradley, the council's development brief "represents a blank cheque" to Howard de Walden Estates. I am not sure that that is a spurious argument. It is beneficial for the issue to be considered in the House because it means that it is made public. We should know all the facts before the Bill, and specifically clause 9, is passed and extinguishes the educational use of the land.

Mr. Sedgemore: Before my hon. Friend and I get at a loggerheads over a confusion, it is clear that I am losing the power of coherent speech, because I did not suggest that my hon. Friend's argument might be spurious. I suggested that the argument of the planners might be spurious.

Mr. Cohen: That is a good point. It certainly appears that the planners have caved in and, as Councillor Bradley said, given Howard de Walden Estates a blank cheque. Westminster council owes us an explanation about that.

I sought to raise this matter during Education Question Time on 24 January. I got close to getting some information because my oral question was the next one to be asked and the Minister was briefed with the answer. Just at that moment Madam Speaker said that time was up and we moved on to Prime Minister's Questions. I had tabled a question

"To ask the Secretary of State for Education what representations she has received relating to the City of Westminster Bill*[Lords]*; and what was her response."

In a written answer, the Under-Secretary of State for Schools said:

"There has been correspondence with Westminster city council about the need for clause 9 of the Bill which would relieve the local education authority of its duty under section 12 of the Education Act 1980 to build a new school at Moxon Street. No other correspondence about this aspect of the Bill has been received."—[*Official Report*, 24 January 1995; Vol. 253, c. *163.*]

It would be interesting to know exactly what correspondence the Minister received from Westminster city council; whether it lobbied him for support and how that influenced his attitude.

The Under-Secretary should have spoken to the university of Westminster once he had had notification of the proposal from the council. I understand that he is busy and has a big job trying to clear up the mess in education that the Government have created over the years. The Minister may laugh but class sizes are shooting up and—

Madam Deputy Speaker: Order. The hon. Gentleman is now going very wide of the amendments under consideration. I remind him also that he is beginning to rehearse his arguments. I shall watch that carefully.

Mr. Cohen: I will try not to rehearse my arguments. I was referring to a parliamentary answer on the specific subject that was given on 24 January. The Minister claims to be neutral and that it is nothing to do with him. That amounts to a brush-off of the university of Westminster, but it does not stop Ministers, Conservative councillors and officials at the Department for Education from criticising universities such as the university of Westminster for what they claim to be their high costs. They have sometimes been referred to in inspection reports.

Those high costs are incurred because the university of Westminster has to operate from a number of diverse, small campuses. That is why it has developed plans to replace a number of those smaller sites with five large sites by the year 2000. As I have told the House already, one of those sites is going to be not in Westminster but in Harrow. The Moxon street land would be ideal for such a site.

There is a chance to solve, at least partially, the university of Westminster's problems. It is not right that the Department of Education should ignore the university while criticising it for high costs that are brought about by having diverse sites.

Mr. Bryan Davies (Oldham, Central and Royton): Is my hon. Friend aware of a recent survey of staff at Westminster which showed that one of the problems that they identified in their work at the university was the dispersal of sites? As my hon. Friend rightly said, the dispersal includes a site in Harrow. Therefore, for the very best of educational reasons, an attempt to bring an element of concentration to the university's operations would greatly assist staff morale and improve the quality of education generally.

Mr. Cohen: That is an excellent point. That point from the Labour Front Bench, which is currently the Opposition, was very ministerial. Increasingly, right across the board, statements from the Opposition sound more and more like the statements of a Government. The Government are a shambles.

My hon. Friend's remark showed that he is aware of the problems of the university of Westminster. If he were in the Department of Education, he would help the university. Its aim of improving education opportunities for Londoners is my hon. Friend's aim, too. If my hon. Friend were a Minister, even though he would be busy cleaning up the mess on education left behind by the Conservative Government, he would send an official to have a word with the university of Westminster and ask it what its problems were. He would have told the university that the Bill was before the House and that the council wanted to get out of its commitment to using the land for educational purposes and asked what it thought of the matter. That is what would have happened. It did not happen under the Government. The university of Westminster has been given the brush-off.

The Minister should have intervened. He is responsible for education and for improving education. That is his job and he should have taken that on board in this case. If he had, he would have been backing the university of Westminster.

I say that there is a proven educational need but Westminster council is trying to extinguish that commitment. It is justifiable to extinguish such a commitment to educational purposes—for which it got the land free of charge—only if there is no need for those education purposes. I submit that there is a need.

I have a letter from Dr. S. M. K. Wilmington, the chairman of the governors of the St. Marylebone school, of 64 Marylebone High street, W1M 4BA. He says:

"Dear Mr. Cohen

City of Westminster

I understand that you were one of the three Members of Parliament who opposed the private Bill the city of Westminster is promoting, Clause 9 of which deals with the former county primary school in Moxon Street.

I thought accordingly that you might find it helpful to have a copy of the attached letter to Councillor Robert Davies of 22 March from one of my fellow Governors. This is the culmination of a long correspondence between ourselves and Westminster members and officers."

He encloses a copy of the letter to Councillor Robert Davies, the chairman of the planning committee at Westminster, from Robin Majdalany. He says:

"Moxon Street Site

I write in advance of the meeting planned for the 10th of April to express my concern with regard to the planning brief for the Moxon Street site. This appears to imply an intention on the part of the council to dispose of the site. I wish to enquire how the education needs of the area will be satisfied, and whether an option might be retained for a development to incorporate a school.

I write on behalf of the St. Marylebone school which, as you may know, is restricted on its present site. The site is held in trust for the benefit of the School. The School can neither move out of London, nor develop the present site further. There is considerable demand for places at the School and the Governors believe that growth in the capacity of the School can only be accommodated on a site fairly close to the present school premises in St. Marylebone. Moxon Street would provide an ideal and close site for this purpose.

I trust that you will be able to take our interest into consideration in your deliberations of the planning brief. May I also ask for a response with regards to the points raised".

8.45 pm

That is a letter from a nearby school, the St. Marylebone school in Marylebone High street, saying that there is a need for a school on the site. It is crystal clear from the governors of that school that there is a need for a school on the site. Yet all we have had is assertions from Westminster council and the promoters that there is now no longer a need for a school. Those assertions are shown to be false by the letter from the governors of St. Marylebone school. The fox has been shot by that letter. There is clearly a need for a school and assertions that there is not are downright untrue. We should not pass clause 9 on the basis of untrue assertions.

Mr. Sedgemore: Could my hon. Friend tell me how what he has just said, which I have not heard before, fits in with the statement of the promoters? They say:

"The City Council would therefore be in the position of having to build a school in a part of the City where there is little demand, to the detriment of educational provisions in other parts of the borough."

I do not know whether my hon. Friend's letter came from a teacher or head teacher but it says that there is a demand. How do those two statements square with each other?

Mr. Cohen: That is exactly my point. The first letter that I have read into the record was from Dr. Wilmington, the chairman of the governors. The letter to Councillor Davies was from Robin Magdalene, MA, FCA, FRSA. He has plenty of qualifications. I want plenty of qualifications for Londoners through the use of the site. He is a governor and chairman of the finance and premises committee. I will not repeat it, but he clearly says that St. Marylebone school is restricted on its present site and that there is much demand for places at the school that is not being fulfilled.

The Prime Minister—I do not know how long he will be Prime Minister—said only last week that the Conservatives were for giving parents choice about schools. It is not choice. It is the right to express a preference. There are not really places available. The Minister may laugh but when I wrote to him or his predecessor last year giving cases of people who cannot have their choice and asking him to intervene, his Department refused and said that it was a matter for the local authority. It is about a preference, not a choice.

The surface language and the presentation from the Government is that there is a choice. Here we have a school to which many parents want to send their children. It is restricted on its present site, children cannot get in

[Mr. Cohen]

and parents cannot have their choice met. If the site, or part of it, was made available to them, the Government's language of choice could become more of a reality. My hon. Friend the Member for Hackney, South and Shoreditch (Mr. Sedgemore) was absolutely right. The nonsense and disingenuousness of the statement issued by the promoters has been exposed.

Representations have been received from the university of Westminster. Professor Burlin sent a briefing to hon. Members which said:

"Within two years, the City of Westminster had reached a radically different view of projected numbers of children, and was seeking through the current Bill . . . to be released from the requirement to build a primary school on the Moxom Street site. Planning guidelines have been produced . . . indicating a predominantly residential development,("a substantial number of new, high quality, residential units") and other uses, including retail development."

There we have it: Westminster council wants to build luxury houses and a supermarket.

Professor Burlin went on:

"Much local publicity has been given in preparing for the expectation that, if the Bill is successful, Westminster will sell the site to the Howard de Walden Estate, providing a Waitrose supermarket and residential development. Other property developers are believed to be interested."

Incidentally, he included with his briefing an article from the *Hampstead and Highgate Express* of 12 May 1995. The article is headed "Rivals line up for prime site battle". It is reported that, as the university developer and supermarket chain prepare to fight it out, there is an "unseemly scramble" for a car park. It is only unseemly because of the action of Westminster council which is trying to make a profit out of the site. The article also states:

"The Howard de Walden estates, the largest landowner in the area, has so far been the most vocal of the parties interested in the site.

The estate sees itself as a natural choice to buy the site, as it owns many of the properties that surround it and would therefore avoid running into the access problems that would discourage others.

The estate has teamed up with Waitrose and set out its stall in a new publication, The Marylebone Newsletter, which was recently distributed to local residents trumpeting the happy headline 'It's Waitrose!'"

It also states:

"For the University of Westminster, acquisition of the site would be a godsend, enabling it to expand its Marylebone Road site and ditch some of the smaller, cripplingly expensive venues that it is currently forced to lease all around the borough.

Perhaps the most legitimate claim to the land is the most neglected. The University of Westminster has an undeniable claim to a property that, after all, was intended for educational use."

It then praises the university.

The article concludes by quoting Professor Burlin,who said:

"We might not be able to compete financially with a developer like the Howard de Walden estate or a supermarket chain like Waitrose . . . They may be able to bid more money—but what it really comes down to is the value the council actually puts on education in Westminster."

It is not only a question of the value that the council places on education but of the value that the Government and the House place on it.

There are two options. If we allow the clause to be passed, Westminster will be duty bound, as has been said, to sell the site to property developers and the supermarket chain. Otherwise, the commitment is retained and the site is allowed to be used for educational purposes, in which case we place the proper value on education, as Professor Burlin said.

In his briefing to hon. Members, Professor Burlin said:

"Since this site was acquired by the GLC in 1966, it has been promised for educational use . . . If it were put on the open market, there is no way that educational organisations, such as colleges or universities, could compete with the financial resources of developers. Therefore, to retain the site for educational purposes, it is vital that it remains designated for such purposes

Although the site may not now be required as a primary school, there are other important uses which, when they are examined, justify retaining the educational designation. These are nursery provision and post-compulsory education . . . The University of Westminster runs an over-subscribed day nursery on the Marylebone campus close to Moxon street, and with more space would be happy to cooperate in increasing various forms of nursery provision in the area."

I do not want to read all the briefing into the record—I would if I had more time—but it is clearly relevant. It states that the proven need for an expansion of full-time and part-time higher education is being ignored.

The briefing goes on to say that the university has been trying to overcome its problems caused by being dispersed uneconomically over 20 sites and has a programme to consolidate on five major sites by the year 2000. It continues:

"Purchasing a further major building, against commercial competition, would overstrain our resources, given that many of the properties we have for disposal are leased rather than owned."

If the university had the site in question, it would not have to replicate such facilities as

"refectories and libraries and services such as heating, caretaking and cleaning."

The university of Westminster has shown how it could cut its costs while pointing out the diversity of its needs.

Another briefing was sent to hon. Members earlier this year. I do not want to spend too much time on it, but it states:

"The mission of the University of Westminster is to be the leading provider in the capital city of a high quality accessible portfolio of higher education and associated strategic research."

Mr. Bryan Davies: Does my hon. Friend think that the university of Westminster might have approached the local authority with rather greater optimism some time ago when the authority might have had a greater awareness of the university's history—its first constituent college was founded by the first Lord Hailsham, or Quintin Hogg—and of its long association with that aspect of the Conservative party which always showed itself to be concerned with education and the good of the people of London? Now, the university seems to be dealing with the modern and rather different Conservative Administration, who have different values.

Mr. Cohen: Again, my hon. Friend makes an excellent point. The university has certainly been treated poorly by the current Conservative council and by the Minister who, despite his so-called neutral stance, has not done what an Education Minister should have done. The present Conservatives have not listened properly, and I think my hon. Friend is probably right to say that the Conservatives of the past were concerned about education and would

probably have given the university a fairer hearing than the current lot, who are interested only in land speculation, property development and such commercial activities.

My hon. Friend is absolutely right about that. However, I thought that he was going to make a different point: I thought that he was going to suggest that the university of Westminster would get a better hearing if clause 9 were not passed.

That is certainly true. If the clause is passed, the Conservatives on Westminster council who are not interested in education—who turn a deaf ear to it—will say that, because the legislation has been passed by Parliament, they have a duty under the law to sell the site to the highest bidder. The university of Westminster will not get any sort of hearing once the legislation is passed.

If we are to strengthen the hand of the university of Westminster in its discussions with the council, it is absolutely crucial that we do not pass the clause and that we pass the amendments to which I have referred. In view of the nature of the Conservatives with whom the university is dealing, it is correct that the House should try to strengthen the university's hand—the hand of education—in the negotiations. My hon. Friend makes an extremely good point.

9 pm

In the January briefing, the university of Westminster said that it is building on a major site in Harrow which it owns. However, that removes educational facilities from central London and the communities which they serve. That is a very good point. The briefing states:

"The Moxon Street site . . . would be ideally located for a major building of the University of Westminster".

It continues:

"Architects have undertaken preliminary drawings and estimate the site would accommodate a building with 17,000 sq m floor space. This would provide a large building in an ideal location for the University".

Madam Deputy Speaker: Order. The hon. Member is now repeating arguments that he has already put to the House.

Mr. Cohen: I do not wish to do that, Madam Deputy Speaker. I was trying to put the argument in the words of the lobbyist, Professor Burlin. Some hon. Members cast doubt upon the statements that I made earlier in the debate and suggested that I was not stating the facts. I have tried to show that that information has not come from me; it has come from Professor Burlin, the university of Westminster and the St. Marylebone school. Professor Burlin's briefings and the letter from St. Marylebone's school show that there is a clearly established need for the site to be used for educational purposes.

Madam Deputy Speaker: Order. The hon. Member for Leyton has made his view quite clear on several previous occasions. He is repeating the arguments.

Mr. Cohen: I do not want to do that, Madam Deputy Speaker.

Mr. Bryan Davies: My hon. Friend is seeking to stress that the authority he is now quoting—the vice-chancellor—was acting in an entirely dispassionate way. He has no conceivable political axe to grind; he is simply concerned about the educational opportunities of his institution in relation to the decision about that crucial piece of land. Therefore, it is rather important that my hon. Friend develops clearly the arguments that Professor Burlin has put to several hon. Members but which have not been clarified on the Floor of the House as yet.

Madam Deputy Speaker: Order. I remind the hon. Member for Leyton that he should be giving his own speech. He may wish to adduce the arguments of others, but it is not a sufficient excuse for him to repeat a series of other people's arguments as a means of getting around the strictures that I have just offered him.

Mr. Cohen: I understand your concern, Madam Deputy Speaker.

Mr. Sedgemore: On a point of order, Madam Deputy Speaker. I wonder whether you can help the House? You always guide us beautifully and we accept your guidance every time, but I am slight puzzled about this. What if my hon. Friend quotes 500 high-powered sources who are saying roughly the same thing? It has never stopped Ministers quoting 500 high-powered sources, so why should it stop Back Benchers doing the same?

Madam Deputy Speaker: The hon. Member for Leyton has already received the answer: it is incumbent upon hon. Members to make their own speeches and not simply to quote from other sources, however eminent, as a substitute for their own views.

Mr. Cohen: I take your point, Madam Deputy Speaker. You were correct in describing the sources as "eminent"; Professor Burlin, who is speaking on behalf of the university of Westminster, is certainly eminent. Madam Deputy Speaker, I understand what you have said about not repeating my argument and I do not want to do that. I was seeking to add emphasis and to give weight to my point.

Madam Deputy Speaker: The hon. Member has already done that; he does not need to do it again.

Mr. Cohen: That is fair enough, Madam Deputy Speaker. I just wanted to make it clear that those points were not mine but those of the eminent people whom I quoted. My hon. Friend, in his intervention, made a good point about Professor Burlin—a new point, not made before. From Professor Burlin's point of view, this is not a party political matter. I am sorry in some ways that a Labour Member must raise the matter on behalf of the university. I am trying not to make my speech party political.

In some areas, doubt has been cast on Westminster city council. I am afraid that the district auditor's report will become a party political issue, but the arguments concerning the university must be judged on their merits. I just wish that the Minister would do so and that, when there is a vote at the end of this debate, hon. Members who have not been present in the Chamber will consider the arguments on their merits and not treat the matter as party political. If they did that and considered the points made by Professor Burlin in a non-party political fashion, they would not agree to clause 9.

Dyson Bell Martin drew attention to the meetings between the university of Westminster and the council. I have made this point before but I hope that you, Madam Deputy Speaker, will allow me to quote Dyson Bell Martin, which is important in this context:

"The University of Westminster has been interested in acquiring part or all of the site for educational purposes since it became clear that the Council did not intend to build a school on it. University

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representative have met members and officials of the Council at various times to discuss the matter. All such meetings have been polite, but rarely helpful and it is apparent that the Council has never had any intention of entering into serious discussions with the University about the land remaining in educational use."

That is all that I shall quote; otherwise, you, Madam Deputy Speaker, will accuse me of repetition.

That quotation makes a weighty point about the council's treatment of the university, which the council has not taken seriously. Once the council gets the Bill in the form that it wants, it would not have to take the university seriously and will not do so. I am grateful to you, Madam Deputy Speaker, for allowing me to make that point.

I will address next the planning brief, which is new information. I should like to take the House through some aspects of that brief, which is a long document.

Madam Deputy Speaker: Order. I remind the hon. Gentleman that he is speaking to a group of amendments. If he wants to use the planning brief to support his amendments, that will be all right—but he is not here simply to go through a series of documents.

Mr. Cohen: I will not do that, Madam Deputy Speaker. You will notice that I have just a few sheets of paper. Otherwise I might have read out the whole planning brief. In fact, of course, I would not have done so because you would have stopped me. I have selected key areas of the brief which relate to the use of the land for educational purposes and I will quote relevant parts in support of my amendments. I am sure that you will stop me if any of them are not relevant.

The planning brief is entitled "Main issues arising from the public consultation exercise" but, amazingly, it gives no specific consideration to educational use issues, particularly in respect of the university of Westminster. The extinction of the land for education purposes has been virtually taken for granted by Westminster council in its planning brief. That is shocking. One of the central arguments is that the site should be used for education purposes and that the university of Westminster should have first crack at the land—in other words, the option to use it. Yet the planning brief virtually ignores that argument. I accept that the argument is taken up in little bits but it is not dealt with coherently. It is not considered as an option.

The council has virtually taken it for granted that it will get its Bill through the House and thereby extinguish education use. That enhances the argument advanced by Dyson Bell Martin that the university has been treated extremely badly. Indeed, it has been virtually ignored by the council.

The planning brief refers to Howard de Walden Estates and a food supermarket. That is something that gets plenty of space in the brief. Indeed, it seems to have coloured the council's views. I shall not repeat that point, Madam Deputy Speaker. I merely say that the largest landowner in the area, Howard de Walden Estates, had a bearing on the council officers' views when they came to prepare the brief. There was little discussion about education use and plenty of discussion about a food supermarket and what Howard de Walden Estates wants. It is not an especially sensible planning brief.

The planning brief includes a planning history of the site. It states:

"It was intended to be a short term measure"—

that is, the use of the site as a car park—

"pending redevelopment on a properly planned basis for educational purposes."

That does not mean a primary school but use for "educational purposes". That was stated in February 1995. That is what appears in the brief. The council officers make it clear that the land would be used for a car park

"pending redevelopment on a properly planned basis for educational purposes."

The officers have given the game away. The history of the land turned on "education purposes", and that is why it was given to Westminster. The Minister is again looking exasperated. Let him understand that I am referring to the words in the brief. There we have it, "education purposes". Whatever the result of the Division, the argument is won. The site should be used for "education purposes".

We are told in the brief that the policies set out in the development plan

"are guided by a number of long-standing planning objectives, of which maximising residential accommodation and ensuring a high quality environment are the most important to the development of the Moxon Street site."

It adds that new residential building

"is usually by way of demolition and replacement rather than providing substantial net increases of housing on previously non-residential land.

On the whole, however,opportunities for such gains in the future will be few."

It was referring to opportunities to obtain sites for social housing. The same goes for sites for educational purposes and opportunities to improve the environment. Such opportunities will be few. We are talking about a busy, built-up, urban area. The opportunities for social housing and educational land will be few. That was in the officers' brief.

9.15 pm

So why should a supermarket be put on the site? If it is a matter of scarcity, what should be the priority? The future opportunities of land for the university of Westminster, are not in Harrow, in Timbuctoo or on the moon, but in Westminster in central London. Aneurin Bevan said that socialism was the language of priorities. In many ways, politics is the language of priorities. The House has to decide on priorities. If the opportunities are few, I say that the land would be best used for educational purposes and some social housing rather than a supermarket. It is there in the planning brief. It says:

"opportunities for such gains in the future will be few."

Madam Deputy Speaker: Order. The hon. Gentleman has made that point several times. I do not think that any of us can have failed to take it in.

Mr. Cohen: I hope that the Minister and other hon. Members have indeed taken it in. I was about to move on, Madam Deputy Speaker. It was just my way of emphasising the point.

The planning brief goes on to say:

"Creche and nursery facilities would also be appropriate. Having regard to the long history of school proposals on the site, educational use—including higher education—is also considered appropriate."

Then the planning brief goes off at a strange tangent which shows how the officers were thinking. It refers to

"a creche for staff, shoppers and community use."

It said that there was a need for nursery and creche facilities and for higher education premises on the site. I have read out Professor Burlin's letter, in which he said that the university would love to have the site to improve its nursery provision and creche facilities on its main site.

While the officers recognise that there is a need for such facilities, they do not attribute the need to the university of Westminster but go off at a tangent talking about shoppers. That shows how their minds were working and how they their attitudes were coloured by Howard de Walden Estates. They had it fixed in their minds that they would go for the supermarket. But the truth has come out: nursery facilities can be provided without a supermarket being built—they can be provided by the university. That is an important point.

The planners go on to say:

"With regard to the Moxon Street site, traditional plot width articulation would be an advantage—particularly if residential elements are to be incorporated—and the design may benefit from additional emphasis on the corners. If the site includes educational use the relevant part of the development should have an appropriately designed civic character. Any development should incorporate traditional, high quality materials."

That was the officers' thinking about educational use. That was almost their sole reference to the argument that the site could be used for educational purposes. Then along comes the deal with the developers for a supermarket and the educational use gets flung out of the window.

The section of the planning brief that I have just read out gives a clue to the thinking of the council. It did not intend to give a fair and proper hearing to the University of Westminster.

Madam Deputy Speaker: Order. The hon. Gentleman has made that point several times. It does not need rehearsing again.

Mr. Cohen: I am not rehearsing it, Madam Deputy Speaker—I am just pointing it out.

I come finally to the planning brief appendix. The House will appreciate that the brief is an inadequate document. The consultation on it was inadequate and that alone puts the preamble in doubt. Westminster council is taking a momentous step in extinguishing educational use for that land and putting the boot into the university, and it is doing that on the basis of an inadequate planning brief. The House should not tolerate that. We should send the whole thing back and say, "Think again and consult properly with the university."

There was amazing consultation towards the end of the exercise with people who responded to the council. Right in the forefront is Howard de Walden Estates and the answer to everything that it wants is, "Yes, yes, yes." The appendix shows that the answer to whatever it asked for was yes.

Madam Deputy Speaker: Order. The hon. Gentleman has also made that point several times.

Mr. Cohen: Appendix 2 in the table of consultation—

Madam Deputy Speaker: Order. In the House we do not proceed in debate simply by extensive quotations from documents. Hon. Members are expected to make their own speeches, adducing particular points if they wish, but they are not expected simply to go through a whole series of documents.

Mr. Cohen: These are crucial documents and it was through them that the Bill came to the House. I am dealing with the consultation by virtue of which the council says that it is justified in extinguishing educational use for the site and putting a food supermarket on the land.

Madam Deputy Speaker: Order. I have explained that references to documents are in order. However, the hon. Gentleman is now engaging in considerable repetition of arguments that he has already put forward.

Mr. Cohen: I do not think that I am doing that.

Madam Deputy Speaker: Order. I say that the hon. Gentleman is doing that. Is he challenging my ruling?

Mr. Cohen: No, I am certainly not challenging your ruling, Madam Deputy Speaker, and I am trying not to be repetitious. An analysis of my speech will show that it is my own. I have referred to documents, but only to relevant ones and I have quoted the appropriate parts and commented on them. If I had referred only to the documents, my speech would have been over in half an hour; as I have said, I have sought to comment on the relevance of the documents and I shall continue to do that.

Madam Deputy Speaker: Order. The hon. Gentleman would be wise not to confuse quality with quantity.

Mr. Cohen: I take your point, Madam Deputy Speaker. I hope that the House will not confuse quality with quantity—the quantity of the quids in a deal with property developers and the quality of educational use. Education should be provided on this site. That is the quality and quantity argument that the debate is all about.

Mr. Sedgemore: Is my hon. Friend aware that his stance of argumentum ad verecundiam is one of the most powerful ways of debating that is known to mankind? If my hon. Friend wants that translated, it means arguing by reference to wise authority.

Mr. Cohen: I am grateful to my hon. Friend. However, I do not propose to take that line of argument as I might upset you even more, Madam Deputy Speaker, and I do not want to do that—I want to make my own speech.

Madam Deputy Speaker: Order. One can also argue ad nauseam.

Mr. Brooke: Following the substantial conspiracy theory that the hon. Gentleman has adopted for the past half hour or so, would he like to tell the House how many planning applications are before Westminster city council for the Moxon street site, including those from the university of Westminster?

Mr. Cohen: I have no doubt that the right hon. Gentleman will answer that question himself when he makes his short speech, as I propose to sit down and allow him to do so. What value, however, is a planning application from the university of Westminster if the law has changed, as would be the case under the Bill? If the law has changed, the council is under no obligation to use the land for educational purposes.

[Mr. Cohen]

As my hon. Friend the Member for Hackney, South and Shoreditch said in an intervention a long time ago, and as was made clear by Dyson Bell Martin in its correspondence, Westminster council would be under an obligation to sell the land to the highest bidder. A planning application from the university of Westminster would be worthless in those circumstances. If the planning application is to be meaningful, it would therefore be best for the House not to pass the clause and for one of my amendments to be passed instead. If the right hon. Gentleman is putting weight on the university of Westminster's planning application, he should support one of my amendments so that it can become a meaningful application.

I am coming to a close because I want to give other hon. Members a chance to speak, although I could continue for longer. I want to continue without, I hope, referring to the planning brief too much. I am trying not to do that—I have dealt briefly with that brief. In the consultation, the recommendations of the university of Westminster were greeted repeatedly with the answer "no". Other people were consulted. The Marylebone Association said:

"For a supermarket to be viable it would have to attract thousands of people from outside the area. This would increase traffic in the area, which the surrounding streets are unsuited for. Additional traffic could cause gridlock in the area, noise and air pollution in this largely residential area."

It adds that, as well as traffic problems, there would be night-time delivery problems. Again, you will not let me quote directly, Madam Deputy Speaker, but clearly there would be traffic problems. In its reply, the council says:

"The City Council is concerned that a supermarket use, if granted planning permission, provides for local needs and does not attract traffic into the area. The traffic, highway and environmental implications of a proposed supermarket use will be assessed, in detail, when an application is submitted."

The St. Marylebone Society talks about a supermarket not being necessary in the area because there are large stores in Oxford street and other aspects.

The Marylebone Association and St. Marylebone Society make a genuine point. If a supermarket were to be located in this region, there would be additional traffic, noise and nuisance in an area which already has heavy traffic. The council admits that that is a distinct possibility. That is why it is saying that any application for a supermarket would have to be considered closely. It is not saying that there would not be additional traffic, noise, fumes and everything. By the nature of its reply, it is virtually saying that that is a distinct possibility and that that would be a nuisance to residents.

The case is overwhelming that this land should be retained for educational purposes. That was the intention of the Greater London council, the Inner London education authority and the London residuary body when that council transferred the land free of charge to Westminster council. There is an educational need—I spelled that out—from St. Marylebone school and, on a non-party political basis, I have spoken a great deal about the university of Westminster's position, saying that its need is massive.

The council has acted in a dubious way on a number of things. The district auditor's report says that the council—this is public knowledge—likes to make property deals with property developers and speculators. Who knows what some of the options on those deals might have been?

The House should examine the matter openly and in detail. At the end of the day, we should reach a decision based purely on the merits of the case—that is, the best use of the land for the community. If that question is considered, the answer can be only educational use, perhaps with some social housing as well. That is way ahead of anything proposed by the property speculators, such as a supermarket.

The House should not accept the clause. Instead, it should support one of my amendments. We should do the right thing by Westminster university and for education in London.

9.30 pm

Mr. Robin Squire: It may help the House if I intervene in the debate at this stage. The hon. Member for Leyton (Mr. Cohen)—indeed, the whole House—is now well aware that the purpose of clause 9 is to relieve Westminster city council of the duty to establish a primary school on the council-owned site in Moxon street, Westminster. Approval for the project was given by my right hon. Friend the Secretary of State for Education, under section 12 of the Education Act 1980, on 22 February 1991.

I understand that, subsequent to that approval, the authority concluded that there was no longer a need for new primary school places in the relevant catchment area. The judgment of such need is a matter for the local education authority, which is responsible for providing education for children in the area. To relieve the council of the duty to implement my right hon. Friend's decision under section 12, it is necessary to introduce a private Bill clause broadly in the terms of clause 9. Until such a clause is enacted, Westminster city council remains liable to implement my right hon. Friend's 1991 decision.

It may be helpful to Opposition Members if I offer some clarification of the conditions attached to the transfer of the site to Westminster city council in 1991. The transfer was subject to the Education (London Residuary Body) (Property Transfer) (No. 3) Order 1991. Part I of the schedule to that order listed the recipients of land transferring from the London residuary body, with a short description of each property concerned.

I must emphasise that, although the Moxon street site was identified in the following terms:

"site for proposed new primary school, Moxon Street/Cramer Street W1",

those words were a description, not a condition, of the transfer. The condition attached to the transfer was set out in article 4 of the order, which stated that land transferred in the way that the Moxon street site was transferred was subject to the condition that it, or any interest in it, should not be disposed of within 20 years of the transfer date without the consent in writing of the Secretary of State. It would be open to my right hon. Friend to withhold that consent. Further, when giving that consent, my right hon. Friend may impose conditions regarding the distribution of the disposal proceeds between the inner-London authorities.

The House will note that, contrary to the repeated claims of the hon. Member for Leyton, the conditions governing Moxon street do not restrict the site to

educational use. It is true that, in some other property transfer orders, education use was a condition of the property transfer. For example, some land was requested to be brought into educational use by a specific date or else disposed of.

It is not possible to say specifically, after some years, why different conditions were imposed, but I can confirm—this is most important in the light of the hon. Gentleman's repeated accusations directed at Westminster council—that the conditions which I outlined for Moxon street apply not just to Westminster city council, but to other councils that received property under part I of schedule 6 of the order. They include Greenwich, Hackney, Hammersmith and Fulham, Southwark, Tower Hamlets and Hertfordshire. It is clear that Westminster was not singled out for any special treatment.

It has not been the practice of the Department for Education to verify with authorities the use that they are making of the sites in question. That is a matter for the authorities that own the sites. In this case, Westminster council concluded that the census projections no longer warranted the establishment of a new school and brought the matter to the attention of the Department. Acting on the basis of advice from my Department's officials that a private Bill would be the appropriate means of relieving the council of the duty to implement the Secretary of State's section 12 approval, the council introduced clause 9.

I have a high regard for the university of Westminster and I wish it well in its various plans. Unlike schools, universities are private sector, autonomous institutions. They receive much of their income from private sources, determine their own admissions policy and curricula and are free to organise academic business affairs as they wish. Most important, under the Further and Higher Education Act 1992, the Government may not intervene in such affairs or direct funds towards individual institutions. The House will understand why I cannot say more about the amendment that related to the university, to which the hon. Gentleman made considerable reference in his speech.

Amendments Nos. 26, 29, 31, 32, 33 and 34 could impose new responsibilities on the Secretary of State for Education. They would include making an order; establishing whether the site was needed for an educational purpose, whether for the council or another body; approving the disposal of land within three years; within one year, ordering the transfer of the site to an educational body; satisfying herself that there is insufficient demand for a new county primary school; investigating whether Westminster has published and consulted about reasons for not wanting the school; and requiring the submission of a scheme for future ownership and use of the site.

Those requirements exceed by some considerable way what is required in the case of other property transferred by the order that covered Moxon street. The House would not be surprised if the Secretary of State were to regard those proposed duties as onerous and excessive.

Mr. Brooke: There were no petitions in relation to the Bill in either House, and the sponsors were not approached by any of those who are now taking an interest in the Bill until after the Committee in this House—the second House to consider the matter, as the Bill was introduced in the House of Lords. I congratulate the hon. Member for Leyton (Mr. Cohen) on the interest that he has developed at a late stage in the subjects with which the Bill deals, even though I am not sure that I would congratulate him on much else.

I realise that the hon. Gentleman's primary interest is in the sex shop issue to which we will come at a later stage. The hon. Gentleman seemed anxious to defer that later stage this evening.

Mr. Cohen: Will the right hon. Gentleman give way?

Mr. Brooke: I am not giving way. The hon. Gentleman was on his feet for two and a half hours.

Mr. Cohen: On a point of order, Madam Deputy Speaker. The right hon. Gentleman has just said something that is quite untrue. I wanted the other stage of the Bill to come first, and this stage to come second. The choice was purely in the hands of the Clerks.

Madam Deputy Speaker: That is not a matter for the Chair, but a point of substance. If the right hon. Gentleman does not wish to give way, that is the end of the matter.

Mr. Brooke: I am delighted that the hon. Gentleman has also embraced the interests of my constituents at the university of Westminster, who enjoy my admiration every bit as much as they enjoy his. However, his scatter of amendments would throw the Moxon street site open not just to the university of Westminster, but to every publicly funded body with an educational purpose. Incidentally, the city council does not favour or oppose the aspirations of the university of Westminster. It recognises that, as a planning authority, it has a duty towards the site and it appreciates that the university may well have a close interest in it.

In his long speech, the hon. Member for Leyton said that clause 9 was all about prejudging the issue. At present, there is an obligation to start building a primary school by 1 September 1995; that is a couple of months away. The only way in which the council could escape the obligation was by introducing a clause in private legislation—hence clause 9, which has been in the Bill since November 1993.

In amendment No. 28, the hon. Member for Leyton seeks to remove clause 9 from the Bill. He would thus oblige Westminster city council to build a county primary school on the Moxon street site, although there is reasonable agreement that there is no need for a county primary school there, and that to build such a school there would do nothing for the interests of the university of Westminster, which the hon. Gentleman says he espouses.

The history of the planning of the primary school site came up at length in the hon. Gentleman's speech. Westminster city council inherited planning which had been initiated by the Inner London education authority before the site was transferred. The shadow education committee of Westminster city council looked at the matter in January 1990, before the transfer, endorsed ILEA's plan and got permission from the then Secretary of State to put up a primary school by 1 September 1992. The council has, however, revisited the planning statistics.

The expectation, held first by ILEA and then by Westminster city council, was that there would be a considerable influx of Hong Kong Chinese children into that part of Westminster because of what would happen

[Mr. Brooke]

in Hong Kong in 1997 and because the Chinese community had its centre in Soho, in my constituency. Those expectations have not been fulfilled.

The hon. Member for Leyton produced a random scatter of amendments. I shall briefly pay him the compliment of referring to them, even though some are in conflict with each other.

Amendment No. 1 was the first for the House to consider. The fact that we are discussing the educational aspect first is a function, therefore, of an amendment that the hon. Gentleman tabled and not of a decision by anybody else. Amendment No. 1 is legally incorrect because it implies that the city council has a statutory duty to use the land for educational purposes wider than a primary school. In fact, the only statutory educational duty on Westminster city council in relation to the site is, as my hon. Friend the Minister said, to establish a county primary school.

Amendment No. 27 is a paving amendment for amendments Nos. 30, 31, 34 and 35. I have already alluded to amendment No. 28 in which the hon. Gentleman seeks to strike clause 9 out of the Bill and thus to oblige Westminster to embark on a county primary school by 1 September this year.

My hon. Friend the Minister has commented on amendment No. 26 and the series of subsequent amendments. As he says, they would impose a range of duties on the Secretary of State which there is no evidence that she would seek. In amendment No. 26, the hon. Member for Leyton asks the Secretary of State to have done all the things described in it by 1 September this year, which is unreasonable. Amendment No. 29 is in conflict with amendment No. 31. I ask the hon. Gentleman what would happen if no applicant met the requirements or if the Secretary of State would not accept the terms.

Amendment No. 30 is superfluous, as the conditions under the order are not removed by clause 9.

Amendment No. 31 states:

"the council shall transfer without charge to an educational body nominated by the Secretary of State the land at Moxon Street".

There would be a potential conflict of users, as the hon. Member for Leyton has thrown the transfer open to all educational bodies that are publicly funded. I am not sure how that would be resolved. The hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) said that Hackney would forgo its share, but I must correct the hon. Member for Leyton, as the 13 local authorities that are the successors to ILEA would enjoy that windfall, and not the 32 London boroughs.

9.45 pm

I shall not comment elaborately on amendments Nos. 33 and 34, which are unnecessary to the central purpose. Amendment No. 35 is also otiose.

Amendment No. 36 enjoys the signatures of all the Labour Members who represent Greater London. There may be a potential conflict between those who represent outer-London boroughs and those who represent inner-London boroughs. I am a little surprised that a series of Labour Front-Bench spokesman have attached their names to an amendment that states:

"It shall remain the duty of the Council to use the land designated for such a school primarily for educational purposes, or for social housing or for a mixture of the two",

when there is no duty to use the land for social housing or a mixture.

The right of National Car Parks, which occupies the site, to a new lease would inevitably restrict the scope for the owner, whoever that may be—including all the potential owners to whom the hon. Member for Leyton referred. Height restrictions are also imposed on the site, which would limit the potential development of the site.

At this juncture, it might be helpful—not least given the reference of the hon. Member for Leyton to the council's planning department—if I said a general word about Westminster city council's position.

As the site was transferred from the LRB specifically for the purposes of the new school, it may not be used for other purposes involving a disposal of any legal interest without the consent of the Secretary of State for Education being obtained, as my hon. Friend the Under-Secretary of State for Schools said. Unless the Secretary of State were satisfied in respect of any alternative proposals, he might direct that the site be sold and the proceeds distributed among the inner-London boroughs. As a local education authority, the city council has no alternative proposals for the site.

As a local education authority, the city council is conscious of the legal restraints affecting the future use of the Moxon street site. The council's role as a local planning authority, however, imposes additional and not altogether compatible duties on the council. For some time, there has been considerable interest from third parties concerning the use of the site, to which the hon. Member for Leyton referred. In view of that, as a planning authority it has been incumbent on the council, as the hon. Gentleman said, to draw up policy guidelines as to what might be acceptable uses for the site. To that end, draft planning guidelines were considered by the city council's planning and transportation committee in November 1994. The guidelines were reconsidered by the planning and transportation on 28 March and approved. They show that acceptable uses would be mixed residential/commercial, educational/social and/or community use. The hon. Gentleman gave us a protracted account of that, but that is what the guidelines contain.

Although officers of the city council's planning department have met representatives of various interested parties, including Howard de Walden Estates, which figured in the speech of the hon. Member for Leyton, and the university of Westminster, the city council has received no valid planning application for the development of the site. It has made no policy decision on the future use or disposal of the Moxon street site, as any such decisions would be subject to the following: clause 9 of the Bill being successfully enacted; the city council deciding whether it required the land for its own purposes and, if not, the consent of the Secretary of State for Education to disposal being obtained; and, finally, resolving the issue of National Car Parks occupation of the site, to which the hon. Member for Leyton made only a passing reference.

The clause will absolve Westminster city council from an obligation inherited from ILEA to put a county primary school on a site where, according to the local education authority, there is no demand for such a school and enable the city council to proceed to subsequent decisions on what should be done with the site. The conspiracy theory of the hon. Member for Leyton does not have much substance.

I commend to the House the proposal that we pass a clause that will give the local authority the ability to free itself of an obligation which it inherited and perpetuated.

Mr. Bryan Davies: I congratulate the sponsor of the Bill, the right hon. Member for City of London and Westminster, South (Mr. Brooke), on the way in which he replied to the debate and clarified some of the issues. He was, however, somewhat unfair to two parties. First, he was unfair to my hon. Friend the Member for Leyton (Mr. Cohen), who did not seek to say that the educational aspects of the Bill should be put first. As the right hon. Gentleman said, my hon. Friend's arguments were simply a straight reflection of where the amendments appeared on the amendment paper. My hon. Friend sought to emphasise that his major anxiety was about the later clauses dealing with sex shops.

The second party to which the right hon. Gentleman was unfair was the university of Westminster, which he suggested was a late entrant in the race. That may be so, but that does not detract from the strength of the argument that land that had been the subject of such a transfer should be used for educational purposes. The right hon. Gentleman and the Minister should recognise the sensitivities in many parts of London and further afield about such land transfers.

The London residuary body was an undemocratic body set up by the previous Conservative Administration to take over the role of former elected administrations in London. As a consequence of that role, it began to dispose of substantial land assets, placing restrictions on certain transfers but few restrictions on others. Labour Members are bound to be anxious about decisions taken about land that was formerly subject to direct democratic control but then fell into the hands of the LRB and subsequently individual councils, which may or may not have put the land to the use originally intended. I do not say whether Westminster is right to seek to reach decisions on that matter, but the land has a chequered history.

The issue to which my hon. Friend the Member for Leyton and others have sought to draw attention is that, only a short while ago, the land was clearly expected to be used for educational purposes. The right hon. Member for City of London and Westminster, South said that it was expected that Hong Kong refugees would flood into this country and that their children would be educated in that school.

That may be so, and we accept his argument that the authority does not need that site for a primary school. But given that we are dealing with land designated for educational use, the right hon. Gentleman cannot expect hon. Members simply to take the view that a university that applies to enter the frame and be considered for the land's use should be regarded as just another private body. He is right to say that universities are private institutions, but undue favour towards the university would be outwith the Minister's power.

Equally clearly, the university of Westminster has a good case to put to public authorities, the local authority concerned and hon. Members, as it could put that land to good use. That is the case with a number of inner-city higher education institutions but, with the exception of the City university, Guildhall and certain colleges of London university, the university of Westminster is competing for the most expensive real estate in the United Kingdom. Those institutions are doing that with limited resources—resources that the Government do little to increase, in circumstances where demands on higher education institutions increase apace.

It is therefore not surprising that the university of Westminster, seeking to respond to the needs of our community for more higher education places, and to expand the facilities at its disposal—and in doing so at present being forced into the constraint of having to develop an institutional facility as far away as Harrow—looks on the Moxon street site.

The site is close to the three major sites that the university already uses. It would be especially advantageous for the university to consolidate its premises, giving it the chance to serve the very students whom it exists to serve, especially, as was mentioned earlier, the many part-time students and students who come from relatively deprived backgrounds. For those students, travel is bound to be a problem in terms of distance and of cost. Therefore, there is a great advantage in the university being local and able to provide courses and opportunities where those people have their homes and where they work.

The understandable and excellent case that has been made by the university of Westminster in the context of the Bill will undoubtedly have exercised the minds of hon. Members. It calls on them to reflect on whether the proposals underpinning that part of the measure are entirely advisable. On that basis, I believe that the sponsor of the measure, although he has ably responded to the debate, has not cleared up all our anxieties about those proposals.

Mr. Sedgemore: I am delighted to take part in the debate, if only for a few minutes. I congratulate the sponsor of the Bill, the right hon. Member for City of London and Westminster, South (Mr. Brooke) on his usual lucid, sharp speech. He presented an enormous amount of information in a short time, and he cleared up a matter that had worried me—how it came about that there was a transfer in 1991 and why the council changed its mind so quickly in 1993. He said that it was about a misreading of the number of children from Hong Kong who would come to London.

I do not believe that that negates anything that my hon. Friend the hon. Member for Leyton (Mr. Cohen) said. He spoke for two and a half hours. He spoke with great force and clarity, and he convinced me that that land should be kept for educational purposes and/or for social housing.

I think the right hon. Member for City of London and Westminster, South was a bit unfair when he said that some of the amendments contradict themselves. It is not unusual, in my experience, or in his—he is much more experienced than I am—for Governments or Back Benchers from either side of the House to table amendments that contradict one another. In effect, my hon. Friend is giving the House a chance to consider several amendments and to say, "That is one I want," and he is allowing us to have a vote on that one. I am not sure which one he wants to vote on.

I first interested myself in the Bill when the university of Westminster opened several homes in the London borough of Hackney as student accommodation. The vice-chancellor then mentioned to me the Bill that is now before us, and said that he would consult me subsequently to discover whether I could help.

[Mr. Sedgemore]

I do not suppose that I can help. I dare say that the might of the Government Whips on this private Bill will carry the day. Nevertheless, I can think of no reason why I should not try to make a few intelligent comments on behalf of the university before the vote tonight.

As I understand the legal position, obviously Westminster council is the local education authority in the city of Westminster. Clause 9 would relieve the city council of its statutory duty to build a primary school on the Moxon street site in the City, pursuant to section 12(9) of the Education Act 1980. That is interesting in itself, because the right hon. Member for City of London and Westminster, South said that the university of Westminster had come late to the debate; but, to my certain knowledge, the university first expressed an interest in the site in 1980 and it has expressed an interest in it ever since.

We know that the site was originally acquired by the GLC in 1966 under slum clearance powers. As I was working at the Ministry of Housing, as it then was, and signing most of those documents, it may well be—

Mr. Cohen: On a point of order, Madam Deputy Speaker. I hear what my hon. Friend is saying—

Mr. Brooke *rose—*

Mr. Don Dixon (Jarrow): It is a point of order.

Mr. Cohen: I am mindful of your earlier comments, Madam Deputy Speaker, about repetition. I think that there is an element of repetition in the speech of my hon. Friend the Member for Hackney, South and Shoreditch (Mr. Sedgemore). If that is the case, and given that you chastised me over repetition, why should my hon. Friend repeat the same points that were made earlier in the debate?

Mr. Brooke: On a point of order, Madam Deputy Speaker. Is it the case that if someone moves a point of order just before 10 o'clock that precludes any other hon. Member from moving that the debate be brought to a close?

Madam Deputy Speaker: It is not possible for the occupant of the Chair not to hear a point of order.

Mr. Peter Bottomley (Eltham): Further to that point of order, Madam Deputy Speaker. I observed my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke) rise before 10 o'clock and I thought that I heard him say that he wanted to move the closure. If another hon. Member has raised a point of order some time before 10 o'clock, with the clear intention of continuing his point of order until 10 o'clock is reached, how is it possible for an hon. Member or a right hon. Member to move the closure?

Mr. Cohen: That scurrilous comment is not worthy of the hon. Gentleman.

Madam Deputy Speaker: Order. I have to hear a point of order even if it is raised just before 10 o'clock. I am afraid that there is no other way out of it.

It being after Ten o'clock, the debate stood adjourned.

To be resumed upon Thursday next.

PROCEDURE

Ordered,

That Lady Olga Maitland be discharged from the Select Committee on Procedure and Mr. Patrick McLoughlin be added to the Committee.—*[Mr. Wood.]*

CATERING

Ordered,

That Mrs. Irene Adams be discharged from the Catering Committee and Mr. Bill Etherington be added to the Committee.—*[Mr. Kirkwood, on behalf of the Committee of Selection.]*

Disruptive Tenants (Scotland)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wood.]*

10.2 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I am grateful for the opportunity to have a short debate on an important subject, which I am sure the Minister would agree is a matter of concern.

It is important that hon. Members should recognise the level of concern that is now abroad, not just in Scotland but elsewhere—witness the reaction of the official Opposition, who have recently produced a paper on the subject. There is increasing concern that criminal, anti-social behaviour by a minority of tenants and some others on council estates in Scotland is now beginning to get out of hand.

I do not want to exaggerate the extent of the problem. I am sure that the Minister will agree that the absolute number of which we are talking may be relatively small. It is, however, now impossible to ignore the effect on law-abiding citizens and their families when they are confronted by wilful, continuing, deliberate harassment by neighbours.

Family life can be almost totally destroyed in some cases. Reputations of streets and entire housing schemes can be prejudiced by the criminal fraternity, who persistently thumb their noses at the police, the courts and housing authorities. I believe that tenants who are so afflicted have the right to expect better protection than they currently enjoy. Urgent steps need to be taken. The law, in my submission, is currently inadequate to deal with the problem. Therefore, additional powers and resources need to be brought to bear to provide some satisfactory remedy.

From time to time, I suppose that it is understandable that households, wherever they are situated, will come across a degree of vandalism, noise, verbal or physical abuse, threats of violence, racial harassment, damage to property, trespass, nuisance from dogs and the like. As isolated incidents, they are part and parcel of normal, modern life. Individually, they are all, when perpetrated with criminal intent, criminal offences. As isolated incidents, they can be much more easily dealt by our citizens.

They are much more difficult to deal with when they are happening through the wall or across the street every night. The intensity and location of such activities compound their effect. The irresponsible minority of tenants who perpetrate such activities terrorise their neighbours and local communities, and something has to be done about it.

I want to make it clear at the outset that I draw a distinction—because a distinction has to be very clearly drawn—between the criminal minority and those households that are in genuine difficulty because of mental illness or some other bona fide reason. There have been cases in which, for example, demented elderly people have created nuisances for their neighbours. There have been incidents involving schizophrenics—schizophrenia is a terrible illness when it affects families—or over-active children.

Those mental and physical illnesses can create difficulties for the families in which they are evident but they can also have an impact on neighbours. Such cases can be difficult, and must be handled in the light of the clinical conditions.

It is extremely important, in my view, that the development of care regimes in the community—there are many modern and interesting examples of care in the community for people who have clinical conditions of the sort that I have just mentioned—should not be restricted by or confused with the activities of people who are caught continuously intoxicated by drink or drugs, or who are simply motivated by unprovoked evil and malice.

I have said that existing local powers are completely inadequate. Local authorities are effectively unable to make eviction actions under section 74 of the Housing (Scotland) Act 1987 stick. In my experience, that is mainly due to lack of corroborating evidence. For that reason, the powers are very rarely used. It would be useful for the current debate if the Minister could tell the House how many successful eviction actions have been brought in the recent past. If that is too short notice, I understand, and I will seek to table a written question to solicit the necessary information.

A number of remedies have already been canvassed by the Government and other people. We need a strong signal from the Government that more political energy and some financial resources are going to be devoted to the resolution of the problem. For example, more resources are needed to develop further a culture where antisocial neighbours are actively discouraged. In that regard, tenants associations, with the vital role they play in many communities, come to mind. I also think that conditions in tenancy agreements need to be examined and to be made tougher in terms of sanctions against anti-social tenants.

More could be done to encourage multi-agency approaches, including social work, the police and school authorities. All those services could be developed and given more powers. In addition, mediation services are under-utilised, but, of course, more resources are required if they are to be set up and conducted in a proper and meaningful way. Finally, and some would say most important, court proceedings need to be toughened and streamlined. Better witness protection is now essential in prosecutions under section 47 of the 1987 Act.

I am aware that the Government have commissioned several pieces of research, and I am pleased to hear that. I know that the Institute of Housing is examining various aspects of the problem. I am, of course, also aware that the Government have produced a document on probationary tenancies, and that the consultation process has been put in hand. That is welcome as far as it goes, but the consultation document outlining the Government's plans for a probationary period for new tenants is extremely disappointing and weak.

As it stands, the consultation document will be irrelevant, and of absolutely no value to local housing authorities, because it applies only for an initial period and is restricted to new tenants. There is a crying need to deal with anti-social tenants who are already secure tenants under Scottish housing legislation.

The Government must bear in mind the fact that an important opportunity is approaching, and must be used to make significant progress. Next April, as the Minister knows, Scottish local authorities will become unitary authorities, which means that they will amalgamate the

[Mr. Archy Kirkwood]

processes and duties of housing and social work functions in one authority under one roof. That provides an opportunity for much greater co-ordination of the two functions and departments, and I hope that that opportunity will not be missed.

We are told in the press—indeed, there may be a statement later this week—that a housing Bill is under consideration for inclusion in the Queen's Speech for the next Session. I appreciate that no one can anticipate exactly what will be in the Queen's Speech, but, if such a piece of legislation is in gestation and if it is not restricted to England and Wales, it will give Scottish Office Ministers the opportunity to look afresh at the framework of laws surrounding anti-social tenants.

After the consultation period ends on 31 July, they should be well placed to introduce new measures. I hope that the Minister may say that, if there is to be a parliamentary opportunity to change the law next year, he will seize it with both hands and propose meaningful changes to stiffen the powers currently available to local authorities.

My message to the Minister this evening is that he must take the opportunity to give local authorities real powers to deal with criminal anti-social tenants and provide resources to set up specialist teams to examine the problem, to set up pilot projects to study individual cases in depth and to produce more research. If he did so, he would be sending an important signal to those who are currently deliberately flouting authority and causing misery to those who live near them.

Subject to the exception of those who are clinically ill, local authorities should be given a statutory power to impose probationary status on any tenants at any time during which they can be shown to the local authority's satisfaction to be acting anti-socially. If they do not improve during the 12-month probation period, an accelerated eviction process through the courts should be considered. If that happened and was successful, any family so evicted would of course be classified as intentionally homeless, and thereby unable to take advantage of the provisions of the homeless persons legislation.

Housing departments, social workers and the police must work together much more closely in order to prevent those terrible situations arising. If and when they do arise, greater powers and resources are needed to provide an adequate response and to restore the Queen's peace on Scotland's housing estates.

I have deliberately avoided arguing the case for change on the basis of emotional case histories. I certainly hope that I have not given any succour to those who deal with nonconformity in any heavy-handed way. I simply want to represent to the Minister my belief that the current situation is profoundly unsatisfactory. Tonight it is within his power to provide statutory relief—or the possibility of such relief in the future—for many households who are blighted by anti-social tenants. All he need do is agree to give urgent consideration to strengthening the law when he replies to the debate.

10.14 pm

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I congratulate the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) on introducing a very timely and important subject for debate tonight. He asked about the number of actions on eviction that have taken place. The best way for him to proceed is to put down a barrage of parliamentary questions, and I shall undertake to make available whatever information we have.

He will appreciate that we are now consulting about probationary tenancies, and I shall return to that subject in a moment. What he has said tonight will be borne in mind during that process before we arrive at any final decisions. I think that the hon. Gentleman will accept that it is too late in this parliamentary Session to take immediate action on that matter, but we are looking at it very seriously with regard to the consultation process.

How we deal with disruptive tenants is vital to the hundreds of thousands of tenants who are in their homes in Scotland tonight. I hope that I shall touch upon most, if not all, of the points that the hon. Gentleman has raised. We welcome the recent announcement by the Scottish Affairs Select Committee that its next inquiry will examine housing and anti-social behaviour. We await the Committee's deliberations with great interest.

One of the most basic human needs is to be able to have the quiet enjoyment of our homes. For all people, whether old or young, home should bring a sense of well-being and of belonging. The expression "home and hearth" symbolises all that a home should be in terms of contentment, well-being and belonging. Yet that depends crucially on the actions of our neighbours. We long for them to be good neighbours, behaving responsibly towards others, being considerate, and perhaps being able to help out in a moment of need.

If one were to look for a single word to describe that, I suppose that one would light on the word "community". As we consider disruptive tenants in the debate tonight, I think that it is worth while remembering that there are many places in Scotland where there is a real sense of community, and where people genuinely contribute to the common enjoyment of their housing.

Therefore, it is particularly tragic when people who should be able to enjoy their homes and neighbourhoods are unable to do so because of the activities of their neighbours. I come across that regularly in my visits to housing estates, in my discussions with tenants, officials and councillors, and in the letters I receive.

Tenants expect to be able to enjoy their home and their surroundings. They should not be terrified to go out of their front door; they should not be subject to abuse, whether intermittent or regular; they should not be subject to intimidation; and they certainly should not be subject to harassment. That kind of behaviour is unacceptable, and I have every sympathy with those who face it. Their lives are made intolerable by the actions of a few.

The first point I shall make tonight is that there are a range of powers and sanctions available to landlords to deal with disruptive behaviour. The Housing (Scotland) Act 1987 deals with vandalism. The hon. Gentleman served on the Committee that examined the Bill, and he played a major part in the process. I pay tribute to him, as he worked extremely hard on that occasion. Under the Act, anyone who wilfully, or by culpable negligence, damages a house or any part of a house shall be guilty of an offence, liable on summary conviction to a fine, without prejudice to any remedy for the recovery of the amount of the damage.

The Public Health (Scotland) Act 1987, the Control of Pollution Act 1974 and the Civic Government (Scotland) Act 1982 all contain provisions which deal with noise nuisance. They are relevant where people suffer noise nuisance from their neighbours and the 1982 Act is particularly useful where people have failed to desist from noise.

Section 49 of the Civic Government (Scotland) Act 1982 deals with annoying creatures—for example, excessively noisy dogs. In addition, many tenancy conditions include a section on the keeping of pets, which is important, since the presence of pets in houses or flats can lead to disputes between neighbours and to anti-social behaviour.

Mediation is one way of defusing disputes and of resolving disruptive behaviour, which is often very successful. It brings the parties together and helps to bring about mutual understanding and respect. Much information is available about mediation, including material issued by the Scottish Office.

Interdicts are a particularly appropriate means of restraining anti-social behaviour by disruptive tenants. They have a number of advantages, but perhaps the most important are that they can be obtained quickly and they have immediate effect. That is important, because tenants who are suffering abusive or other disruptive behaviour want immediate remedy. Interdicts need not apply only to a tenant of a house but can apply to a lodger or co-habitee who may be causing the disruptive behaviour complained of. They can also be applied to owner-occupiers who may be the source of disruptive behaviour.

Action taken under the provisions that I have just described will often be sufficient to stop disruptive behaviour, but where those do not work, as the ultimate sanction tenants can be removed from their houses when landlords, private or public, seek recovery of possession. The provisions governing that are contained in the housing legislation, and are designed to ensure that tenants cannot be removed on landlords' whim.

I am aware that the requirements set out in the legislation can make recovery of possession a lengthy procedure, with a difficult and contested case perhaps taking as much as 18 months from the beginning of proceedings to recovery of possession. As I understand it, however, that represents the more extreme, case in which the tenant or tenants contest the action, and it is important that it is not presented as the norm.

People who seek a change in the law should beware changing the law to suit the exceptional case. Clearly there is a balance to be achieved between being able to evict tenants at whim and giving tenants security of tenure, and between dealing firmly and effectively with disruptive behaviour and evicting tenants whose face simply has not fitted. Getting that balance right is what much of the current debate on disruptive behaviour by tenants is about.

My second main point concerns probationary tenancies, which the hon. Gentleman mentioned and on which we issued a consultation paper one month ago. A number of authorities north and south of the border have suggested that new tenants should be on probation initially, until the landlord can judge that they are able to behave responsibly and are not disruptive.

The proposal for probationary tenancies recognises that a secure tenancy is a valuable asset, giving an individual a home for life. The great majority of tenants behave responsibly, and that is shown in their behaviour towards their landlords and neighbours. They want quiet enjoyment of their homes. Unfortunately, however, there exists a minority whose life style and behaviour is incompatible with that. In the case of new tenants, such behaviour is likely to become apparent quite quickly.

The purpose of the proposals for a probationary tenancy is to give a clear signal to new tenants that anti-social behaviour is unacceptable—so serious that it will result in the loss of their home. That proposal will reassure existing tenants that landlords are able to take rapid action to remove new tenants whose behaviour is disruptive.

Under our proposals, public sector landlords will be able to opt in to a system of probationary tenancies. I emphasise the point about opting in to probationary tenancies, because many public sector landlords in Scotland will not feel the need for a probationary tenancy system.

For those authorities which see a probationary tenancy system as helping to deal with disruptive behaviour, all new tenants will be on probation for one year. Those tenants who complete the probationary tenancy satisfactorily will automatically become secure tenants. Where tenants do not behave responsibly, however, the landlord will be able to terminate the tenancy at any time during the probationary period.

When I first announced that we would be consulting on the matter, I made it clear that I would do so with an open mind. That remains the position, and I welcome comments from any organisation or hon. Member. Thinking has changed somewhat over the years, and what was not a major issue has become one.

Thirdly, there is no simple answer to dealing with disruptive tenants. There is no panacea that will cure the problem once and for all. As I have already said, there is a range of actions that can be taken by landlords and by other bodies. Many in the housing profession would argue that what is needed is not the provision of new powers, or more draconian measures to deal with disruptive tenants, but a wider use of existing remedies.

It might be helpful if I remind the hon. Gentleman that, before 1980, public sector tenants did not have the security of tenure that private sector tenants had. So, before 1980, public sector landlords were able to apply to a court for an eviction order, which was granted more or less as a formality, with no evidence being required, and with no right of defence for the tenant.

The Tenants' Rights (Scotland) Act 1980 changed that by giving public sector tenants security of tenure. Henceforth, tenants could be evicted from their home only when there was good reason, and after certain procedures had been followed. It must be remembered that the calls from some quarters for tougher action on disruptive tenants may require a diminution of those rights. In considering any proposal for dealing with disruptive tenants, we need to strike the right balance and examine the consequences before we take a certain course of action.

In many instances, housing departments are where the problems are first reported. It is therefore important that landlords have clear procedures established, so that front-line staff know how to deal with a complaint about disruptive behaviour. Such behaviour will often raise complex issues, and some local authorities have established a specialist team to which complaints can be referred.

[Lord James Douglas-Hamilton]

Every public sector landlord has a tenancy agreement which new tenants must sign, and many of these contain conditions about acceptable behaviour. Tenancy conditions need to be enforced consistently and firmly, or they will be discredited. When that happens, respect for housing authorities diminishes, too.

Neighbour disputes may begin over a relatively trivial matter, and escalate rapidly into something much more serious. Early action is essential to ensure that that does not happen. We have recently made available a considerable amount of material on neighbour disputes. These are dealt with in good practice note No. 5, published in February by the Scottish Office.

It makes it clear that disputes between tenants may not be clear cut, and that considerable skill is required on the part of housing managers to judge appropriate action. At my constituency surgery recently, one neighbour complained about another. The following week, the second neighbour complained about the first. The hon. Gentleman may have had similar experiences.

The good practice note suggests how landlords can take a proactive approach to neighbour disputes. That could include the provision of a helpline service for tenants, offering advice on action that can be taken in different situations, the use of mediation and arbitration, the use of management transfers to take a tenant out of the situation, and the use of legal action, including restraint—notably interdicts—and repossession.

I believe that the good practice note on tenancy management contains much useful information for landlords, which will enable them to develop a strategy to deal with disruptive behaviour—for example, when there is extensive drug taking and threats of violence.

One of the constant themes recurring in recent work on dealing with anti-social behaviour is the need to adopt a partnership approach, with all authorities concerned working together. Housing departments cannot plough a lone furrow. Apart from the landlord, others who may be involved include the environmental, health and social work departments of local authorities, health boards and the police.

In many instances, anti-social behaviour will involve several of these bodies or agencies, and close working relations will make a great difference in ensuring that the problem is dealt with satisfactorily and quickly. Where a local authority landlord is involved, the housing department staff need to have close contacts with their legal colleagues. I understand that many of the interesting approaches being adopted by the City of Dundee district council are the result of close co-operation between the housing and legal services departments, and I hope that other authorities are able to take note of that.

In the last year or so, the Scottish Office has taken forward policy on disruptive tenants on a number of fronts. Advice was issued on 23 May about the powers available to deal with disruptive behaviour. It is also funding the Chartered Institute of Housing to do work on housing and anti-social behaviour. This will result in a publication which will be generally available to the housing profession and will cover many aspects of anti-social behaviour. It will deal with precisely the issues highlighted tonight by the hon. Gentleman. At the more severe end of disruptive behaviour, we issued advice in 1994 on crime prevention and how it relates to housing and planning issues.

As I close, I should like to say how glad I am that the hon. Member chose this significant subject tonight. Everyone wants to enjoy his or her home, and most people act as responsible citizens, sensitive to the needs of others. There is a minority, however, who are disruptive and cause misery to their neighbours. Everyone has the right to the quiet enjoyment of their home, and the evidence from authorities around the country is that much can be done to deal with disruptive behaviour. Early action will nip problems in the bud, and prevent minor problems and misunderstandings from becoming something more serious.

Disruptive behaviour often spans a number of areas of interest, and consequently those involved—housing departments, their legal advisers, environmental health and social work departments of local authorities, health boards, and the police, as appropriate—need to work closely together. There are various powers available to landlords, as I have described.

I hope that I have demonstrated tonight that the remedies available are diverse, and that much can be achieved when they are used properly. I await with interest responses to the consultation paper on probationary tenancies. I am sure that the Scottish Affairs Select Committee will find its inquiry into housing and anti-social behaviour extremely interesting. I hope that it is able to take our knowledge forward, to help all those who have to deal with disruptive behaviour on a day-to-day basis.

In the last minute and a half, may I say that we have done a substantial amount to tackle the problem, by issuing advice in 1994 on crime prevention, and by taking initiatives in housing and planning matters, on the powers available to deal with anti-social behaviour and the use of mediation as a means of resolving disputes. We are consulting on the effectiveness of neighbourhood noise controls and on probationary tenancies.

We have issued a good practice note. We have funded the Chartered Institute of Housing to prepare a report on housing and crime, and we are providing further funding this year for work on housing and anti-social behaviour. We have welcomed the announcement by the Select Committee that its next inquiry will be on this subject. All this represents a wealth of activity, covering a wide range of activity on disruptive behaviour.

The hon. Member for Roxburgh and Berwickshire and I have been active in dealing with housing legislation in the past. It looks as though, when these issues are considered on further occasions, we will both be involved yet again.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes to Eleven o'clock.

House of Commons

Tuesday 27 June 1995

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

EDUCATION

Class Sizes

1. **Mr. Alan W. Williams:** To ask the Secretary of State for Education if she will commission research on the effect of class size on achievement in education. [29107]

The Secretary of State for Education (Mrs. Gillian Shephard): The hon. Gentleman asks about achievement in education. It is my view that that depends on the quality of teaching.

Mr. Williams: In fact, I asked about class sizes. Why do the Government insist on the nonsense that class sizes do not matter? It goes against common sense. Has the Secretary of State seen the report published a couple of weeks ago by the National Commission on Education, which draws attention to the importance of class size in primary and, particularly, infant schools? Has she seen the research carried out in Tennessee, whereby a comparison of a class of 15 pupils with a class of 25 pupils shows that higher standards are achieved and pupils behave better in smaller classes? Is it not a shameful record of this Government that class sizes have risen from 25—

Madam Speaker: Order. This is a very bad start. I constantly harass Ministers to give brief replies, so I must ask Back Benchers to put brief questions.

Mr. Williams: May I wind up my question?

Madam Speaker: Order. We do not wind up questions. I think that the Minister has got the point.

Mrs. Shephard: I am, of course, aware of the document from the National Commission on Education. I am also aware of the most recent research from the United States. Even if research from America tells us that class sizes of 13 or 15 are desirable, research from America and from here tells us that interventions that impact on teaching methods rather than on class size offer better results and better value for money. The hon. Gentleman will be aware that class sizes have edged up a little over the past two years and standards have risen a great deal.

Mr. Dunn: May I support my right hon. Friend's view that it is the quality of teaching that matters? Does she remember the words of my right hon. Friend the Member for Brent, North (Sir R. Boyson) that some teachers can teach 60 children in a bus shelter and achieve good results while other teachers will have a riot on their hands with one dead chicken?

Mrs. Shephard: As I said, achievement in education depends on the quality of teaching and the quality of teachers. Very large classes can be more difficult to teach, but it is important to remember that Her Majesty's chief inspector has never suggested that current class sizes are depressing standards. I reassure my hon. Friend that I agree with the drift of our right hon. Friend the Member for Brent, North (Sir R. Boyson).

Mr. Kilfoyle: Will the Secretary of State now answer the question on commissioning research? Is it not a disgrace that we must depend on American research like the Tennessee Star project and the Ypsilanti project on nursery education? Is it not a fact that, in the past 10 years, education research expenditure has been cut from £79 million to £23 million a year? Does that not show callous indifference by the Government towards the educational needs of the country?

Mrs. Shephard: In a word, no. What is a fact is that, although class sizes have edged up a bit over the past two years, so have standards. Standards have gone up a great deal, despite the Opposition's best efforts to vote against every measure to raise standards. There is a lot of research evidence around. We shall have more information from the Office for Standards in Education database. At present, I do not see a case for more long-term research on class sizes as such, but I see every reason for having useful research that can improve standards.

Parental Choice

2. **Mr. Barry Field:** To ask the Secretary of State for Education what representations she has had about the exercise of parental choice of schools on the Isle of Wight. [29108]

The Parliamentary Under-Secretary of State for Schools (Mr. Robin Squire): The Department has received correspondence in respect of 20 pupils who have not been offered a place in their first choice of school for the coming September.

Mr. Field: My hon. Friend is aware that Janet Dawson from his Department has visited the island to look at the admissions policy, and that the education officer has publicly stated that there was an error in the school numbers. What advice can my hon. Friend offer about the coming year to the parents, who are frustrated, the angry school governors and head teachers? Does he agree that the promise of a review for the next year just will not do?

Mr. Squire: I obviously have considerable sympathy for my hon. Friend's point and those made on behalf of the parents whom he represents. I can confirm that my officials have been in contact with the local education authority, although none of the cases raised with us to date provides scope for action by the Department. My hon. Friend knows that the school must admit up to its minimum number, but it is entirely open to the LEA to agree higher admission numbers with that school. If it wishes to admit more pupils, and it cannot get the LEA to agree to that, it can write to my right hon. Friend the Secretary of State.

Drugs

3. **Mrs. Angela Knight:** To ask the Secretary of State for Education if she will make a statement about drugs education and the national curriculum. [29109]

The Minister of State, Department for Education (Mr. Eric Forth): My right hon. Friend and I are committed to the Department—and the education service—playing a full part in the Government's widely welcomed strategy for drug prevention. Aspects of drug education are a statutory requirement of national curriculum science for pupils aged from five to 16, demonstrating the importance that we attach to the subject. It is, of course, for schools to decide how best to organise drug education for their pupils. We have, however, set out in our recent circular the principles that we believe should underpin effective drug education, and at our request the School Curriculum and Assessment Authority has drawn up guidance to help schools to plan their curriculum provision in that area.

Mrs. Knight: Young people hear of drugs from a frighteningly young age, so I welcome my hon. Friend's initiative. Does he agree that it is not just what is taught that is important but who teaches it? Teenagers in particular are far more likely to listen to warnings from people with whom they identify, who are probably just a few years older than them, than to listen to warnings from someone of my age, whom they would instantly assume probably does not understand and was never young anyway?

Mr. Forth: I hope that any young person would listen attentively to my hon. Friend, as we all do when she pronounces. She has made an important point. Our circular makes it clear that schools should look imaginatively at every way in which they can get the message about drugs across to young vulnerable people. That will include using teachers in their authoritative positions and anyone from outside a school whom the school considers to be appropriate for its pupils to listen to and be guided by. We want to leave as much of the strategy as possible to the schools to decide, within the framework and the guidance that we have offered them in support. I am confident that that will happen.

Secondary Schools

4. **Rev. Martin Smyth:** To ask the Secretary of State for Education how many secondary schools have opted out of local authority control in the last three years. [29110]

Mr. Robin Squire: In the past three years, 448 of England's secondary schools have become grant-maintained.

Rev. Martin Smyth: Does the Minister share the concern of the people of Northern Ireland, particularly in my constituency, that the boon of praise that the Government give for those schools that have opted out has obviously not been shared in Northern Ireland, where it is now apparently policy for grammar schools to report to the education boards when hitherto they reported to the Department of Education? Is this a seamless Government or are we witnessing a different way of governing Northern Ireland, against the wishes of the people of Northern Ireland?

Mr. Squire: The hon. Member will know that my remit does not extend to the schools in Northern Ireland, but I may say from this Dispatch Box, without risking too much, that, first, I shall relay his comments to my right hon. and learned Friend the Secretary of State for Northern Ireland. I understand that those comments arise from a consultation paper that my right hon. and learned Friend has issued for discussion. Secondly, I also understand that the aim of the specific proposal to which the hon. Gentleman referred is to simplify school funding and not to extend local authority control over schools. Voluntary grammar schools will continue to be self-governing and there is no intention of changing their autonomy in that respect.

Mr. McLoughlin: Will my hon. Friend, however, bear it in mind that if we manage to achieve extra funds for education in the forthcoming year, many Conservative Members will want to make sure that the money goes straight to schools and not to local education authorities to do with as they will? Will he look seriously at any proposal for extra cash to ensure that it goes direct to schools?

Mr. Squire: My hon. Friend makes an excellent point. One of the many curious aspects of the policy document that appeared from the Opposition last week was that it tried to justify how, if 10 per cent. of the funding of existing, successful grant-maintained schools was taken away, those schools would still be as effective and efficient as they are at present.

Mr. Rooker: As the Member with probably the country's largest opted-out secondary school in his constituency, with more than 2,000 pupils, may I ask why the Minister thinks that so few schools—he gave a figure of 400—have opted out in the past three years? How many of those have opted out in the past 12 months?

Mr. Squire: The practical reason why relatively few schools have opted out in the past 12 months compared with the previous 12 months is that more than nine out of 10 governing bodies have still refused to give parents the opportunity to vote. If I may extrapolate from that why that should be so, the reason is that Labour Members and councillors and Labour-controlled councils up and down the country are still utterly opposed to grant-maintained schools, notwithstanding the sweet words that we have heard from the Labour Front Bench.

Dame Angela Rumbold: Will my hon. Friend take this opportunity, following his last answer, to reaffirm that the Government will follow the climate of the Education Reform Act 1988 for grant-maintained schools, maintain exactly the same circumstances in which schools can opt out and tell the country very clearly that the gobbledegook that has come from the Labour party recently on grant-maintained schools is not acceptable to a Conservative Government?

Mr. Squire: I readily reassure my right hon. Friend in that respect. I saw nothing in the past seven days, and I do not suppose that my right hon. Friend did, to persuade us that there was a better way of treating grant-maintained schools than the one that we have established. All the Labour party tried, and failed, to do was to reconcile the preferences of a number of leading Labour politicians with the utter hatred that so many of them have for self-government.

Capital Works, Ealing

5. **Mr. Khabra:** To ask the Secretary of State for Education what was the level of supplementary credit approval for capital works requested by the London borough of Ealing for the present financial year; and what was the level approved. [29111]

Mr. Robin Squire: No specific requests have yet been made by Ealing for supplementary credit approvals—SCAs—for schools in 1995-96 and thus no SCAs have as yet been issued to the authority. However, the Department is considering whether a further SCA can be issued in 1995-96 for the LEA's liability on capital works at Cardinal Wiseman Roman Catholic voluntary-aided high school, which received SCA cover in 1993-94 and 1994-95.

Mr. Khabra: Does the Minister agree that, in my borough and across London, resources are being reduced at a time when the number of schoolchildren in London is increasing faster than the national average? Does he agree that the system for determining education annual capital guidelines needs investigating to ensure that resources are directed to where they are most needed?

Mr. Squire: No, I would not agree with the hon. Gentleman on the essence of his question. The capital guidelines for the current year—the total amount that the Government approve for capital spending by local authorities—was increased in cash terms by 3.5 per cent. The priorities were drawn up a decade ago in discussion with local authorities. I have made it clear that I am happy to revisit those priorities, but the hon. Gentleman would not expect his authority to be treated differently from the rest. The priorities will, logically, continue to be existing projects, meeting basic need, and the removal of surplus places.

Mr. Harry Greenway: I thank my hon. Friend for the good work at Cardinal Wiseman high school. All the money will be well spent there. Ealing Labour council has £17 million in reserves, yet it has the effrontery to cut teachers' jobs—it is seeking to cut three at Northolt primary school which should be restored immediately. It has no right to deprive children of a proper education by taking away teachers' jobs or money from schools; there is plenty in the bank and Ealing Labour council had better put it back into schools straight away.

Mr. Squire: My hon. Friend does well to remind us of the great discretion that local education authorities enjoy over how they spend their money, but the example of my hon. Friend's Labour-run authority is a very bad one. My hon. Friend also reminds me that the Government's borrowing approvals are but a part of the total capital spending. Indeed, in the most recent full year for which I have figures—1993-94—they represented only 50 per cent. of the total amount spent on our schools.

Assisted Places Scheme

6. **Mr. Flynn:** To ask the Secretary of State for Education if she will commission studies into the educational impact on their original schools caused by the departure of pupils on assisted places schemes. [29112]

Mrs. Gillian Shephard: No. The scheme is an outstanding success, and it is here to stay.

Mr. Flynn: Nought out of 10, I am afraid. Would the Secretary of State care to read the question again and try to do better next time? I am seeking to make the serious point that none of the appraisals of the assisted places scheme has concentrated on the effect on feeder schools of having their brightest pupils creamed off. Such schools lose those pupils who give an example to others and who take the lead and set the pace. If we are to make a proper appraisal of the scheme, is it not essential that we consider the effect of creaming off those pupils?

Mrs. Shephard: I hope that the hon. Gentleman is not articulating any hostility towards selection, the assisted places scheme or, indeed, independent schools. His Front-Bench team has performed at least half a dozen U-turns on education policy since the beginning of the year. Last week, we were given to understand that it was paying lip service to diversity in education—although the small print revealed that it was not. Next month, the hon. Gentleman might find that his Front-Bench team has left him in the lurch—and that is not a very comfortable place to be.

Miss Emma Nicholson: Surely my right hon. Friend the Secretary of State will agree that whether a school is full of SAT—standard assessment task—level 8 or SAT level 2 children should make no difference to the quality of the school. As the purpose of teaching is to bring the best out of every child, it should make no difference to a school, although it may make a difference to the individual child. Should not every teacher concentrate on each child's potential, regardless of the level that each child is innately able to reach?

Mrs. Shephard: My hon. Friend is, of course, right. The whole point of the assisted places scheme is that it offers choice and opportunity to able children from less well-off families, and what a pity it is that at this stage, and this month, Opposition Members do not seem to be in favour of it.

Nursery Education

7. **Mr. Gordon Prentice:** To ask the Secretary of State for Education when she expects all three and four-year-olds, whose parents wish it, to be in nursery education. [29113]

Mrs. Gillian Shephard: The Prime Minister's commitment is to provide, over time, a pre-school place for every four-year-old whose parents wish to take it up, with the first new places, with new money, coming on stream in the lifetime of this Parliament.

Mr. Prentice: Is it not an absolute disgrace that, almost 25 years after Baroness Thatcher pledged that every three and four-year old should have a nursery place if the parents wanted it, the Government have not delivered on that pledge? Why have the Government got it in for three-year-olds?

Mrs. Shephard: We do not believe in printing money. We are planning to provide places for all four-year-olds in the first instance. It is clearly best to take one carefully planned step at a time.

Mr. Nicholas Winterton: The hon. Member for Pendle (Mr. Prentice) appears to forget that the Labour party was in power between 1974 and 1979. Having been in local government, and having been the deputy chairman of an education authority, may I tell my right hon. Friend that I accept that the education received by a young child—boy or girl—at the nursery stage will undoubtedly affect that child's career, ultimately, and his ability to do well in his subsequent years in education? Will my right hon. Friend take it from me that we warmly welcome the Prime Minister's commitment to nursery education?

Mrs. Shephard: I thank my hon. Friend. I am currently putting the finishing touches on the policy and I shall make a full announcement to the House in the next couple of weeks. I have always made it clear that early education is very important. We shall base our policy on maximum choice for parents between the maintained and the private and voluntary sectors. We shall ensure that, whatever delivery mechanism is used, it will not crowd out the private and voluntary sectors. We shall also make sure that the scheme is practical and of good quality and that it will work successfully.

Mr. Don Foster: Further to the Secretary of State's answer, will she confirm that, in respect of the delivery of expanded nursery education, she has said frequently that the use of vouchers would be unnecessarily complicated and bureaucratic? Will she also acknowledge that the Prime Minister clearly overruled her in his statement on Saturday? Does she believe that that stems from complete ignorance, stupidity, or the unacceptable slap of firm leadership?

Mrs. Shephard: Dear me, the hon. Gentleman can do better than that. I have said frequently from this Dispatch Box and elsewhere that the delivery mechanism would have to provide choice for parents and that nothing was ruled in and nothing was ruled out. However, I can confirm that putting buying power and choice in the hands of parents will be a key feature of the scheme and that, therefore, vouchers will be part of it.

Sir Alan Haselhurst: Will my right hon. Friend confirm that the steady advance of nursery education is not intended to be at the expense of the pre-school playgroup movement, which has received considerable support from the Government?

Mrs. Shephard: Yes. I can confirm that the scheme will certainly not crowd out the important voluntary sector, and I have also mentioned the private sector. The work of the pre-school playgroup movement has been invaluable to the learning experience of millions of children. It is interesting that the movement has rechristened itself the Pre-School Learning Alliance, which I think signifies the importance that it places on the education that it provides.

Mr. Blunkett: The Secretary of State may have read in this morning's papers about the right hon. Member for Kingston upon Thames (Mr. Lamont) and the fact that Mr. Spock and the occupants of Planet Vulcan do not believe in nursery education at all. On Saturday, the Prime Minister emeritus told us that there was a new definition of nursery provision which included any place for any child. Although we support pre-school and other provision, does the Secretary of State agree that, in defending herself against the onset of vouchers, she must also make it absolutely clear—so that she is not left uncomfortably in the lurch—that she still believes in nursery places for four-year-olds and that she believes in places for every four-year-old, not just those whose parents who can afford to top up a voucher or travel a long way to a place?

Mrs. Shephard: I can certainly reassure the hon. Gentleman on all those counts. I am sure that he will be further reassured when I make my detailed announcement to the House. My reading this morning included an interesting letter from the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) in which he describes Labour's new education policy as a "big, bad idea". I wonder whether the hon. Gentleman read that.

School Standards

8. **Mr. Mark Robinson:** To ask the Secretary of State for Education what increased resources her Department is providing to raise standards in primary and secondary schools in Somerset. [29114]

Mr. Forth: My hon. Friend will have welcomed last week's decision to raise the capping limit for Somerset. It is, however, for the authority to decide the level of funding that it provides for its services, including education, from the increased total available. There is no clear causal connection between levels of education expenditure and standards achieved.

Mr. Robinson: Despite the result of Somerset's appeal, is my hon. Friend aware that there are still to be 35 compulsory redundancies in schools in Somerset or thereabouts? Does he realise that that runs counter to a pledge that was given by the Liberal Democrat leader of Somerset county council, that the £4 million agreed package with local Members of Parliament would obviate the need for such redundancies? Does that not show that Liberal Democrats, as always, do not honour their commitments, do not stand by their pledges and are not prepared to put Somerset's children first?

Mr. Forth: Yes. My hon. Friend is absolutely right. I was perplexed—nay, shocked—at what I learnt about Somerset. It does seem to me to be perverse, to say the least, although not surprising, that the Liberal Democrats should so casually go back on their promise. I hope that my hon. Friend and his constituents will press very hard indeed for an explanation from the authority as to why it is playing politics with children's education, and then seek to pressure that authority to use the increased money available to it to better education in the way that I am sure that all his constituents and other people in Somerset expected.

Education Authority Budgets

9. **Mr. Dowd:** To ask the Secretary of State for Education what consideration she has given to the preparation of the budgets for education authorities for 1996-97. [29115]

Mr. Robin Squire: The public expenditure survey for spending in 1996-97 is currently under way.

Mr. Dowd: Can the Secretary of State explain why education authorities, parents or schools should believe her protestation of jam tomorrow, in the light of their

experience this year and in all the previous years? If it is because the Prime Minister has committed himself to that, can she be certain that he is telling her the truth, any more than the right hon. Member for Wokingham (Mr. Redwood) told her the truth last Friday about his intentions for the leadership of the Conservative party?

Mr. Squire: If I can bring the hon. Gentleman back to education matters for a moment, I should like to say that he starts off from an interesting position in criticising education funding, as his own authority had an increase of 4.6 per cent. this year, which is the type of increase that most of his hon. Friends, and certainly most of my hon. Friends, would have welcomed. However, it is not a question of jam tomorrow, as he puts it. We shall increase spending on education as the economy continues to improve, but we have increased spending until now. As the hon. Gentleman will know if he is reminded, since we came to office spending per pupil has increased by about 50 per cent. and spending per pupil on repairs and maintenance has increased by about 15 per cent. in real terms.

Sir Malcolm Thornton: I draw my hon. Friend's attention to the growing debate about national funding for education that is taking place. May I ask him to draw attention, in any deliberations that are taking place and any negotiations that he has with local education authorities, to the vagaries of the local formulae and the perverse effects that they can have on many schools in the same local education authority area?

Mr. Squire: My hon. Friend is right to highlight not only the possibility of a new funding formula—the Education Select Committee, which he chairs, as I said at a previous Question Time, is doing sterling work on that aspect—but the fact that every local education scheme has its own local management of schools scheme. There are 109 different schemes, and within those schemes there is significant scope for education authorities to reflect the different needs of the schools that remain under their control.

Mr. Bryan Davies: During this period, when local authorities have suffered so much from the savagery of cuts inflicted by the Government's failure fully to fund the teachers' pay award, were not local authorities consoled by the opinion of the Prime Minister and the Secretary of State that things might be better next year? What are those assurances worth from a Prime Minister who may be on his way out and a Secretary of State who may be in that uncomfortable position that she has already mentioned this afternoon—in the lurch?

Mr. Squire: I am confident that the Prime Minister will be Prime Minister in two weeks', two months' and two years' time. On the substance of the hon. Gentleman's question—*[Interruption.]*—it has been a tight settlement, as the Government have freely conceded, but it is interesting, is it not, that every remaining Conservative education authority funded the teachers' settlement in full—as, in fairness, did several Labour-controlled authorities—and most of the problems came from Liberal Democrat and several Labour-controlled local education authorities.

Grammar Schools

10. **Mr. Rowe:** To ask the Secretary of State for Education how many children are being educated in grammar schools in England; and how many of them are provided with free transport. [29116]

Mr. Forth: In January 1994, the latest year for which data are available, some 118,000 pupils were being educated in selective schools. Information is not available centrally on the number of those pupils being educated in grammar schools and receiving free transport, as that matter is for locally elected, accountable education authorities.

Mr. Rowe: My hon. Friend will be aware that with nearly 31,000 grammar school children in Kent—about one third of all children being educated in Kent—we are particularly anxious about the kind of story coming out of Essex, where a Labour-controlled council has denied free transport to grammar school children. Will my hon. Friend give an assurance that he will do all that he can to protect our children against that kind of envy politics, which make it impossible for children to receive the kind of education that they deserve?

Mr. Forth: We will always discharge our duty, and the Secretary of State in particular is anxious to protect vulnerable pupils from the depredations of local authorities wherever possible. I emphasise that great discretion is given to local education authorities in determining transport arrangements for pupils in their charge. If people decide in a local election to change the complexion of their local authority, it should not surprise them too much if a vindictive authority controlled by the Labour or Liberal party chooses to wreak cheap vengeance on the pupils in its care.

Mr. Jamieson: Does the Minister accept that a local authority could make funding available for parents who want to send their children to a comprehensive school of their choice?

Mr. Forth: As the hon. Gentleman well knows, LEAs have wide discretion in providing transport for the pupils for whom they are responsible. The problem arises when LEAs use that discretion to exercise political leverage over pupils in their care and parents. That is happening in authorities that have passed into Labour control.

School Places, London

11. **Mr. Wilkinson:** To ask the Secretary of State for Education what assessment she has made of the effect of the Greenwich judgment upon the availability of school places of their choice within their own borough for the children of parents resident in Greater London. [29117]

The Parliamentary Under-Secretary of State for Further and Higher Education (Mr. Tim Boswell): The Greenwich judgment removed an artificial restriction on the exercise of parental choice. My right hon. Friend considers that it would be inappropriate to seek a change in the law to overturn its effects.

Mr. Wilkinson: What advice would my hon. Friend give parents in my constituency who are unable to place their children in the secondary school of their choice because children from the neighbouring boroughs of Ealing, Hertfordshire and Harrow are moving into the first-class secondary schools with grant-maintained status in my constituency? As a consequence, parents cannot even place their children in the third school of their

choice. Simply increasing money from the funding agency is no solution because there is an optimum size for secondary schools.

Mr. Boswell: While I recognise my hon. Friend's interest in the problems of his constituents, the exercise of choice by parents outwith the borough must be matched with the concerns that he expressed of his constituents within the borough. We do not believe that an artificial distinction determined by geography is the right way to decide the matter. As my hon. Friend implied, it is open to the schools funding agency, in the case of Hillingdon, to bring forward proposals for the expansion of popular schools—where capacity can be provided.

Mr. Gerrard: When will the Minister stop misleading parents into believing that they have a choice of schools? Is not the truth that parents can express a preference but that schools make the choices now? In any case, schools do not have elastic walls. When they are oversubscribed, many parents are left angry and frustrated. Will the Minister start being honest with parents?

Mr. Boswell: As a result of Conservative Government policies, the leader of the hon. Gentleman's party recently exercised his choice as a parent in respect of his own child.

Mr. Forman: Is my hon. Friend aware that many parents came to live in my constituency of Carshalton and Wallington to take advantage of the excellent education available in the London borough of Sutton provided by grant-maintained schools and local authority schools? Would it not be advantageous and in the interests of local parents if greater weight were given in the school admission procedures of both kinds of schools to parents who live locally?

Mr. Boswell: I recognise my hon. Friend's concern but the funding formula is neutral as between children within and without a borough. We do not feel that it would be appropriate to overturn the Greenwich judgment and to disappoint one set of parents at the expense or preference of another.

Curriculum Reviews

12. **Mr. Timms:** To ask the Secretary of State for Education what assessment she has made of the experience in other countries of permanent standing bodies to review the school curriculum in key subject areas. [29119]

Mr. Boswell: The School Curriculum and Assessment Authority is charged with keeping all aspects of the school curriculum under review. In so doing, it takes account of experience in other countries.

Mr. Timms: I thank the Minister for that response. Is he aware of the growing concern about the effectiveness of the current ad hoc arrangements for curriculum review, not least because those who are undertaking the review are thrown together for a short while and barely have time to get on top of the subject, let alone come up with effective review proposals? Will the Minister comment on the possibility—it is a proposal that is attracting wide support—of introducing standing review committees on the model that has been adopted in other countries?

Mr. Boswell: As for experience in other countries, the SCAA has asked for, and circulated, information from 11 other countries. As for our own arrangements, the hon. Gentleman will know that we have only recently, on the back of an almost unprecedented consultation exercise, revised the national curriculum. He will know also from correspondence from its chief executive that the authority is most anxious to continue dialogue with practitioners and to continue to take their advice.

Mr. Stephen: Even though spending per pupil on education has risen enormously during this Government's life, is my hon. Friend not concerned that far too many children are leaving school with little or no understanding of the basic events of our nation's history? Is it that children are specialising too early? Will he keep the matter under review?

Mr. Boswell: My hon. Friend will realise that we have recently had a massive revision of the national curriculum to make it slimmed down and more manageable. The teaching of history, especially English history, has featured largely in that review. I can give my hon. Friend the assurance that, while we believe that the proper basis for teaching has now been secured, we shall continue to monitor its effects. We share my hon. Friend's determination to ensure higher and more demanding standards of performance.

Mr. Mike O'Brien: The Minister can review the curriculum all he wants, but Warwickshire is facing larger class sizes and 172 teachers losing their jobs this year, lowering education standards. Does he understand that we shall not see the standards that children deserve in the county that I represent in part?

Mr. Boswell: I am sure that the hon. Gentleman will want to remind his constituents that the teacher count in January was 2,500 greater than the year before. I am sure also that he will want to join me in welcoming the reduction in the work load of teachers that has been brought about by the slimming down of the national curriculum.

Free School Transport

13. **Mr. Pawsey:** To ask the Secretary of State for Education what action she intends to take to ensure that pupils attending grammar schools continue to qualify for free school transport. [29120]

Mr. Forth: Under section 55 of the Education Act 1944, it is for individual elected, accountable local education authorities to decide whether free transport is necessary to enable a pupil to attend school.

Mr. Pawsey: I thank my hon. Friend for that response. Is he aware that five of my sons attended the local grammar school in Rugby, a grammar school that, like every other, is a ladder of opportunity for pupils from all classes? Is he further aware that Essex county council's spiteful policy of cutting free school transport will prevent many parents sending their children to grammar schools?

Will my hon. Friend assure me that he and his Department will do all that they can to ensure that free transport to grammar schools remains?

Mr. Forth: I can assure my hon. Friend, who raises a subject of great concern to an increasing number of parents throughout the country, that my right hon. Friend the Secretary of State will do everything that she can and should do to protect the interests of pupils. My hon. Friend will be aware, however, that it was the change of political control in Essex that brought about the disgraceful situation that we now face. I am sure that many of those who changed the nature of the local education authority will want to reconsider their actions of some two years ago, and will want to put those actions in the context of what is now available. Under Conservative authorities, the problem did not arise. It has arisen because of nasty political spite by the Opposition parties.

Mr. Olner: Surely it would be better to talk not about grammar school places and free transport in Essex but about transport in Warwickshire and about giving free transport to children who want to attend comprehensive schools and not just grammar schools in the Rugby area.

Mr. Forth: I hope that the people of Warwickshire and those elsewhere will keep a close eye on what their local education authorities are up to. If the hon. Gentleman's LEA acts anything like some others seem to be doing, many of the pupils in his county will risk receiving the education that they deserve.

Further Education Colleges

14. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Education what representations she has received on the current level of discretionary grants paid by education authorities to students in colleges of further education. [29121]

Mr. Boswell: My right hon. Friend has received representations on this subject from a variety of individuals and organisations.

Mr. Jones: Does the Minister accept that, to a large extent, many further education colleges depend on their students receiving discretionary awards? In recent years, many of those colleges have seen the number of students attracting discretionary awards reduce quite substantially. Will he make it absolutely clear to local authorities, through extra funding if necessary, that they have a responsibility both to ensure that students receive discretionary awards and to maintain our structure of further education colleges?

Mr. Boswell: What I will do is to make it clear to colleges, whether in Wales or in England, that they receive substantial amounts of public funding to discharge their duties and that one of those is to secure the appropriate provision of further education. How they interpret that duty must remain a matter for them.

Mr. Jacques Arnold: Is my hon. Friend aware that discretionary grants are no longer available to children in Kent because of the totally vindictive action of the Lib-Lab controlling group on Kent county council? That is already affecting youngsters who are talented in dance and music and in other subjects. Does my hon. Friend agree that it is time that something was done about that?

Mr. Boswell: I am all too sadly aware of that local situation.

PRIME MINISTER

Engagements

Q1. **Mr. Keith Hill:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 June. [29138]

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): I have been asked to reply.

My right hon. Friend the Prime Minister is currently in Cannes attending the European Council.

Madam Speaker: Order. The Leader of the House rather anticipated me. I had not called Mr. Keith Hill. However, we shall take his question as read, and I now call Mr. Hill to put his supplementary question.

Mr. Hill: I am grateful to you, Madam Speaker, for sorting out the confusion that seems to overwhelm the Conservative party. Does the Leader of the House agree that if anyone other than the Prime Minister wins the current leadership election contest on Tuesday, he will have no democratic legitimacy to govern because he will not have the consent of the people for the policies that he pursues?

Mr. Newton: Those of us on the Government Benches have the democratic legitimacy of the fact that we achieved more votes in the last election than any party had ever achieved in a British election. In any case, my right hon. Friend the Prime Minister will win.

Q2. **Mr. Brandreth:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 June. [29139]

Mr. Newton: I have been asked to reply.

I refer my hon. Friend to the answer I gave some moments ago.

Mr. Brandreth: Is my right hon. Friend aware that in the matchless city of Chester, crime continues to fall and detection rates continue to improve? Is he further aware that in Chester, since 1979, the number of policemen has increased by 38 per cent. and that the only time that police numbers in Chester have fallen was under the last Labour Government? Is he also aware that, this year, Cheshire is to get an additional 195 police officers and special constables for policing on the beat? Does my right hon. Friend share Chester's and Cheshire's commitment to front-line policing?

Mr. Newton: I warmly congratulate my hon. Friend on making those points and, indeed, Cheshire police on their achievements. I understand that recorded crime in the county fell by some 7 per cent. in 1994 and I know that my right hon. and learned Friend the Home Secretary was able to visit the force recently and to congratulate it personally on its policy of front-line policing. Her Majesty's Government are supporting the force with a funding increase of £9 million and are making funds available for closed circuit television in Chester.

Mr. Blair: Has the Leader of the House any awareness not just of the despair, but of the disgust that most people feel about the spectacle that the Conservative party has become? Is not the real choice that the British people want not one between the warring factions of that party, but

one between a Conservative party that is disintegrating and a Labour party that is in touch with the people and ready to serve?

Mr. Newton: Well, it certainly seems to be in touch with the lot of people in Monklands. *[Interruption.]* I shall not regret it. The people of Monklands may regret it and I suspect that the right hon. Gentleman may regret the thrust of his question because, if and when he gets the chance, he will have to stop fudging and come clean on his spending and taxing policies, on his minimum wage and creating unemployment policies, and on his European policies, not for an opt-out, but for a sell-out. *[Interruption.]*

Madam Speaker: Order.

Miss Emma Nicholson: Is my right hon. Friend aware that the constituency of Torridge and Devon, West has the highest proportion of older people in the United Kingdom and that, two weeks ago, Mrs. Cleverdon celebrated her 105th birthday? Would he like to consider the wisdom of the Tories in west Devon, especially their Conservative association, which promotes the Prime Minister's cause and has asked me to vote in his favour, which I shall do?

Mr. Newton: I think that I should do three things. I should congratulate my hon. Friend's centenarian constituent, the association, and my hon. Friend on her intention.

Sir David Steel: Could the Leader of the House explain to innocent bystanders such as myself how it is that a party which is proving by the hour that it is incapable of governing itself can have any lingering claim to govern the country?

Mr. Newton: Well, what a typical Liberal question. I am not sure about innocence, but the right hon. Gentleman is certainly a bystander.

Dr. Spink: Does my right hon. Friend agree that this Government's policies of choice and diversity, of testing and reporting to parents, have driven up standards in education? *[Interruption.]*

Madam Speaker: Order.

Dr. Spink: Does he also agree that the Labour party's recently announced policy would drive down standards in education?

Mr. Newton: I certainly agree with my hon. Friend that the policies of the Government have increased parental choice, raised educational standards and given schools greater freedom, and I equally agree with him that the policies of the Labour party would threaten all those objectives.

Ministerial Visits

Q3. **Mr. Madden:** To ask the Prime Minister when he next intends to visit Bradford. [29140]

Mr. Newton: I have been asked to reply.

I refer the hon. Gentleman—*[Interruption.]*—partly to the reply I gave some moments ago and partly to the fact that my right hon. Friend the Prime Minister has no current plans to visit Bradford.

Mr. Madden: If the Prime Minister cannot visit Bradford, will the Leader of the House urge him to meet a deputation from Bradford as soon as possible so that there can be discussions about how the city can be helped to overcome the poverty and deprivation that we suffer? If the Bradford congress is successful in devising an inquiry form which is acceptable to the local community, will the Leader of the House urge the Prime Minister to adopt the proposal and fund it from central Government so that the inquiry can be conducted as a matter of urgency, and so that it can be professionally administered?

Mr. Newton: I will, of course, ensure that the hon. Gentleman's request is drawn to my right hon. Friend's attention, but I do not think that I can add very much to what I said to the hon. Gentleman when he last questioned me about this. He will know that the Police Complaints Authority is supervising an investigation into complaints made about the police in the course of the riots and I think that the hon. Gentleman also agreed on a previous occasion that that is an independent inquiry and can be expected to do a thorough job. As I said before, I think that the right course of action is to allow that investigation to proceed and for discussion between the police and members of the Asian community to continue with the aim of restoring trust. I do not, at the moment, see any need for other inquiries.

Engagements

Q4. **Mr. Garnier:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 June. [29141]

Mr. Newton: I have been asked to reply.

I refer my hon. and learned Friend to the reply I gave some moments ago.

Mr. Garnier: Is my right hon. Friend aware that, in my constituency of Harborough, unemployment is down yet again and that confidence in every sector of the economy is up and continues to grow week on week? Does my right hon. Friend agree that that is all due to the policies of the Prime Minister?

Mr. Newton: The experience reported by my hon. and learned Friend of what is happening in his part of the country reflects what has been happening in our economy as a whole. In the past two years, we have experienced the fastest growth of any major European economy, we have the best record of low inflation for some 30 years, we have unemployment that is well below the European average and continuing to fall and we have a recovery that is export and investment led and that is the most soundly based this country has seen for a generation.

Mr. Hoon: Does the Leader of the House agree with the Foreign Secretary that the right hon. Member for Wokingham (Mr. Redwood) has damaged the effectiveness of Britain?

Mr. Newton: It is absolutely clear from the work that my right hon. Friends the Prime Minister and the Foreign Secretary and my right hon. and learned Friend the Chancellor of the Exchequer have been able to conduct in Cannes that they are acting effectively and continuing to bat for Britain's interests.

Q5. **Mr. Heald:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 June. [29142]

Mr. Newton: I have been asked to reply.

I refer my hon. Friend to the reply I gave some moments ago.

Mr. Heald: Is my right hon. Friend aware that crime levels in north Hertfordshire have also been falling recently? However, does he agree that there is more to be done and that one way of dealing with it is closed circuit television? I thank my right hon. Friend and the Government for the £100,000 grant that has been given for closed circuit television for Hitchin town centre. Is it not astonishing that the new Labour administration on North Hertfordshire district council is now reconsidering closed circuit television and talking about big brother? Is that not more like old Labour than new Labour?

Mr. Newton: I have already made some reference to these matters in response to my hon. Friend the Member for City of Chester (Mr. Brandreth). As my hon. Friend said, recorded crime fell by 5 per cent. nationally in 1994. Together with a 1 per cent. fall in 1993, those two years show the biggest fall in recorded crime for some 40 years. I believe that that reflects the efforts that my right hon. and learned Friend the Home Secretary has made to get more police on the beat, to strengthen the law through the Criminal Justice and Public Order Act 1994 and, not least, through his very imaginative scheme for CCTV. I am appalled to learn what my hon. Friend said about CCTV being reviewed by his district council.

Q6. **Mr. Denham:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 June. [29143]

Mr. Newton: I have been asked to reply.

I refer the hon. Member to the answer I gave some moments ago.

Mr. Denham: In the light of the statement by one of the Prime Minister's leading supporters, the Chancellor of the Exchequer, that the programme of the former Secretary of State for Wales is ultra-right wing and likely to keep the Conservatives out of power for 1,000 years, does the Leader of the House believe that the Cabinet is well rid of him?

Mr. Newton: My right hon. Friend the Member for Wokingham (Mr. Redwood) has always made a positive contribution to the development of Government policies. My only puzzlement is why he should not have stayed to continue to make that contribution.

Q7. **Dr. Goodson-Wickes:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 June. [29144]

Mr. Newton: I have been asked to reply.

I refer my hon. Friend to the answer I gave some moments ago.

Dr. Goodson-Wickes: Does my right hon. Friend agree that yesterday's celebration of 50 years of achievement by the United Nations was wholly appropriate? Does he also agree, however, that it is unacceptable that this country is expected to bear a disproportionate burden of United Nations military activities when many countries are not even paying their dues? Will my right hon. Friend put pressure on those countries to remedy an unacceptable situation? *[Interruption.]*

Mr. Newton: My hon. Friend, like me, was present at the excellent ceremony held in Westminster Hall yesterday, which undermined—*[Interruption.]*—underlined our continuing commitment to the United Nations organisation. My right hon. Friend the Prime Minister reminded that gathering—it is an important point, to which my hon. Friend has adverted—that we have put forward proposals not only to strengthen UN peacekeeping and preventive diplomacy, but to reform its financial mechanisms. We shall continue to press that case.

Housing

3.31 pm

The Secretary of State for the Environment (Mr. John Gummer): With permission, Madam Speaker, I should like to make a statement about our housing policies. The Government are today publishing the White Paper, "Our Future Homes". Copies will be available immediately after this statement in the Library and the Vote Office.

Home ownership, opportunity in renting and unlocking resources to provide help where it is needed—those are the hallmarks of the Government's housing policies and have been since 1979. The objective of our housing policy is that a decent home should be within reach of every family. A population living longer and staying longer in their homes, together with the breakdown of traditional family structures, means that there will be an increasing demand for homes. We live in a heavily populated country, yet we shall have to meet the demand for new homes in an environmentally sustainable way. The public sector needs to look for new and imaginative ways in which to work with the private sector to achieve our aims.

The proposals that I am putting forward today embody three themes: opportunity, choice and responsibility. Those are things that people value. We remain committed to continued sustainable growth in home ownership. Home ownership is what 80 per cent. of people want. More than 4 million households in addition have become home owners since 1979. Over the next 10 years, our aim is that 1.5 million more families will own their own homes. The Chancellor of the Exchequer has today underlined our commitment by reaffirming that there will be no cut in the tax relief on mortgage interest for the rest of this Parliament.

Now we want to go further and give more people the opportunity to buy. First, we propose to introduce a new voluntary grant scheme, to give housing association tenants cash help to buy the homes that they live in. Housing associations will receive the full market price and will be able to keep the receipt from the sale to build a new home.

Secondly, we propose to legislate to make it a condition of future grant to social landlords that landlords—including housing associations—commit themselves to making the new houses and flats available for sale to tenants on request. Again, sales will be at full market price, with grant to tenants to help them buy.

Thirdly, we shall challenge private developers, public bodies and housing associations to bring forward development proposals for support from English Partnerships to build on derelict land, to bring more home ownership into the heart of our cities, building healthier, more balanced communities.

We shall also change the renovation grants system to allow a more strategic approach in providing help to low-income home owners, including elderly people and people with disabilities, for essential improvements and adaptations to their homes. We shall have a discretionary system, except for grants for disabled people, which will remain mandatory.

Of course, we realise the real difficulties that are currently being faced by some home owners. Our objective must continue to be sustainable home ownership, able to cope with changing economic conditions.

Sustaining a healthy private rented sector is the second key element in providing people with choices and opportunities. In 1988, we removed the controls that were strangling that sector. Since then, we have seen its steady growth from 1.7 million to 2 million homes. Now we want to do more to unlock new resources.

My right hon. and learned Friend the Chancellor of the Exchequer proposes to legislate to allow the creation of housing investment trusts, to encourage financial institutions to invest. They will benefit from a reduced rate of corporation tax and exemptions from tax on capital gains.

We propose to legislate to help small landlords, by simplifying letting arrangements and making it easier to evict tenants who do not pay the rent. We propose to legislate to improve the safety and fitness of houses in multiple occupation. I intend to strengthen the powers already available to local authorities, particularly in respect of ensuring adequate fire precautions in high-risk houses in multiple occupation. Those proposals will, I believe, sustain the growth in private renting that has been achieved under this Government.

Our White Paper also reaffirms our commitment to maintaining a social rented sector at rents below market levels. Affordable rents mean that people have real incentives to work and to save. On current plans, the Government will provide 180,000 additional social rented lettings in three years. Now we need to look for yet more ways to increase investment through partnership with the private sector, to extend choice and to improve further the service provided to tenants.

We propose to legislate to allow commercial providers to compete alongside housing associations for grants to provide social housing at below market rents, increasing competition so that we can get more homes for taxpayers' money. *[Interruption.]* Opposition Members who do not want more homes for taxpayers' money are letting down not the Government, but the people who would otherwise be provided with decent homes.

We shall introduce a system to ensure that all new social sector landlords are delivering the required level of service to tenants. There will be no question of operating on an unequal playing field.

There is considerable potential for using large-scale voluntary transfers of local authority stock to help wider regeneration in urban areas. We shall be encouraging transfers—if the tenants agree—in cases where there are benefits for tenants through increased investment, as well as a reduction in the burden on taxpayers. Where there are costs, we shall support transfers that offer the best return on the resources that we have available.

We shall encourage transfer to a wider range of private landlords. That could include local housing companies, as well as commercial landlords. Local authority companies will need to be clearly in the private sector.

By 2005, we intend to transform the remaining large— [*Laughter.*] For the first time, a Government have committed themselves to transform all the worst housing estates in Britain and the only thing that the Opposition can do is laugh, for they have no policy and cannot face the realities of Britain's housing problems. Opposition Members who care only for party political slogans and do not care to improve the housing of the people of Britain can go on giggling into the next century, for we have work to do.

We shall bring together resources to deal with the worst social, economic and housing problems. Within this decade, we shall see to it that families are no longer brought up in the dispiriting and destructive environment that pervades our worst estates—in councils largely run by the Labour party and where the quality of housing is a standing disgrace to that party throughout the land. It is the Opposition whose rent policies have meant that they have been unable to keep up the decent housing to which the electorate lay claim.

We shall meet housing demand while protecting the environment. We have set ourselves targets for England for the next 10 years, to which Opposition Members on the Front Bench would do well to listen. The first is to reduce the percentage of empty homes in the public and private sectors to 3 per cent. of stock. The second is to reduce the number of Government-owned empty homes, selling off surplus empty homes within six months of their becoming empty. The third is to build half of all new homes on previously developed land, reducing building on green-field sites, protecting the environment and safeguarding the green belt.

We need to ensure that social housing is allocated fairly to those with the best claim to it. In July 1994, we announced that we would proceed with plans to reform homelessness legislation and make the system of allocating social housing fairer—*[Interruption.]*—not something with which the Labour Front Bench appears to bother. The hon. Member for Jarrow (Mr. Dixon), who is a Whip, cannot allow the House to listen to a fairer system.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. It has been the tradition of the House that Ministers make statements uninterrupted, but is it not also part of the tradition that they are serious ministerial departmental statements and not a rant?

Madam Speaker: I am following the ministerial statement carefully and the Minister is deviating considerably. As this is an important statement on which I expect a lot of questions, I hope that he will keep to the statement so that I can allow Back Benchers who seek to question it to do so.

Mr. Gummer: We need to ensure that social housing is allocated fairly to those with the best claim to it. In July 1994, we announced that we would proceed with plans to reform homelessness legislation and to make the system of allocating social housing a fairer one. The White Paper confirms our commitment to legislating on that.

These reforms will put all those with a long-term need for social housing on the same footing, while ensuring that there is a safety net for emergency and pressing needs. Too often, people who fit the statutory categories get a house before people on the waiting list, who have put up with long-term housing problems but do not happen to fit those categories. Local authorities will have greater flexibility to decide what is the best housing solution for people in need of help, in the light of circumstances in their area and of the particular circumstances of the individuals concerned.

To help prevent homelessness, we shall legislate to ensure that suitable housing advice services are available in each local authority area. There will also be more help to low-income households to find a home, through pre-tenancy determinations of housing benefit for those renting in the private sector, and through powers for local authorities to provide rent guarantees.

Sleeping rough on the streets is the most visible form of homelessness. The Government's rough sleepers initiative in central London, which will have invested £182 million of public money over the six years to March 1996, has been highly effective. We shall build on that success to ensure that there is no necessity for people to sleep rough.

In central London, we shall continue the rough sleepers initiative beyond March 1996, including the funding for people who do the hard job of working with the most difficult of cases out there on the streets. We shall also fund resettlement work and an annual winter shelter programme, and shall consider the need for funding for some temporary direct access hostel provision. Outside central London, we shall consider assisting the development of the rough sleepers initiative model in areas where rough sleeping is demonstrated to be a major problem.

We want a better service for tenants in the social rented sector. We have given tenants a wide range of rights so that they have a bigger say in how their homes are run, and so that services are more responsive to local needs. Those changes appear in the council tenants charter, a new and improved version of which we published last week.

However, tenants have not only important rights but important responsibilities, such as to stick to tenancy agreements, to pay the rent, and not to annoy other tenants. Sadly, there is a small minority of tenants whose selfish behaviour makes their neighbours' lives a misery, and we want to help local authorities to deal more effectively with anti-social behaviour. Our proposal is for probationary tenancies, so that local authorities can improve the quality of life for the responsible majority of tenants by taking firm action against the irresponsible minority.

What is proposed is a balanced, sensible package that encourages private initiative and investment, and will promote competition to increase value for taxpayers' money. The package is designed to deliver genuine opportunity and to support individual responsibility, while recognising the responsibility of Government to provide effective help for those who need it.

Our policies are set out in full in the White Paper. A number of detailed consultation papers are also being published either today or over the next few weeks. Those are listed in the White Paper, and copies will be made available in the Library.

Mr. Frank Dobson (Holborn and St. Pancras): From that statement, one would never guess the scale of the housing crisis now harming the lives of families in every part of the country, whether they are owner-occupiers, whether they are renting or whether they are simply trying to get somewhere decent to live. After 16 years in office, the Government have produced a White Paper that neither addresses the immediate problems that millions of people face nor spells out a vision for a future in which everyone in Britain has a decent home.

The White Paper is the product of a Government who have run out of ideas, and who now appear to be living in a world of their own. They have now started ignoring problems in the hope that people will not notice what has gone wrong or who is to blame. The White Paper does nothing to restore faith in the mortgage market, and little or nothing to end the crisis in housing investment. It does nothing to help the homeless or people living in overcrowded accommodation. Indeed, it is all too likely to make matters worse.

[Mr. Frank Dobson]

As the White Paper has not dealt with many of the problems that people face, I shall put the following specific questions to the Secretary of State. First, will he confirm that despite the one and a quarter million families in negative equity, the half a million families in mortgage arrears and the one third of a million families whose homes have been repossessed in the past five years, his statement did not mention the word "repossession", and the White Paper mentions it only once—and certainly does not come up with any answers?

Will the right hon. Gentleman also confirm that despite the Tory general election promise to retain mortgage tax relief, that too has been cut, and that even the promises announced by the Chancellor of the Exchequer are current only this side of the next general election? Will he confirm that, for every family with serious mortgage arrears in 1982, there are now 21 families with serious arrears, and that for every family whose home was repossessed in 1979, 16 families had their homes repossessed last year?

Is not the Secretary of State ashamed that the number of homes being built for rent by housing associations and councils this year is less than 20,000—the lowest since the second world war? Is it not the case that, for every home being built for rent this year, seven were being built under the previous Labour Government and that, under this Government, rents are rising at four or five times the rate of inflation? Will he confirm that, despite a record number of houses in disrepair, he proposes to end families' rights to renovation grants? Will he explain where he expects the homeless to go when their temporary right to accommodation runs out, especially as fewer homes are available for rent? How will making it easier for private landlords to evict tenants reduce homelessness? Why does he think that a licensing scheme to improve the safety of homes in multiple occupation would amount to "over-regulation and bureaucracy", as stated in the White Paper?

If, as the Secretary of State intends, council housing is to be transferred to private companies, how does he intend to keep rents down, and who will meet the cost of keeping rents down? Why does he refuse to allow councils to start investing in new homes the takings from the right-to-buy sale of council houses?

Finally, will the Secretary of State confirm that, despite anything that the right hon. Member for Wokingham (Mr. Redwood) said at his press conference this morning, when the right hon. Gentleman was Secretary of State for Wales, he approved every word of this housing White Paper, which means that both candidates for the Conservative party leadership are totally responsible for this feeble and useless document?

Mr. Gummer: It is an amazing experience to see that, despite the fact that the Labour party has profited from the theft of the White Paper for some days, that is all that the hon. Member for Holborn and St. Pancras (Mr. Dobson) can bring forward. His speech contained not a single idea about what he would do and, yet again, not a single suggestion about housing from the Labour party. In each of the previous 16 years we have been in exactly the same position: every new idea comes from the Conservatives, while every carping criticism comes from the Opposition, who still have no ideas.

Moreover, the hon. Gentleman still does not understand that if private landlords are not allowed to run the homes that they let reasonably, there will be no homes to let. The last time that the Labour party placed heavy restrictions on private landlords, it lost 500,000 letting homes. We now insist that if private landlords receive help from the Government to provide homes below market rents, they must meet the same requirements that are placed on housing associations. The hon. Gentleman has clearly not even read the White Paper, despite the fact that he has had an advantage over many hon. Members for several days.

It is difficult to take the hon. Gentleman's attack on the Government's housing policy when every day we sell 200 houses to people who were previously in rented accommodation in the public sector. So 200 families a day are buying their own homes through the right to buy, an organisation and system that the Opposition have opposed tooth and nail throughout their period in opposition. In addition, we are building, renovating and improving lettings for those who need supported housing at a rate of 60,000 a year. That is a significant addition to the homes available to those who need subsidised and supported housing.

Once again, the hon. Gentleman has shown that he has not read the White Paper and knows nothing about housing. Publicly to reveal his ignorance after so many days of being able to read the details simply shows how bankrupt he and his party are.

Mr. Nicholas Winterton (Macclesfield): My right hon. Friend has made an important statement. Housing is an essential of life. Would he accept from me, first, that there is some concern that the Conservative party and the Conservative Government have turned their face against home ownership and are now concerned more with the renting of homes than with home ownership? It would be a great encouragement to those who want to buy their homes if mortgage interest relief at source—MIRAS—was increased from 15 per cent. to 25 per cent., not least for first-time buyers, in order to give greater confidence and to stimulate home ownership.

Secondly, would my right hon. Friend accept from me, representing as I do the only Conservative-controlled borough council north of the Severn to the Wash, that local government has a role to play in housing? The housing committee of Macclesfield borough council is highly responsible and sensitive to the needs of local housing. It is regrettable that those who have been democratically elected are being deprived of the opportunity to have some say in local government provision of housing.

Mr. Gummer: The Government remain totally committed to home ownership. We are setting our sights on a further 1.5 million families owning their own homes. Now, 200 families, who used to be tenants of the state, are buying their own homes. Local authorities are encouraged to go for large-scale voluntary transfers—LSVTs. I can tell my hon. Friend from my experience in Suffolk, Coastal that when the local authority sold its council stock to Suffolk Heritage, the number of complaints that I used to receive in a month now account for what I get in over a year. That is the difference, because one has a dedicated housing group, which is concerned only about being a landlord. That housing authority had one of the best reputations in the country, and it will confirm that LSVTs is the way to tap into

capital and to use it to improve housing stock. Were even the excellent council in Macclesfield to do that, it would find the means of even bettering its performance to date.

Mrs. Diana Maddock (Christchurch): Is the Secretary of State aware that many people in housing are concerned that the White Paper does not recognise the interlink between the economy and housing? While promoting unsustainable home ownership and doing absolutely nothing for those who already have mortgages in arrears, is not the Secretary of State merely stoking up the fires of excess in housing? In the end, that will mean that more trouble is stored up for the future.

The Secretary of State has said that he believes that young people and families should have a stable environment, but his proposals mean that, in the last year alone, 67,000 homeless families would now have been in short-term, unsustainable accommodation.

Mr. Gummer: On the first point, the hon. Lady is absolutely right: an economy with low interest rates and low inflation is an economy that provides sustainable home ownership. There has not been a better time for years in which to buy a house. The average cost of mortgages has dropped from £320 a month in 1990 to £190. I should remind my hon. Friend the Member for Macclesfield (Mr. Winterton) that if MIRAS was increased as he suggested, the difference would amount to £10 a month. The real difference is achieved by getting the inflation rate down, keeping it down and, therefore, keeping mortgage repayments down. The policy of the hon. Lady's party would push inflation and mortgage rates up. Her party's policy and the extra taxation needed to fund what she claims she would do would create unsustainable housing.

It is clear from the hon. Lady's final suggestion that she wants to continue to have a system where those in real need are bypassed by those who happen to fall in the right category. That is what she means. A single mother with a child, who had a terrible housing problem, would be left in that accommodation because, technically, she had a roof over her head while someone in better circumstances, fitting the category, would get ahead of her. That is what the hon. Lady wants and if that is Liberal fairness, it is not my concept of fairness.

Mr. Charles Hendry (High Peak): May I congratulate my right hon. Friend on producing an immensely wide-ranging and positive White Paper? Will he confirm that the essence of what he has said is that there is a massive boost for the funds available for social housing through the recycling of money from the sale of housing association properties, by allowing private developers to bid for housing association grant and by opening the doors to massive new investment from private companies in the private rented sector?

Is my right hon. Friend aware also that there will be a particular welcome from voluntary organisations for his comments on the future of the rough sleepers initiative? Will he confirm that there has been a dramatic fall in the number of people sleeping rough in London as a result of that initiative and will he now undertake a wide-ranging consultation exercise to establish exactly what format the scheme should take?

Mr. Gummer: I thank my hon. Friend. What we have announced today will mean that we shall make the very best use of taxpayers' money; draw in a great deal more money from the private sector; ensure that we recycle that money so that more and more people are given the opportunity for a home of their own; and that we make sure that need is the main reason for entry into social housing—a most important change.

As for the rough sleepers initiative, I promise my hon. Friend that we shall continue to work extremely closely with the voluntary sector. We shall talk to it in detail about how to take that forward. We have introduced the extension of the initiative because of the voluntary sector's very considerable support. My hon. Friend is right that the number of rough sleepers has now dropped in central London—by the voluntary sector's figures, from over 1,000 to the 200 mark.

Mr. Gerry Steinberg (City of Durham): After that most inept performance by the Secretary of State, is he aware that in 1979 in the northern region, over 10,000 council houses were built? Last year, 68 council houses were built in the whole northern region. Does he not realise that local authorities have capital receipts from sales under the right to buy with which they could immediately start to build houses? That would not necessarily solve the problem, but it would go a long way towards solving it and releasing people from the lists into houses. When, in the name of heaven, will the right hon. Gentleman get rid of his damned dogma and allow local authorities to use the money to build houses so that people can get houses to live in?

Mr. Gummer: If we are talking about ineptitude, what about a Member of Parliament from the north who does not know that housing associations have been building houses all over the north or recognise that estate action has improved large numbers of estates in the north of England and suggests that I am proceeding dogmatically when I am providing the widest choice ever known in this country? He is clearly so blinkered by his socialism that he wants houses to be built only by local authorities.

The fact is that if local authorities were to spend their accumulated receipts, it would be many of the local authorities that had the least need to provide housing that would have the largest opportunity to spend receipts. The Labour party proposes that authorities should spend them, but, of course, it would have to reduce the grant and capital allowances provided by the Government to those authorities because the Labour party has admitted that it would not increase public expenditure. What would happen is that local authorities would not be able to build or help local housing associations to build, but in the plusher parts of the country there would be plenty of money to spend. If that is socialism, it is a very curious sort.

Mr. Paul Channon (Southend, West): Is my right hon. Friend aware that much in the White Paper is very welcome to Conservative Members? Can he clear up one point that concerns me, about charitable housing trusts? Did he say in his statement that in future they would be able to build only for sale? If that is so, I suspect that it will be in conflict with some of their charitable purposes.

Mr. Gummer: No. What I was saying is that in normal circumstances when housing associations build to rent—which is what they do—the right to buy will in future be part of the tenants' offer, so that a tenant who begins renting accommodation under the new deal with the housing association will in future also have the right to

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buy. We are extending the right to buy to those who will have houses that will be built in future by housing associations.

Mr. James Molyneaux (Lagan Valley): When he comes to draft the legislation, will the Secretary of State bear in mind the plight of the owners of Orlit houses, which were built by non-registered housing associations and thereby excluded from grant repair schemes because of a flaw in the drafting?

Mr. Gummer: I shall certainly consider carefully what the right hon. Gentleman said.

Sir Richard Body (Holland with Boston): While I congratulate my right hon. Friend on his proposals, will he confirm that when a housing association receives the purchase price from the sale of a house, there will be no restriction by the Government on its ability to reinvest all that money in yet another house?

Mr. Gummer: That is entirely correct. Someone who moves from being a tenant to being an owner releases money for the housing association. The housing association then gets the maximum price to build a new house, which can then be let. That is a constant return system.

Ms Diane Abbott (Hackney, North and Stoke Newington): On the question of council house allocation policies, does the Secretary of State accept that the notion that single-parent mothers are systematically queue-jumping is based on a myth? Nowhere in law do single-parent mothers get priority—homeless families with children get priority. Does he also accept that the children of single-parent mothers are not an inferior type of humanity? Why should the children of single-parent mothers have to suffer in temporary and hostel accommodation because Ministers seek to make moral judgments about those mothers' personal situation?

Mr. Gummer: The hon. Lady did not listen to what I said, which was precisely the opposite. I said that it was a scandal when a single-parent mother in very bad housing was unable to get proper accommodation because someone else who was technically in a higher category jumped the queue ahead of her. The hon. Lady must not let her prejudice interfere with her ears. The fact is that I am on her side and believe that need must be the first priority. If the hon. Lady will join me in fighting to make need the first priority, we shall go arm in arm in the housing sphere.

Mr. Alan Howarth (Stratford-on-Avon): Is my right hon. Friend aware that there will be a particular welcome for his decision to extend the rough sleepers initiative outside London and for his determination that new housing should be built on derelict land and previously used land? Does he accept that, while the aspiration for home ownership remains widespread, there is at least as pressing a need—socially and economically—for a diversified rented sector? If there is no terrible danger to the economy in allowing housing associations to reuse their capital receipts, what particular reason is there for continuing to restrain local authorities from doing likewise?

Mr. Gummer: I agree with my hon. Friend that it is very important to promote home ownership, but it should be done in concert with providing opportunities to rent accommodation. The Government have changed the rules so that landlords find it worth while to let. Without those changes, there would be no further letting accommodation. This is a further step in the same direction.

Local authorities are of course able to spend a proportion of their receipts, but the problem is that local authority receipts and the need for housing are not in the same places. We therefore think it better to direct the opportunity to build to housing associations in areas where the need is greatest, which is what we are doing. Housing associations are getting the funds where the need is greatest. When they sell their houses, they are able to recycle the sums of money because we have already directed them to where the need is greatest. The problem is that many local authorities have been able to sell large quantities of houses and other assets, but they are not in the places where need demands that they build new houses, which is why we believe that they should be more targeted. Money from the taxpayer should be used to the full.

Mr. David Clelland (Tyne Bridge): Is the Secretary of State aware that, since 1979, homelessness in the northern region has doubled, council house rents have risen by more than 500 per cent. and people living in the housing association properties to which he referred in answer to my hon. Friend the Member for City of Durham (Mr. Steinberg) cannot afford to pay those rents unless they are on 100 per cent. housing benefit? Of course, if they get a job, they have to consider moving out. Is he further aware that 27,000 properties in the northern region are affected by negative equity? Is that a record of which the Secretary of State is proud? To what extent will the White Paper deal with such problems?

Mr. Gummer: I notice that the hon. Gentleman does not mention that properties in the northern region have been allowed to run down and need considerable renovation precisely because of the rent policies of previous Labour administrations and Labour councils. *[Interruption.]* If tenants are not charged a reasonable amount to contribute towards the upkeep of the accommodation, the accommodation will run down. Opposition Members cannot get upset about it; it is a fact of life. If one does not spend money on the housing, the housing will run down.

We now have a sensible rent policy, and those who cannot afford to pay the rent have the opportunity of receiving the generous housing benefit that costs the Government £8.9 billion. The Labour party is unable to face the fact that the Government's policies have done more to help the homeless and those in poor accommodation than any policies advanced by the Labour party.

Mr. Peter Thurnham (Bolton, North-East): I congratulate my right hon. Friend on his excellent proposals to bring much needed private enterprise into our town hall-dominated council estates—something for which I have argued for a very long time. Does he agree that examples in other countries show how much more the private rented sector can do? For instance, the private rented sectors in Switzerland and Germany are four times the size of our private rented sector and much of their housing is provided by private individuals.

Mr. Gummer: My hon. Friend is right. Has he noticed that the Labour party does not understand any of that?

Labour Members laugh at anything that they could learn from anyone else. The Labour party is stuck in the 1940s, when council accommodation was provided for a limited number of people. That council accommodation has deteriorated because the Labour party has never been prepared to find ways of spending money properly on its upkeep.

Mr. Dennis Skinner (Bolsover): It is no wonder that the Tory party is going to the dogs when, after 16 years in government, it fails to recognise that it is facing a housing crisis. More than a quarter of a million building workers are looking for jobs, there are millions of bricks at the London Brick Company and elsewhere, thousands of people are on the streets without a roof over their heads and many more are on council housing waiting lists. Yet, despite all the talk about negative equity, today the Minister calls upon more people to get up to their necks in debt. The country is in never-never land, living on tick. The Minister, in his swan song speech—he is likely to be dumped—does not have the decency to tell councils to build some houses, get people back to work and put roofs over people's heads.

Mr. Gummer: I am very pleased that the hon. Gentleman made that penultimate remark. He has said that every year since I first stood at the Dispatch Box, and he has been wrong every year. I was afraid that he would not say it again this year, because the year that he does not say it I shall really be in trouble.

As usual, the hon. Gentleman is entirely wrong. What he says now is precisely what the Labour party said in the 1940s, 1950s, 1960s, 1970s, 1980s and again in the 1990s. It has never been able to meet the housing aspirations of our people. However, we are able to say not only that we have enabled more families to own their own homes and that every day 200 families buy houses under the right to buy and similar schemes, but that 1.5 million more families will purchase houses in the next few years. As usual, the hon. Gentleman is totally out of touch with real life and in contact only with the whimsical attitudes of his socialism.

Mrs. Jacqui Lait (Hastings and Rye): Is my right hon. Friend aware that the tenants of Hastings borough council will welcome his proposals for housing associations as they are voting to join the 1066 housing association? Will he confirm whether the new probationary tenancies will apply only to new tenants or whether they will apply to existing tenants who are causing problems? Can he also confirm whether responsible flying freeholders in the private sector are regarded as living in high-risk houses of multiple occupation?

Mr. Gummer: I am concerned to ensure that there is a proper balance between the tenant's rights and the tenant's responsibilities. Therefore, it will be for new tenants that the probationary tenancy system will be available. However, we are discussing with the local authority associations ways in which we can help them deal with tenants who are already there and who are causing considerable difficulties to their neighbours.

I believe that the hon. Member for Holborn and St. Pancras (Mr. Dobson) was less than fair—even more less than fair than usual—when he railed at me on the subject of multiple occupation. We need to have a system whereby we protect tenants from the dangers of inadequate fire safety and the like, while not placing on people such burdens that they do not provide that type of accommodation. Those are vulnerable people in two different ways—vulnerable if the accommodation is not properly protected, but vulnerable if there is no accommodation available.

Mr. Nigel Spearing (Newham, South): If Government policy on housing has been successful and equitable, can the Secretary of State explain why, in the London borough of Newham, expenditure on the homeless has increased from £1 million to over £8 million during the Conservative administration and, moreover, £8 million must be found under the defective standard spending assessment formula—expenditure that should go to other council services, especially education and social services? How has that come about, and why is it fair and successful?

Mr. Gummer: The SSA is equitable, although I know the hon. Gentleman's complaint about Newham being outside the inner London area and I promise to consider that in specifics, so I believe that he will agree with that.

The money is being provided through a system that takes into account the problems that Newham has. The hon. Gentleman knows perfectly well that there are patterns of change in where people come to live, and that his borough is one of those that has had special pressures. However, he should be especially pleased that the present Government are providing the money to tackle those problems so generously.

We are helping the homeless in a way that was previously inconceivable because of the meanness of previous Labour Governments. The hon. Gentleman is an honourable man and I know that he means well, but the fact is that Conservative Governments provide help for the homeless; Labour Governments talk about it.

Sir David Madel (Bedfordshire, South-West): Further to the question asked by my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) about receipts from the sale of council houses, does the White Paper allow local authorities to spend more of their receipts on modernising existing council houses?

On the issue of housing association tenants being able to buy as a result of the new arrangements, are there any restrictions on their buying and then selling quickly?

Mr. Gummer: In answer to the second part of my hon. Friend's question, there will be a number of restrictions similar to those that were imposed in the past.

On money for redoing council accommodation, there are two ways in which we shall help with that. First, we shall encourage large-scale voluntary transfers, which is much the most sensible way of using the capital to improve the stock, so that it is worth more. That is the way in which the LSVT works. It does so without increasing the pressure on the taxpayer, so it has an especially advantageous effect.

Secondly, we are discussing with several boroughs, including Labour boroughs such as Manchester and Hackney, ways in which we can have local authority companies that will be able to do partial LSVTs specifically to improve the quality of stock.

I also mentioned that we shall open up the opportunity to tenants, if they so wish, to vote for private companies taking over accommodation and improving it on terms that protect the tenants from excessive rent increases.

Mr. Andrew Faulds (Warley, East): Was not that somewhat overheated presentation by the Secretary of

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State simply the grunts and gasps of a Government in their death throes—and a rather poor performance, some of us thought?

Should the populace and the House not be made aware that, during the jousting and the fun of Prime Minister's questions, the Press Gallery was packed, but when we come to this much more serious business of housing problems, all these chaps and the girlies go off to recover from their over-indulgence at lunchtime?

Madam Speaker: Does the hon. Gentleman have a question on the Minister's statement?

Mr. Faulds *indicated assent.*

Madam Speaker: In that case, I should like to hear it right away.

While I am on my feet, let me say this. This statement has been running for a long time. It is an important statement. I want to try to call all hon. Members who are standing. I can do so only with the co-operation of the House, and if I have brisk questions and brisk answers. I have the remainder of the House's business to safeguard, so I should like questions to be to the point and brief.

Mr. Faulds: My questions will be brief and to the point, Madam Speaker. I just wanted the country to realise that we do a rather better job than the Press Gallery. Does the Secretary of State realise that figures for the west midlands over the past 15 years of Tory Government are not terribly satisfactory? In 1979, 64 times as many council houses were built as are built now. Does the right hon. Gentleman realise that homelessness in the west midlands has risen two and a half times? Think of the suffering that involves for the people of the west midlands. Does the Secretary of State realise that the rise in council rents is five times what it was in 1979?

Madam Speaker: Has the hon. Gentleman finished?

Mr. Faulds: Yes, nearly finished. Does the right hon. Gentleman realise that households in negative equity in the west midlands affect 63,000 people? Think of the agonies and tragedies that involves for the people of the west midlands—all due to the policies of the Conservative Government over 15 years.

Madam Speaker: There was no question there, but I am sure that the hon. Gentleman was asking what the Secretary of State is going to do about it.

Mr. Gummer: I would find it easier to believe the hon. Gentleman's concern if he had ever asked a question of me about housing in Question Time since I have been a Minister responsible for housing. If the hon. Gentleman had ever taken part in a housing debate and put points about housing, I would believe his concern. The hon. Gentleman did not mention the vast increase in housing association houses in the west midlands. He is so committed to municipalisation that he cannot do that. The hon. Gentleman did not mention that in the west midlands, large numbers of people are buying their own homes every day, instead of being tenants. He did not mention that the White Paper proclaims a whole range of new ways of helping people to buy or rent their own homes and for more money to be put into housing. The hon. Gentleman has not done his homework.

Dr. Ian Twinn (Edmonton): Contrary to the whingeing and negative response of Opposition Members, does my right hon. Friend agree that his statement will be widely welcomed outside the House as well as on Conservative Benches? Does he further agree that the flowering of the housing association movement over the past 16 years has been a great credit to this Government, and that the introduction of the right to buy for new tenants will provide an element of fairness in housing allocation locally, as well as enabling housing associations to plan positively for the development of social housing in future?

Mr. Gummer: My hon. Friend is perfectly right. He may have noticed that the Labour party, instead of making sensible proposals for alternatives, has done nothing but barrack during these discussions. If there is any criticism of these discussions, it is that Labour does not want to hear the facts because it has no alternative.

Ms Jean Corston (Bristol, East): Is this not another case of the Government pursuing dogma in the face of the evidence? Is the Secretary of State aware of the scale of the housing crisis in Bristol, where 23,000 people are on the council waiting list? To afford the rent for a three-bedroomed housing association property, it would be necessary for the tenant to earn £300 a week. Does not the right hon. Gentleman realise that his White Paper will encourage homeless people to be set against each other, provide in the rented sector only insecure tenancies and irresponsibly promote home ownership among people who evidently do not have the means to afford repairs and maintenance?

Mr. Gummer: If we are going to talk about dogma, that was the most dogmatic statement. Home ownership is unacceptable because some people find that they made the choice wrongly? People who are homeless are bound to fight among each other if it is decided which of them should be given housing on the basis of need? The only kind of housebuilding that there ought to be is local authority housebuilding? That is where the dogma lies. The hon. Lady does not make her case.

Mr. Gary Streeter (Plymouth, Sutton): Is my right hon. Friend aware that his radical and comprehensive statement will be widely welcomed by housing professionals and people in housing need throughout the country? Is he particularly aware that his proposals for local housing companies—which I advocated in my maiden speech on 5 June 1992, which my right hon. Friend will remember—are particularly welcome because they will bring together the benefits of housing management skills in the private and public sectors for the benefit of tenants, for which Opposition Members have no thought?

Mr. Gummer: My hon. Friend is right. We should use every means in our power to help people have decent homes, and not stop a range of opportunities because we have the dogmatic predilections of the Labour party.

Mr. D. N. Campbell-Savours (Workington): Does the Secretary of State ever take time off to consider that he might be wrong in the solutions at which he has arrived? Has he ever pondered whether it was wrong in principle, many years ago under this Government, to channel money into housing through a housing benefit system that locked people into unemployment instead of funding bricks and

mortar? Can he not be honest with the House for just one moment and consider whether there may have been an error of judgment in that area?

Mr. Gummer: The housing benefit system clearly does not lock people into unemployment, given that unemployment has been falling by 1,000 every working day for months. The hon. Gentleman's alternative is unacceptable. It would mean that, instead of channelling money to those who need it, it would be channelled into bricks and mortar. It was not only the Conservative party that thought that that was wrong. The Labour party saw also that there was a need to target. Targeting of taxpayers' money is essential.

I often ask myself, "Is there a better way of doing it?" The hon. Gentleman should recognise that any sensible person will ask himself, "Can we do it better?" That is why there is a range of new ideas in the White Paper. That is why every year we must find new ways of trying to extend opportunities for the people. It would not help much to put large amounts of subsidy into bricks and mortar, irrespective of the needs of those who live in those houses.

Mr. Michael Stephen (Shoreham): May I congratulate my right hon. Friend on his White Paper, which contains many constructive and practical ideas, in stark contrast to Opposition Members, who never have any constructive ideas and can only carp and criticise? Is my right hon. Friend aware that especially welcome in south-east England will be the part of the White Paper that relates to empty houses? At a time when there are 10 times as many empty houses and flats as there are homeless people, it makes no sense to cover our already scarce green spaces in urban and suburban areas with more and more housing. Does my right hon. Friend accept that if Labour Members had had their way during the past 16 years, there would have been no capital receipts to spend on new housing, because there would have been no sales of houses to the tenants of housing associations and local authorities?

Mr. Gummer: My hon. Friend is perfectly right. When the Labour party complains that not all capital receipts are spent on housing, it fails to mention that there would have been none under a Labour Government because they, Labour Members, were opposed to council house sales. My hon. Friend is also right to say that sustainable development demands that we build as much as we can on brown land, on land that has been used before. That will help us to reinvigorate our cities. It is an approach that fits in with the rest of our planning policies, which are designed to create vibrant towns and cities. My hon. Friend is right to say also that if we are to provide enough homes for the present population and if we take into account the fact that people live longer and families break up more often, we must use every opportunity and recognise that empty homes mean lost opportunities.

Mr. Clive Betts (Sheffield, Attercliffe): Will the Secretary of State confirm that his approach to the thousands of people waiting for improvement grants—most of them in my constituency are owner-occupiers—will not provide resources to enable them to improve their homes? They are now to be denied the right to a mandatory grant. That will remove the possibility of any effective area renewal.

Will the Secretary of State confirm also that his promise to housing associations that they can use total receipts from sales to build new homes is exactly the same promise that was given to local authorities in 1980? Why should we believe this promise any more than we should have believed the previous one?

Mr. Gummer: On mandatory grants, the hon. Gentleman has got it right the wrong way round. Local authorities, no doubt including the one that he used to run, want to have the proposed change because with the mandatory grant system as it stands, a local authority cannot say that it wants to channel that grant into a particular scheme in a particular area. That is precisely contrary to the hon. Gentleman's approach, and the local authority world knows that. Perhaps that explains why Sheffield was run so badly when he was in charge of the local authority.

The housing association movement builds houses in partnership with the Government, Government grant and the private sector. When a house is sold to the tenant in future, the full sum will be recycled so that that partnership may continue.

Mrs. Llin Golding (Newcastle-under-Lyme): How many empty homes are owned by Government Ministries, and what has been the cost of keeping them boarded up and empty for many years? If the right hon. Gentleman is so concerned about the homeless, why has he suddenly decided that it is time to do something about them when he has not done anything before?

Mr. Gummer: We did a great deal before and we have set targets that Departments have to meet. I am going further because there is a major opportunity, particularly with Ministry of Defence property, as a result of changes in the world situation. I know that the hon. Lady has recognised that those changes have meant a big alteration in our military establishment. Therefore, it is important that when those houses become vacant, we move them into the private sector as rapidly as possible. I have said that, in normal circumstances, if the houses have not been sold within six months, they will be put up to auction. That is a major change that Labour was unable to promise at any time when it was in power.

Mr. Terry Lewis (Worsley): In his new zeal to protect green-field sites, will the Secretary of State consider, when windfall sites occur, deducting unit for unit from identified green-field housing sites?

Mr. Skinner: That was a good question.

Mr. Gummer: It is a very good question. I do not believe that the Government should follow policies that would restrict the opportunity for land to be made available. Therefore, it is right strongly to protect the green belt and to encourage people to produce land for housing within the plan. That is the mix that we want and that is how we shall achieve it. The hon. Gentleman would be better advised to seek to encourage the putting forward of land rather than discouraging it by his attack on windfall land.

Mr. Neil Gerrard (Walthamstow): Is the Secretary of State aware of the effect of his Government's policies over the past few years, of forcing people into dependency on benefits? People in housing association developments are unable to afford the rents without benefits and they fall into the poverty trap. Does he not understand that the long-term consequence of the sort of policies that he has again announced today is that social rented housing will

[Mr. Neil Gerrard]

become a ghetto that is inhabited by people who are elderly or unemployed and dependent on benefits? Is that the sort of future that he wants for social rented housing? Does he think that that is in the long-term interests of this country?

Mr. Gummer: The hon. Gentleman is wrong for two reasons, one of which is that we are taking rent levels into the arrangements for housing association grants. That will help to deal with one part of the problem. Secondly, we have announced the right to buy for tenants who move into new houses in housing associations. There will not be a ghetto, as the hon. Gentleman says. People who own and people who rent their homes will be living side by side, and that is precisely what I want.

Mr. John Austin-Walker (Woolwich): What is in the Secretary of State's White Paper for the thousands of tenants of the private development company, Thamesmead Town Ltd.? In that case, the right hon. Gentleman's predecessor transferred council tenancies to private tenancies at unaffordable market rents without giving the tenants the right to choose a landlord. Will he give Thamesmead Town tenants the right to choose a landlord or does he intend to replicate the disaster that is Thamesmead by privatising council housing in the rest of the country?

Mr. Gummer: I am sure that the hon. Gentleman has had an opportunity to read at least some of the versions of the White Paper, and will have seen that there is no question of privatising council estates. The only offer is that if the council tenants themselves want to choose a new landlord to ensure that they get the improvement in their homes that is necessary, they may do so. Such improvement often takes the form of something new, because the rent policies of previous Labour-controlled authorities did not permit it.

Mr. Harry Barnes (Derbyshire, North-East): Will the Secretary of State correct the impression given in his statement about disabled people and the adaptation of houses for their benefit? Such adaptations include extensions to houses-for-life into which people can move as they grow older and more infirm. That is not dealt with specifically in the White Paper, but page 39 refers to a future statement. Therefore, the Minister is making claims about the White Paper that have not yet been cashed in.

Mr. Gummer: No; the hon. Gentleman is perhaps mixing two different things. What I said in my statement referred to the fact that the improvement grants for present houses will remain mandatory in relation to changes for disabled people. The other part to which he refers is what will come about as a result of our considering arrangements under our disablement programme in general.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): Will the Secretary of State withdraw or change the constraints that have been placed on the power of housing associations to purchase from existing housing stock—to buy houses off the shelf and that sort of thing—enabling houses to be let to people as rented property? Does he not agree that that was a useful and flexible approach to providing housing, and enabled people who otherwise would not have been able to do so to obtain access to existing housing stock? Will he change those constraints now, because that development has been regressive?

Mr. Gummer: In principle, it is always better if extra accommodation is found or built by a housing association in addition to that which is available anyway, so I start with a prejudice in that the housing association should extend opportunities rather than merely take over one form of tenancy or ownership from another. The position that especially pertains in Wales was meant to meet a real need and problem that had arisen. I do not think that there is any evidence that it is having the deleterious effects that the hon. Gentleman suggests, but I have no doubt that the Secretary of State will consider any point that the hon. Gentleman would like to raise with me.

Mr. Paul Boateng (Brent, South): Is the Secretary of State aware of the gravity of the crisis in the funding of repairs and refurbishment of rundown and deprived estates in many of our cities, and that, in the London borough of Brent, which is Tory-controlled, so desperate is the crisis of the lack of investment that the council proposes to tear down desperately needed homes on the Chalkhill estate to build a supermarket, which is not needed, to fund a new development on that estate? Is that not nonsense? Will he agree to consider the environmental and commercial impact of that decision and tell us how his White Paper deals with the current crisis, rather than pursue the vendetta against council housing and the obsession with owner-occupancy that it displays?

Mr. Gummer: Obviously, I cannot comment on a particular planning application that may come to me for determination; that would be wrong, but I have heard what the hon. Gentleman said. I find his views odd, because one of the reasons why so much housing stock is not in the best of repair is that not enough has been spent on it, often by Labour councils that have failed to have a sensible rent policy, so that they have been unable to keep houses up. They have used rent as an electoral activity, which is a serious matter.

We have tried, therefore, to find ways through and we have suggested—it would be possible to do this in a number of London boroughs, not least the hon. Gentleman's own—either going to local authority companies or considering LSVT. In that way, one could refurbish precisely the sort of blocks of housing of which he speaks and do it from the capital that is locked up in the region. I hope therefore that he will seek, with his local authority, with which I know he has extremely good relations, to work through that route, and I promise to help him.

Mr. Dobson: The Secretary of State has confirmed that housing associations will be allowed—indeed they will be expected—to invest the takings from the sale of houses to sitting tenants in new housing. He has also said that the reason why that cannot apply to local authorities is that, in some cases, they have a large amount of capital receipts but no housing need, and, in other cases, they have few receipts but a lot of housing need. If that is the restraint, will he give a guarantee that, where councils have housing needs and capital receipts, he will allow them to start spending them?

Mr. Gummer: What we do is something even better than that: we provide the capital authorisations and the

ability to spend money in connection with the need. The hon. Gentleman knows that, in his widely publicised demands and statements that the Labour party would allow local councils to spend their capital receipts, he never mentions that the only way that that could be done within the rules put forward by his hon. Friend the shadow Chancellor of the Exchequer would be to remove the direct help for the poorest councils. That is what would happen. He means that he would allow capital receipts to be spent where they are not needed, but would not provide extra help where it is needed.

Points of Order

4.39 pm

Mr. Michael Jopling (Westmorland and Lonsdale): On a point of order, Madam Speaker. It would be helpful if you could clarify the comments you made, and, dare I say it, the impression you gave in reply to the point of order raised at the beginning of the statement by the hon. Member for Linlithgow (Mr. Dalyell). You told my right hon. Friend the Secretary of State for the Environment that he had deviated from the script of his statement with which you had been provided, which presumably was also provided for the Opposition spokesman.

It has always been my understanding that an hon. Member has to clear a personal statement with you beforehand, and is not then permitted to deviate from it. However, I was unaware of anything in "Erskine May" which suggests that a Minister making a statement such as that made by my right hon. Friend this afternoon is allowed only to stick to the script, which, as a matter of courtesy, is distributed to the Opposition and to others.

It would be unfortunate if it became a convention, or if the impression was given, that a Minister must not deviate from the precise terms of a statement that has been circulated as a matter of courtesy. You know, Madam Speaker, having been in the House for about the same amount of time as me, that, when the House is in a somewhat excited frame of mind during a statement, many highly politicised comments fly backwards and forwards across the Chamber. Given that, it would be most unfortunate if a Minister was not permitted to respond off the cuff to rather excited comments thrown at him by the Opposition in the middle of a statement.

Madam Speaker: During a statement, Ministers must of course be allowed to respond off the cuff, but only very briefly, to comments from both sides of the House. However, I do expect such responses to be brief, and not to be a great diversion from the statement that a Minister is making. In that respect, I refer the right hon. Gentleman to page 297 of "Erskine May", which says:

"Explanations are made in the House by Ministers on behalf of the Government regarding their domestic and foreign policy . . . announcing the legislative proposals they intend to submit to Parliament; or the course they intend to adopt in the transaction and arrangement of public business."

I have already said that Ministers often make quick responses in the excitement of the moment and that is perfectly acceptable. Equally, the Minister is making a statement of Government policy—that is what the Minister is doing at the Dispatch Box. Ministers should not at any time attempt to transform that statement into a speech or an attack upon the Opposition, minority parties, or anyone else for that matter. I repeat, statements are the enunciation of Government policy from the Dispatch Box. I hope that that clears the matter up.

Mr. George Robertson (Hamilton): On a point of order, Madam Speaker. May I seek your advice on an important matter? At Prime Minister's Question Time last Tuesday, the Prime Minister made a specific reference to me which was not based on the truth, when he asked my right hon. Friend the Leader of the Opposition whether he would

"publish the earlier, secret report held by the Labour party into Monklands council, which the hon. Member for Hamilton (Mr. Robertson) has consistently refused to make public?"—[*Official Report*, 20 June 1995; Vol. 262, c. 149-50.]

I raised a point of order last Wednesday, pointing out that that was not true, and that the Prime Minister had written to me later that day indicating that it was not true. He wrote to me saying:

"Although a report may have been published as a result of your party's internal inquiry".

The Prime Minister has not clarified that point in writing or orally, and he has not apologised to the House for it.

Given that, in that same Question Time, the Prime Minister said:

"Ministers who deliberately mislead Parliament should resign".—[*Official Report*, 20 June 1995; Vol. 262, c. 149.],

I wonder if you can tell us what advice is contained in "Erskine May" for situations such as this, when a Prime Minister has said that I have not done something, when in fact the report to which he referred was published in March 1993; and, when he is asked on pain of his integrity if he will clarify the matter and apologise to the House, he still does nothing.

Surely there must be some protection for hon. Members, wherever they sit and whoever they are, from other right hon. or hon. Members making statements that are simply not true, and when that right hon. or hon. Member is unwilling to come back to the House, admit the truth and apologise.

Madam Speaker: As the hon. Gentleman said, this is the second time that he has used a point of order to raise this matter. The hon. Gentleman may use the Order Paper and try to table questions about the matter. Also, I remind him that we have a local government debate later this week—I am sure that that has been noted by those on the Treasury Bench—and if the hon. Gentleman wishes to catch my eye during that debate, I shall do my best to call him so that he might obtain an answer from either the Prime Minister or a Minister on behalf of the Prime Minister.

Mr. Peter L. Pike (Burnley): On a point of order, Madam Speaker. I recognise that one of your overriding concerns and wishes is always to protect the rights of Back Benchers. Given the fact that the Prime Minister was not available to answer questions today, I wonder whether you received an approach from the new Back Bencher, the right hon. Member for Wokingham (Mr. Redwood), saying that, given the electoral contest within the Tory party, it might have been fair and more appropriate for him to answer questions at Prime Minister's Question Time.

Madam Speaker: A rather good try, but it is not a point of order for the Chair.

Environmental Investment (Accelerated Depreciation)

4.46 pm

Mrs. Anne Campbell (Cambridge): I beg to move,

That leave be given to bring in a Bill to increase the amount of depreciation allowable against tax for investments on certain innovative environmental technologies; to require the Secretary of State to compile a definitive list of such innovative environmental technologies; and for related purposes.

The Bill that I am seeking to introduce aims to accelerate the depreciation deductible from tax on investments in innovative environmental technologies. The Bill would ensure that 100 per cent. of the depreciation is allowable in the first year. The idea is to stimulate investment in environmental technologies.

Three groups of people would benefit if the Bill were passed. First, it would benefit the firms that make the environmental technology. Those are firms which produce goods and services capable of measuring, preventing, limiting or correcting environmental damage, such as pollution of water, air and soil as well as waste and noise-related problems, and which produce clean technologies where pollution and raw material use are minimised.

The Bill It would also benefit the firms that use the innovative environmental technology, since it makes it easier for them to compete in countries with strict environmental standards. When firms invest, it will initially increase the cost, but it will give them a competitive advantage in the long term. The Bill will benefit us as consumers of industry and citizens of a country that is already polluted. It means that we are likely to be healthier and have a higher quality of life if environmental improvements can be made. That is why I am introducing the Bill, and why it has all-party support.

This technology is big business. The 1994 meeting of experts at the Organisation for Economic Co-operation and Development agreed that the world market is currently around $250 billion. It is predicted to reach $600 billion by the year 2000. If we compare that with the aerospace industry, which is currently worth $180 billion, and the chemical industry, which is worth $500 billion worldwide, the scale becomes apparent.

Much environmental technology is in its infancy; that has been well illustrated by the Brent Spar saga. We should be more advanced and more civilised in dealing with our waste products than simply dumping them at sea. The technology to dispose of disused oil platforms needs to be developed as a matter of urgency in a way that will minimise environmental damage and create jobs. This Bill would encourage that technological development. As well as technology to deal with the handling of solid waste, the other growth areas are expected to be the treatment of water and waste water, and air quality pollution control.

It is important that we give British industry the boost it needs to get involved in these growing sectors. At present, Germany, the United States and Japan clearly dominate the environmental industry technologically, with shares of 29 per cent., 22 per cent. and 12 per cent. of the world's patents. That compares with the United Kingdom's 6 per cent. share, and shows that we need to do more.

Yet we have some of the best scientists in the world. What we need is incentives for those scientists to work on environmental technology. That would satisfy the criteria spelled out in the White Paper "Realising our Potential". That would create wealth and improve our quality of life, more so than many other areas.

Even the technology foresight steering group, which has recently reported, agreed. It felt that it was important to promote a cleaner world by concentrating our research on clean processing technology, on energy technology, on environmentally sustainable technology and on product and manufacturing life cycle analysis, so waste could be minimised at source.

The Bill is based on a scheme of accelerated depreciation on environmental investment which was introduced by the Government of the Netherlands in 1991. The scheme there is directed by the Ministry of Housing, Spatial Planning and the Environment, in close co-operation with the Ministry of Finance and the Ministry of Economic Affairs.

In the Netherlands, there is a very close link between Government-sponsored research and development and the accelerated depreciation scheme. About 60 per cent. of the technologies placed on the list were sponsored by the Dutch Government at an earlier phase of development, so it has proved a valuable link, ensuring that the early stages of research and development are truly effective in being converted to new manufacturing technology.

Several people have remarked to me that it is important that the decision makers are educated so that they appreciate what environmental technology is available. Firms report a surprising ignorance among the people who make the purchasing decisions. I hope that the publicity that surrounds the Bill, which has attracted a great deal of interest, will encourage the decision makers in industry, in local government and in central Government to be more aware of the innovation that is available and to take advantage of it.

My hon. Friend the Member for Dunfermline, East (Mr. Brown) has produced a new economic strategy paper, "Rebuilding the Economy", which asserts that the Opposition's

"commitment to raising the quality of our environment is paralleled by our determination to ensure that Britain seizes the enormous market opportunities for environmental technologies."

My hon. Friend has promised to pursue a three-point strategy to raise domestic output in environmental technologies as the base for our export drive. The Bill fits well with Opposition policy.

Question put and agreed to.

Bill ordered to be brought in by Mrs. Anne Campbell, Sir Gerard Vaughan, Mr. Matthew Taylor, Mr. Cynog Dafis, Mrs. Helen Jackson, Mr. Nick Ainger, Mr. Nick Harvey and Mr. Paddy Tipping.

ENVIRONMENTAL INVESTMENT
(ACCELERATED DEPRECIATION)

Mrs. Anne Campbell accordingly presented a Bill to increase the amount of depreciation allowable against tax for investments on certain innovative environmental technologies; to require the Secretary of State to compile a definitive list of such innovative environmental technologies; and for related purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 14 July and to be printed. [Bill 151.]

Orders of the Day

Environment Bill *[Lords]*

As amended (in the Standing Committee), considered.

New clause 20

POWER OF SEPA TO OBTAIN INFORMATION ABOUT LAND

'.—(1) Where, with a view to performing a function conferred on it by any enactment, SEPA considers that it ought to have information connected with any land, it may serve on one or more of the persons mentioned in subsection (2) below a notice—

(a) specifying the land, the function and the enactment; and

(b) requiring the recipient of the notice to furnish to SEPA, within such period of not less than 14 days from the date of service of the notice as is specified in the notice—

(i) the nature of his interest in the land; and

(ii) the name and address of each person whom he believes is, as respects the land, a person mentioned in subsection (2) below.

(2) The persons referred to in subsection (1) above are—

(a) the occupier of the land;

(b) any person—

(i) who has an interest in the land as owner, creditor in a heritable security or lessee; or

(ii) who directly or indirectly receives rent for the land; and

(c) any person who, in pursuance of an agreement between himself and a person interested in the land, is authorised to manage the land or to arrange for the letting of it.

(3) A person who—

(a) fails to comply with the requirements of a notice served on him in pursuance of subsection (1) above; or

(b) in furnishing any information in compliance with such a notice makes a statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.'.—*[Mr. Atkins.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 22

DISCLOSURE OF INFORMATION

'.—(1) Notwithstanding any prohibition or restriction imposed by or under any enactment or rule of law, information of any description may be disclosed—

(a) by a new Agency to a Minister of the Crown, the other new Agency or a local enforcing authority,

(b) by a Minister of the Crown to a new Agency, another Minister of the Crown or a local enforcing authority, or

(c) by a local enforcing authority to a Minister of the Crown, a new Agency or another local enforcing authority,

for the purpose of facilitating the carrying out by either of the new Agencies of any of its functions, by any such Minister of any of his environmental functions or by any local enforcing authority of any of its relevant functions; and no person shall be subject to any civil or criminal liability in consequence of any disclosure made by virtue of this subsection.

(2) Nothing in this section shall authorise the disclosure to a local enforcing authority by a new Agency or another local enforcing authority of information—

(a) disclosure of which would, in the opinion of a Minister of the Crown, be contrary to the interests of national security; or

(b) which was obtained under or by virtue of the Statistics of Trade Act 1947 and which was disclosed to a new Agency or any of its officers by the Secretary of State.

(3) No information disclosed to any person under or by virtue of this section shall be disclosed by that person to any other person otherwise than in accordance with the provisions of this section, or any provision of any other enactment which authorises or requires the disclosure, if that information is information—

(a) which relates to a trade secret of any person or which otherwise is or might be commercially confidential in relation to any person; or

(b) whose disclosure otherwise than under or by virtue of this section would, in the opinion of a Minister of the Crown, be contrary to the interests of national security.

(4) Any authorisation by or under this section of the disclosure of information by or to any person shall also be taken to authorise the disclosure of that information by or, as the case may be, to any officer of his who is authorised by him to make the disclosure or, as the case may be, to receive the information.

(5) In this section—

"new Agency" means the Agency or SEPA;

"the environment" has the same meaning as in Part I of the Environmental Protection Act 1990;

"environmental functions", in relation to a Minister of the Crown, means any function of that Minister, whether conferred or imposed under or by virtue of any enactment or otherwise, relating to the environment; and

"local enforcing authority" means—

(a) any local authority within the meaning of Part IIA of the Environmental Protection Act 1990, and the "relevant functions" of such an authority are its functions under or by virtue of that Part;

(b) any local authority within the meaning of Part IV of this Act, and the "relevant functions" of such an authority are its functions under or by virtue of that Part;

(c) in relation to England, any county council for an area for which there are district councils, and the "relevant functions" of such a county council are its functions under or by virtue of Part IV of this Act; or

(d) in relation to England and Wales, any local enforcing authority within the meaning of section 1(7) of the Environmental Protection Act 1990, and the "relevant functions" of such an authority are its functions under or by virtue of Part I of that Act.'.—*[Mr. Atkins.]*

Brought up, and read the First time.

4.45 pm

The Minister for the Environment and Countryside (Mr. Robert Atkins): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss also the following: Amendment (a) to the proposed clause, in subsection (3), after second 'section', insert

'or for the purpose of any pollution control functions as defined in section 5'.

Amendment (b) to the proposed clause, in subsection (3), leave out 'authorises or'.

Government amendment No. 176.

Amendment No. 20, in clause 107, page 133, line 35, at end add

'(12A) Subject to the following provisions of this section, no information relating to any individual or business which has been obtained by virtue of this section or any pollution control functions, shall during the lifetime of that individual or so long as that business continues to be carried on, be disclosed without the consent of that individual or the person for the time being carrying on that business.

(12B) Subsection (12A) does not apply to any disclosure of information which is made

(a) for the purpose of fulfilling any statutory duty falling on the person disclosing it other than under the Environmental Information Regulations 1992; or

(b) between enforcing authorities for the purpose of their pollution control functions.'.

Government amendments Nos. 88 and 98.

Amendment No. 249, in schedule 22, page 321, line 15, at end insert—

'(3A) Where the Agency is treated as having determined that information is commercially confidential by virtue of subsection (3) above and it subsequently appears to the Agency that the information is not commercially confidential for the purposes of this section then the Agency shall—

(a) give to the person to whom or whose business it relates notice that that information is required to be included in a register kept or maintained by the Agency under any provisions of this Act, unless excluded under this section; and

(b) give that person reasonable opportunity—

(i) of objecting to the inclusion of the information on the grounds that it is commercially confidential; and

(ii) of making representations to the Agency for the purpose of justifying any such objection:

and the Agency shall, having taken any representations into account, determine whether the information is or is not commercially confidential.'.

Amendment No. 248, in page 322, line 27, after 'person', insert

'by disclosing information about a trade secret'.

Government amendments Nos. 99, 104 and 106.

Mr. Atkins: The new clause puts beyond doubt the ability of Ministers, the new agencies and local enforcing authorities to exchange information that will help them in carrying out their environmental functions. They will be able to disclose such information to each other without risk of civil or criminal liability. Amendments Nos. 88, 98, 99, 104 and 106 are consequential to the new clause; they amend the disclosure of information provisions in other environmental legislation to ensure that they are consistent with the new clause.

In Committee, we amended the provisions relating to the remediation registers and the contaminated land regime to exclude commercially confidential information. That brought the provisions into line with other environmental enforcement registers. Amendment No. 176 takes forward an undertaking that I gave at that time to the hon. Member for Lewisham, Deptford (Ms Ruddock). It remedies an omission in the copying of the standard provisions. Wherever information is excluded from the remediation register on the grounds of commercial confidentiality, a statement will be placed on the register recording that this has taken place.

In due course, if the House allows me to do so, I shall respond to hon. Members who speak to other amendments in the group.

Ms Joan Ruddock (Lewisham, Deptford): I express my gratitude to the Minister for correcting the fault to which he alluded concerning the entry in the register. It is extremely important that, where information is kept from the public domain on the grounds of commercial confidentiality, there is a note, so that it is apparent that there is information that is not being disclosed.

We can see the sense in making it absolutely clear, through the new clause, that the new agencies, Government Departments and so on can freely exchange information among themselves. However, I have a question for the Minister. The new clause uses the words "may be disclosed" rather than "shall be disclosed". Clearly, there is an element of discretion here.

I foresee the possibility that the new agencies, which will, we hope, be tremendously dynamic in their concern for the environment, will seek to gain information from a Government Department, only to find that the Department is not willing to disclose it. I ask the Minister to give some assurance on this point, or to say that the word "may" has been used so that there can be discretion and therefore withholding of information.

I also put on record the fact that, in Committee, the Opposition repeatedly asked the Government to make provision for true public disclosure. The new clause and the associated amendments in no way meet our demands for proper public disclosure and public accountability. They provide simply for exchanges of information between public bodies, which does not necessarily mean that information will be made available to the public.

Mr. Paddy Tipping (Sherwood): This is an important new clause. Can the Minister tell us why it has been tabled at such a late stage? I should like to think that the reason is that the Minister listened to what we said in Committee. The new agencies will be important and powerful. I am extremely keen that the whole area is transparent. I suspect that there are fears among, for example, local authorities, that they will pass information to the agencies and to others, while not being allowed to have access to information themselves.

The importance of the partnership for the way forward must be recognised. Any steps that the Minister can take to ensure that the new agencies, the discussions and the partnerships behind it are transparent, open and reassuring to people will be extremely welcome.

5 pm

Mr. Matthew Taylor (Truro): The Minister will be aware that I have real concerns about the disclosure of information, which I raised in Committee. Amendments Nos. 247 and 248 relate in large measure to the concerns in my area and to the actions of South West Water.

Water companies at the moment have to provide information to the National Rivers Authority when they apply for a consent to discharge. That information is then available to the public from the NRA, because it is incorporated in the pollution control register under the Water Resources Act 1991. Under that Act, there are very limited exceptions for commercial confidentiality, and a certificate must be obtained from a Minister to prevent such a release of information. The water companies have never sought such a certificate.

As I explained in Committee, the changes made through the Environment Bill mean that the new agency must state within 14 days whether it accepts that the information submitted is commercially confidential.

If there is an appeal, the information stays off the public register until the appeal is determined. That is important, because South West Water—this may occur also in other areas—never submits full environmental statements with its planning applications. Usually, the planning application is submitted at the same time as the application for a discharge consent. People currently have access to full environmental data because the NRA holds them during the period when the planning application is being dealt with. The proposed change would frustrate that.

If the Bill remains as it is, there will be a clear loss in terms of available information on sewage pollution of

[Mr. Matthew Taylor]

river estuaries and coastal waters, as much of the information derives from studies required to be carried out under consent to discharge applications.

In Committee, the Minister argued that there was no intention to change the existing law, and added that the Government did not believe that they had made a change. The Minister—having agreed in Committee to consider the matter—has written to me. In his letter, he accepts, contrary to the assurances given in Committee, that there is an intention to make a major change in the law relating to access to information on discharges by sewerage undertakers.

The Minister suggested that existing access to information on discharges to water cannot be justified. Yet Department of the Environment circular 13/85 says that the

"guiding principle in the legislation is that, subject to specified safeguards, there should be free availability of information"

except where there is a need to strike a balance between openness and limited but justified measures of confidentiality. That is why, until now, the Secretary of State has been given limited powers to waive the inclusion of information in registers where he is satisfied that the disclosure of information would prejudice to an unreasonable degree a private interest by disclosing information about trade secrets, or would be contrary to the public interest.

A careful balance was struck when the original legislation was passed, but the Government were then satisfied that the balance in relation to information on discharges into water was right. Those discharges affect bathing waters, shellfish waters, wildlife habitats, drinking water and all sorts of uses of water that affect the public. Therefore, it is vital that the public have access to the relevant information when applications for a consent to discharge are being made.

South West Water regularly claims commercial confidentiality without a ministerial certificate, and it has backed down only when it has been forced to do so. It is reasonable to assume that it will continue to make such applications while trying to deny public access to the information. The measure is fundamental to the principle of openness, and to coastal areas which will be heavily affected by such applications. I also believe that public access to information is required under existing EC environmental policy.

In his letter, the Minister suggests that the new wording is needed to create consistency across the regulatory regime. He argues that the waste water industry should be treated in the same way as integrated pollution control, as it affects, for example, companies such as ICI. But the comparison with industrial discharges is not appropriate. Waste water companies are performing a public function of waste disposal as an emanation of the state. The Department of the Environment has accepted that they are the relevant persons for the purposes of the directive on freedom of access to information on the environment and the Environmental Information Regulations 1992.

The waste water companies are discharging waste for which they themselves are the regulators under the Water Industry Act 1991. There will be a problem if they are able to decide on the prevention of the release of information when they are their own policemen.

The effluent of the waste water industry is not effluent from the creation of any commercial product, so I cannot see the relevance of commercial confidentiality. There can be no question of any competitor obtaining information about a waste water company's operation from the information lodged in a consent to discharge application. The technology for the processing of waste water is well known.

The companies are also monopolies, as there is no competition in their respective areas. How is it justifiable to withhold information from the public about the effect of discharges from public sewerage works and the effect that those will have on the environment? Such discharges can affect every individual living in an area, and I cannot see the reasoning behind the Minister's explanation in his letter.

Can the Minister explain how the protection of the commercial interests of the relevant bodies requires these provisions, and how the proposed changes can be justified in the context of decreasing public access to environmental information, to which directive 313 applies?

This is a matter on which there is great public concern in my constituency. Only yesterday, South West Water revealed that, for its most recent discharge—in my constituency at St. Agnes—it was now interpreting its duty as meaning that it has to treat sewage only during the summer months when the bathing water directive applies, and not throughout the year. That is an entirely new interpretation, which could affect every coastal discharge, not only in the South West Water area but in the rest of the country.

The NRA is currently uncertain about whether it can tackle South West Water's new interpretation, which, while providing a saving to South West Water, is extraordinarily damaging to the local environment and the community. I hope that the Minister will be able to present a good argument. Otherwise, people will interpret that as an extraordinary change of tack from a Government who say that they are committed both to the environment and to the principle of freedom of information.

Mr. Atkins: I should have addressed my congratulations to you, Mr. Deputy Speaker, before speaking to the amendments today. I am tempted to ask you whether I should call you Sir Deputy Speaker, or merely Mr. Deputy Speaker. Whichever it is, it is most appropriate that the congratulations of the whole House be given to you.

Mr. Deputy Speaker: The right hon. Gentleman should still call me Mr. Deputy Speaker.

Mr. Atkins: I shall accept your advice, Mr. Deputy Speaker.

The hon. Member for Lewisham, Deptford (Ms Ruddock) asked me about the timings, and I was grateful for her earlier words about my fulfilling an obligation which I had agreed to earlier. The hon. Lady posed a question about whether there was somehow a point of difference between "may be" and "shall be" in the wording of the measure. She will understand that there may be occasions—for reasons of national security, for example—when "may be" ought not to be "shall be".

It is not my understanding, nor is it the intention of the Bill, that people should withhold information except for the very best reasons. It will be up to other people to decide what those best reasons are, but it will happen in the minimum of cases.

The hon. Member for Truro (Mr. Taylor)—in a wide-ranging intervention on what I thought was a relatively uncontroversial area—raised a number of points relating to commercial confidentiality. It is worth repeating that the new section 191B in the Water Resources Act 1991 has been modelled on section 22 of the Environmental Protection Act 1990. In operating the EPA provisions, and in view of the 14-day time scale for determining whether information should be treated as commercially confidential, every effort should be made to reach a timely decision. These points, incidentally, relate to amendments Nos. 248 and 249.

Consequently, we understand that there have been none of the difficulties that amendment No. 249 envisages. That shows that the 14-day period serves its purpose. I do not see any reason why the same should not be true for the agency, and, frankly, can see no need for further procedures as proposed in the amendment.

Amendment No. 248 would limit the criteria for designating information as commercially confidential. As drafted, the Bill follows the precedent of the Environmental Protection Agency, in allowing any information to be classed as commercially confidential if its disclosure would prejudice to an unreasonable degree a business's commercial interests.

The amendment would limit the criteria to disclosure of information about a trade secret. By inserting a new section 191B in the Water Resources Act 1991, we are bringing the provisions about commercially sensitive information in the context of water into line with those in respect of other mediums under which the agency would be operating.

As the hon. Member for Truro said—indeed, as he knows—his amendment would frustrate that purpose. It is worth emphasising that, in general—a point that I have mentioned on numerous occasions and doubtless will as the agency is set up—there will be no room for unwarranted exclusion of information from the public. Information will be withheld under the provisions only if publication prejudices commercial interests to an unreasonable degree.

We do not envisage any sudden increase in the number of applications for information to be treated as commercially confidential simply because we are moving away from a definition based on trade secrets to one of commercial confidentiality, which already operates in respect of other environmental mediums.

Mr. Matthew Taylor: I understand, but I hope that the Minister understands that the water companies are not operating in a normal commercial environment. South West Water has increasingly claimed commercial confidentiality, and, although an appeal is allowed, it cannot be heard in time for the relevant planning processes to be scrutinised.

The Minister is trying to be helpful, and I would ask him to reconsider that matter. I would find it helpful if he agreed to do so, as his colleague's letter misses that fundamental point.

Mr. Atkins: In Committee, the hon. Gentleman made it clear that he also was a reasonable man as regards most of his amendments and new clauses, and I am not in the business of making life difficult at this late stage. I will consider the matter. As it is a constituency issue, he need only write to me about it for me to deal with it as a matter of course. In that sense, I am prepared to listen to what he has to say, and if I can explain further I will be happy to do so.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 1

RELEVANT AUTHORITIES TO DEFINE REQUIREMENTS OF ENVIRONMENTAL PROTECTION

'(1) It shall be the duty of each relevant authority to integrate requirements for environmental protection wherever applicable into its policies and plans and into the performance of its functions under any enactment.

(2) For the purpose of this section "relevant authority" means—

(a) any Minister of the Crown;

(b) any public body,

(c) any statutory undertaker; or

(d) any person holding public office.'.—*[Ms Ruddock.]*

Brought up, and read the First time.

Ms Ruddock: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss also the following: New clause 19—*Environmental integration*—

'(1) It shall be the duty of each relevant authority—

(a) to prepare an environmental compliance assessment prior to adoption or approval of any policies or before legislation is introduced into or laid before either House of Parliament which is likely to have significant effects on the environment.

(b) to take account of the information provided by the environmental compliance assessment prepared under paragraph (a) above in the formulation and implementation of policies and legislation so as to avoid, reduce or minimise any adverse effects on the environment and, where possible, to enhance the environment.

(2) For the purpose of this section "relevant authority" means—

(a) any Minister of the Crown,

(b) any public body,

(c) any statutory undertaker, or

(d) any person holding public office.'.

New clause 27—*Integration of environmental considerations into discharge of functions*—

'.—(1) Each relevant authority may consider the need to protect and enhance the environment when:

(a) determining any policy; and

(b) discharging any functions pursuant to any enactment

(2) For the purpose of this section "relevant authority" means:

(a) any Minister of the Crown

(b) any other public body to which the Secretary of State may by regulations apply this section

(3) The Agency may issue such guidance as it considers appropriate to any relevant authority with respect to the ways in which they should discharge their functions pursuant to subsection (1) above'.

Ms Ruddock: May I add my congratulations to you, Mr. Deputy Speaker? No discourtesy was intended by my not doing so initially. Also, I have not yet congratulated the Minister on his elevation, although I know that my colleagues did so at the most recent Environment questions.

It is my pleasure to speak in support of the new clause and those grouped with it. We would be delighted if the Minister were minded to accept any new clause that gave force to the requirement that environmental considerations

[Ms Ruddock]

be integrated, where appropriate, into every aspect of public policy. As with so many other issues that we have discussed during the passage of the Bill, however, the Government claim to be wholeheartedly in favour of a commonsense and environmentally friendly proposal, but never find themselves in a position to vote for it.

The notion of sustainable development—development that meets the needs of present generations without jeopardising the ability of future generations to meet theirs—must lie at the heart of any debate on the environment. As the Government would be the first to acknowledge, no Environment Agency and no Department of State can begin to achieve sustainable development alone; it requires a systematic approach—the limiting of the use of finite resources, the reduction of pollutants from every source, the conservation of energy and the minimising of waste, for example.

In short, such considerations ought to be at the heart of all policy making. The Secretary of State for the Environment claimed as much when he said that the Government

"have put in place perhaps the most comprehensive machinery of government to manage the environment to be found anywhere in the world."—[*Official Report*, 18 April 1995; Vol. 258, c. 35.]

He does boast, does he not? We wish that that claim was justified, but it is our view and that of all the major conservation groups, especially the Council for the Protection of Rural England, that existing mechanisms for achieving environmental integration are weak and inadequate for the task.

New clause 1 is not a programme in itself. It offers a statutory framework to stiffen the Government's commitment and to require those in public office to examine their policies and actions in the light of environmental considerations.

5.15 pm

In Committee, the Government resisted such notions being brought into statute, yet the Minister was at pains to tell us of their achievements in appointing green Ministers and in their report, "Green Housekeeping". I only wish that there were more hon. Members in the Chamber tonight because I suspect that, for most of them, the existence of the "Green Housekeeping" document will come as a great surprise. The Government did not trumpet it in the way that they do so many of their other publications. Sadly, as we heard in Committee, the green Ministers rarely meet and little is known of them.

Since 1993, all Government Departments have produced and published cost compliance assessments, evaluating the cost of any of their proposals on the business sector. The Government demonstrate great enthusiasm for such tests. I trust that today we shall see some enthusiasm for an environmental compliance assessment, which we would very much support. Examining the environmental implications of any policy or draft legislation would undoubtedly ensure a higher priority for the environment.

Labour Front-Bench Members intend to be brief when moving our new clauses because we understand hon. Members' interest in this debate. In conclusion, therefore, integration of environmental considerations into public policy ought to be a prerequisite in an Environment Bill that establishes environment agencies for the first time and looks forward to the 21st century. Sustainable development cannot be achieved unless the integration of environmental considerations is at the heart of all public policy.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): Amendment No. 256 would have placed a duty on the Environment Agency to advise Ministers on matters that it considered relevant to environmental sustainability. As my amendment was not selected, I am pleased to support Labour's new clause 1 very strongly.

The Bill's weakness is that it persists—as the Government persist—in regarding the environment as one issue among several, rather than as the basis of all life, improvement and development, so it does not put in place a mechanism for the integration of environmental issues into policy decisions in all Departments. No such mechanism exists.

We gather that the Cabinet Environment Sub-Committee meets infrequently. As has been said, green Ministers in different Departments do not have the function of greening policy in their Departments, but of studying housekeeping within them. The round table and Sir Crispin Tickell's panel, excellent though they are, have the function only of developing ideas and offering advice to the Government, which does not carry the thing any further.

It is apparent that the nature of policies developed in the Departments of Transport and of Trade and Industry and the Treasury has a huge influence on the extent to which our lives, our economy and our social systems are environmentally sustainable. The Department of the Environment has an influence, but others possibly have even more.

It is clear, however, that the Treasury does not see itself as having anything to do with sustainability. I mentioned on Second Reading a letter that I received from the Chancellor of the Exchequer in which he referred to the failure of his civil servants to attend a meeting of the House of Lords Committee on Sustainable Development. The letter says:

"The Government's strategy for Sustainable Development is the responsibility of my right hon. Friend the Secretary of State for the Environment. I was therefore not persuaded that it would be appropriate for Treasury officials to give oral evidence on the subject as a whole to the Committee on 7 February".

That attitude illustrates the need for mechanisms to ensure that all Departments address the issue each time that they develop any policy initiative. I am pleased to support new clause 1, which at least has the merit of putting a requirement on the statute book.

Mr. Matthew Taylor: I support new clause 1, which has been tabled by the Labour party, but I shall address my comments to new clauses 19 and 27, which my hon. Friends and I tabled, and which have the same aim—to ensure that environmental considerations are integrated into the decision-making process of Departments, Ministers and public bodies.

As it stands, the Bill misses an opportunity to promote the integration of environmental concerns in all areas of government, despite the Government's recognition of the importance of such integration, and despite the White Papers issued on the environment since 1990—the 1994 "Sustainable Development Strategy" and the 1995 UK annual report.

The Secretary of State claimed on Second Reading that the Government had put in place

"perhaps the most comprehensive machinery of government to manage the environment to be found anywhere in the world."—[*Official Report*, 18 April 1995; Vol. 258, c. 35.]

Although the introduction of a Cabinet Sub-Committee on the Environment, the designation of green Ministers in each Department and the sustainable development round table are welcome initiatives, there is little evidence that they have had a significant impact on the integration of environmental considerations across government—certainly outside the Department of the Environment.

Existing mechanisms for achieving environmental integration are inadequate. The Bill provides a chance to establish new procedures to ensure that the environment is put at the centre of the policy-making process. To that end, new clause 19 would require all public agencies to produce an environmental compliance assessment—an assessment that would scrutinise the environmental implications of draft legislation and ensure that information gathered was taken into account in final decision making. That would give the environment a higher priority in decision making, and highlight the environmental impact of decisions that might otherwise be overlooked, such as transport-related pollution resulting from hospital closures.

Placing a duty on all public agencies to provide environmental compliance assessments is not a new concept. Since 1 April 1993, all Departments have produced cost compliance assessments that evaluate the costs of new proposals on the business sector. Such assessments are now routinely carried out. That system was introduced by the Government, and the new clause copies it, but in this case it would ensure that the costs to society from environmental impacts were assessed and addressed in policy formulation.

Many in local government already follow that process in their decision taking, as do several pioneering businesses. I hope that the Government will do the same. I believe that the introduction of environmental compliance assessments would significantly aid the Government's stated aim of ensuring that the environment is considered consistently across government. By accepting the new clause, or at least the principle behind it, the Government could demonstrate that they take that idea seriously.

New clause 27 simply aims to integrate matters in a watered-down manner. It stipulates:

"Each relevant authority may consider the need to protect and enhance the environment"

when making policy or carrying out its functions. If the Minister will not accept a requirement, surely he can at least allow the principle to be taken into account when organisations or the Government take decisions.

Mr. Atkins: It will hardly come as a surprise to the Opposition that I must ask the House to reject new clauses 1, 19 and 27.

I should be happy to cover our record in detail, but perhaps at this stage in our intended discussions hon. Members would not want me to, and it would probably be unwise to do so. However, our record amply demonstrates our commitment to make progress on environmental integration and assessment.

Quite complex issues requiring careful judgments are often raised, and the new clauses would be of little practical value in improving on existing arrangements, but we are not content to rest on our laurels—we intend to consider how we can give added vigour to current arrangements. Each Department already has a green Minister—

Mr. Andrew F. Bennett (Denton and Reddish): The Minister will be aware that the Secretary of State told the Environment Select Committee on 17 May that he hoped that the green Ministers would meet about four times a year, but then admitted that they had not met for seven months. Have they met since then? When does the Minister expect them to meet again?

Mr. Atkins: We have met twice this year and we shall meet again in July. Unlike the Labour party, which has an obsession with meeting and planning behind closed doors, we meet daily as and when matters affect our respective Departments. It is nonsense to suggest that the fact that we have had only two meetings during the year demonstrates a lack of commitment. Whenever issues related to environmental activity arise in the course of various Departments' business, Ministers have a view to express, and they do so bilaterally and multilaterally. That is the sensible way to do things, rather than holding formal meetings.

Ms Ruddock: Did the green Ministers discuss at their meeting the proposal to dump the Brent Spar in the Atlantic?

Mr. Atkins: The hon. Lady must not be mischievous.

Ms Ruddock: The Minister accused the Labour party of meeting behind closed doors. Surely he would not want to be accused of doing the same.

Mr. Atkins: Our meetings are held on a regular basis in the course of the process of government. That does not necessarily require a full turnout of every green Minister every time. The hon. Lady asked about Brent Spar. As she well knows, that is a matter for the Minister of Agriculture, Fisheries and Food and the President of the Board of Trade. It is clear that they are the Departments whence the decisions emanated. When the matter was discussed, my right hon. Friend the President of the Board of Trade told the House exactly what he thought about the situation, and I have nothing to add to that.

I remind the House that it is a long-established part of Government policy that the effects on the environment of existing and proposed policies need to be examined systematically. We committed ourselves formally to doing so in our White Paper, "This Common Inheritance", and we restated and carried forward our thinking in our 1994 sustainable development strategy. We have a green Minister in every Department, whose job it is to ensure that environmental considerations are integrated into the strategies and policies of Departments—a day-to-day responsibility, as opposed to the collective meetings of which I have already said a little.

The hon. Lady made great play of the fact that we have not made a great song and dance about the documents that we have produced. I remind the House that they include "Policy Appraisal and the Environment" in 1990 and "Environmental Appraisal in Government Departments" in 1994, which added to the economic appraisal that has been available for some time in the Treasury Green Book.

I am sure that the hon. Lady will accept that those documents are not everybody's bedtime reading, however important they may be to the process of government. It is

[Mr. Atkins]

in the process of government and within the corridors of power that the booklets have been read, and their influence there has been substantial. To suggest that that is not important seems a little shortsighted to me.

Ms Ruddock: The Minister misunderstands my point. The "Green Housekeeping" report, which I have read, did not seem to have the same Government publicity machine behind it on publication as many other documents. If the Government are serious about integrating environmental considerations into the whole of Government policy, surely they ought to take the public with them. That is the key. The Government should encourage public understanding, information and support for such strategies, and I suggest that they have not done so.

Mr. Atkins: The hon. Lady will recall that, when we discussed the matter in Committee, I made it clear that although we were pushing as hard as we could within the Government estate to be aware of all that should and can be done by various Departments, we did not always meet every objective. Being a reasonable person, she will understand that there are always pressures and difficulties that prevent our achieving some objectives. Some areas are better than others, and some are worse.

A lot of work remains to be done, and my Department, the Secretary of State and I are doing it. The documents to which the hon. Lady refers have been given publicity. They might not have aroused the amount of interest in the tabloids that we might have wished for but, in practice, they have been circulated, there is a lot of interest in them and they have had a lot of effect. It is, therefore, unfair to suggest that they have not done what we anticipated.

Mr. Jon Owen Jones (Cardiff, Central): The Minister will be aware that, last year, his Department published planning policy guidance No. 13 on out-of-town retail developments. One of the reasons for the change was environmental consideration—reducing the number of cars on our roads travelling out of town to shop. Although he claims that Departments co-operate and are integrated, that planning policy guidance document has not yet been published in Wales and does not yet apply there. How, then, can he claim that the Government have an integrated policy and that Departments co-operate and work closely together?

5.30 pm

Mr. Atkins: I said that nothing in this world is perfect. There might be areas of weakness that we need to deal with, and I am grateful to the hon. Gentleman for drawing the House's attention to an area that might need more pressure than it has had to date. I shall convey that message to my colleagues who are responsible for planning matters in the Department, although I am sure that my hon. Friend the Under-Secretary of State, the hon. Member for Croydon, Central (Sir P. Beresford), will have something to say on those matters—if he feels so inclined—later.

I have tried to deal with the concerns that have been raised. I am grateful to the hon. Member for Deptford for the terms in which she moved the new clause and the speed with which she moved it. As I said, however, we cannot accept new clause 1 and I therefore ask the House to reject it.

Ms Ruddock: I simply wish to put it on record that, yet again, the Government have said that they believe in, and seek to do all that is embodied in, the new clause, the requirement of which is extremely simple—to have on the statute book a responsibility to integrate environmental considerations into areas of public policy making.

The Opposition can have no confidence that the Government follow, or intend to follow, that path if they are not prepared to have it enshrined in statute. We know from what has happened during the passage of the Bill—we suspect that it is why the Government will not accept the new clause—that, behind the scenes, much of the Government's commitment to environmental sustainability is challenged by commercial and private interests to which they subscribe and which they seek not to offend.

We believe that environmental considerations must be at the heart of all Government policies. We regret that the Government, who are so keen on cost compliance assessments, do not believe that the same consideration that is given to private financial concerns should be given to the enhancement of the environment.

Question put, That the clause be read a Second time:—

The House divided: Ayes 232, Noes 262.

Division No. 177] **[5.33 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
Gerrard, Neil
Godman, Dr Norman A
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce

Gunnell, John
Hain, Peter
Hanson, David
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hinchliffe, David
Hodge, Margaret
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Ilsley, Eric
Ingram, Adam
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N Wiltshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Reid, Dr John
Robertson, George *(Hamilton)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trimble, David
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Stephen Byers and
Mr. Joe Benton.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Batiste, Spencer
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cthorpes)*
Browning, Mrs Angela
Bruce, Ian *(Dorset)*
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archibald
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter

Lloyd, Rt Hon Sir Peter *(Farnham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'dn S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, Cyril D *(Bexhill)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Simon Burns and
Mr. Michael Bates.

Question accordingly negatived.

Mr. Nicholas Winterton (Macclesfield): On a point of order, Mr. Deputy Speaker. My office is located in Norman Shaw North. A number of colleagues and I encountered a problem on our way out of that building to attend the Division—the security sliding door connecting Norman Shaw North and Norman Shaw South to the Embankment was stuck closed. We could not get out. I am, unfortunately, slightly inhibited by another problem and I must say that I have done myself no good by trying to gallop to the House to attend the Division. Could something be done about that thoroughly unreliable and, I believe, now unnecessary security apparatus, which is extremely inconvenient to hon. Members? The door might have caused members of all political parties to fail to get to the previous Division in time and they, therefore, might have demanded of you a fresh Division.

Mr. Deputy Speaker: I shall arrange for the problem to be investigated. The hon. Gentleman's remarks make me realise how wise I was to allow an extra minute for the Division.

New clause 3

GUIDANCE ON COSTS AND BENEFITS

'.—(1) The Secretary of State shall, upon the passing of this Act, prepare a Report (*Costs and Benefits in the Environment Act 1995*) to be laid before each House of Parliament which shall contain guidance on the role, definition and usages of the terms "costs" and "benefits" as they occur in this Act.

(2) In preparing the Report, the Secretary of State shall consult with, and have regard to, the opinion and recommendations of—

(a) the Royal Commission on Environmental Pollution,

(b) the House of Commons Select Committee on the Environment,

(c) the House of Lords Select Committee on Sustainable Development, and

(d) The Prime Minister's Panel on Sustainable Development,

as to the content and conclusions of the said Report.

(3) No powers or duties conferred by this Act which entail any assessment of costs or benefits shall come into force until the Report required in subsection (1) above, has been laid before and approved by a resolution of each House of Parliament.'.—*[Ms Ruddock.]*

Brought up, and read the First time.

Ms Ruddock: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss also the following amendments: No. 29, in clause 38, page 33, line 13, leave out clause 38.

No. 3, in clause 38, page 33, line 19, leave out from 'account' to end of line 6 and insert

'any ministerial guidance as to the likely costs and benefits of the exercise or non-exercise of the power or its exercise in the matter in question, where such guidance exists.'.

No. 252, in clause 38, page 33, line 25, at end insert—

'(3) Nothing is this section shall be construed as implying a requirement on the agencies to use cost-benefit analysis in order to arrive at any decision.'.

Ms Ruddock: The new clause is an attempt to challenge the Government's repeated assertion that cost-benefit considerations in respect of the Environment Agency's functions can properly be enshrined in statute without detriment to environmental protection. It is grouped with alternative proposals relating to guidance and an amendment that would delete clause 38.

I say at the outset that deletion of clause 38 would be our preferred course of action. Similar sentiments are clearly expressed in amendment No. 252, which we also support. That feeling unites not only the Opposition parties but every major conservation and green pressure group in the country. The issue has given cause for concern, which was publicly expressed by the Royal Commission on environmental pollution, the Prime Minister's panel on sustainable development and the Environment Agency advisory committee.

The crux of the matter is that the Environment Agency has been given a principal aim of protecting and enhancing the environment, yet, under both clause 4 and

clause 38, which was formerly clause 37, it has a duty to have regard to "costs" and "benefits". Indeed, in Committee, the Minister said that he believed that clause 37 applied to clause 4. Those debates have caused a great deal of uncertainty, a sense that the agency's principal aim could be subordinated to cost-benefit analysis and a feeling that the draft guidance and ministerial answers to date have only added to the confusion.

New clause 38 would require the Government to face up to the problem that they have created. It requires the Secretary of State to consult his own experts—the Royal Commission on environmental pollution, the House of Commons Select Committee on the Environment, the House of Lords Select Committee on Sustainable Development and the Prime Minister's panel on sustainable development—and then to produce a report containing guidance on the role, definition and usages of costs and benefits. That is a wholly reasonable proposition. Surely the Government should not place a duty on the new Environment Agency unless they can explain how that duty should be put into effect.

Our concern, and that of the Council for the Protection of Rural England and of Greenpeace, which have both taken counsel's opinion on the matter, is that a duty on the face of the Bill will expose the agency to legal challenge by way of judicial review. Costs to industry are easily calculated. Costs to the environment are not. Even if cases do not reach the courts, there is a real danger that the new agency will be constrained in seeking to impose requirements on polluters where considerable cost might be anticipated. The environment stands to be the loser.

Many organisations have pressed briefings and questions on hon. Members for this debate. I trust that the Minister will answer them directly tonight, even if he will not accept the new clause. I wish to repeat only a couple of the questions posed by the World Wide Fund for Nature.

Will the Minister assure us that environmental protection and enhancement will be at the heart of all the Environment Agency's functions? Will he assure the House that costs and benefits will not be the sole criteria by which the standards and targets to be achieved by the agencies will be set? *[Interruption.]*

The Minister is replying in the affirmative from a sedentary position. I am delighted that he does so, but I would much prefer it if he put his answer more fully on the record. Does he agree that, while costs and benefits are appropriate in guidance, they should not be used as a decision-making process in their own right? They should be used instead to seek cost-effective means for achieving standards rather than determining what those standards should be.

We believe that the fact that the overriding duty of the new agency is to be hedged around with cost-benefit considerations is another example of how commercial interests have been allowed to undermine the fundamental purpose of the Environment Agency. We press the Government, even at this late stage, to hear the force and weight of contrary opinion and to remove that constraint on the Environment Agency before it is too late.

Sir Kenneth Carlisle (Lincoln): This subject was much debated in Standing Committee and I think that it is right that we should debate it again. However, that is in the context of a Bill that has very clear environmental aims and that, in my view and in that of all the members of the Standing Committee regardless of party, contributes much to the environment. In considering this rather contentious subject, it is worth bearing in mind the fact that the thrust of the Bill is to give the agency duties to protect or enhance the environment. New clause 3 should be seen in that context.

In Standing Committee, I said that I thought that it was absolutely right that an agency of this nature should have regard to proper cost-benefit analysis. After all, in coming to a conclusion about any difficult decision, it is perfectly reasonable and right to consider all the facts objectively and to try to understand them. That, of course, means considering the costs. It is quite wrong for a responsible body to take action without understanding the cost. However, benefits are also important and environmental benefits, especially for an agency such as this, are absolutely crucial.

In Committee, we understood and debated the difficulty of costing benefits when they are intangible. How, for example, does one cost the destruction or creation of an ancient woodland? How does one cost the maintenance of an ancient water meadow which cannot be restored were it to be destroyed? Those are some of the difficult factors against which it is almost impossible to put facts and figures.

In the Department of Transport, for example, there were huge efforts to try to work out the environmental costs of a road scheme. It was generally thought, after much study, that they could not be properly costed but that they had to be taken into account. Therefore, the Government have a clear duty to give guidance about things that are difficult to cost and of great environmental value so that they can be properly taken into account.

I agree with the hon. Member for Lewisham, Deptford (Ms Ruddock) that, to a certain extent, the Bill sends conflicting signals. It places a duty on the agency to protect and enhance the environment but it also contains a cost-benefit clause. I therefore have some sympathy with new clause 3, which provides that the Government should give guidance to the agency on how it is to deal with the cost-benefit analysis. I was struck by a briefing from the Royal Society for the Protection of Birds, which regards a cost-benefit analysis as a useful tool but asks that it should be put in its proper context and for proper consideration to be given to the environment.

I hope that the Minister will tell us how the Government are going to advise the agency to take environmental factors into account so that the proper purpose of the Bill can be achieved but the value of the cost-benefit analysis retained. We seek an objective understanding of any actions taken but want proper protection and improvement of the environment included in the equation.

6 pm

Mr. Tipping: Since we discussed the issue in Committee, I have received a document called "Plan It" which was produced by the Nottingham Youth Environmental Forum 1994. It is subtitled "The Essential Guide to Saving the Planet", and a third heading reads "Saving the World Starts Here". It was launched last month by a group of young people in Nottinghamshire, and I commend it to the Minister because it goes to the very heart of the matter.

The young people in question focused on real examples, such as the cost of a new road and how that road affects the environment. They focused on the cost of

[Mr. Tipping]

protecting an important wildlife site and have borne in mind the need to balance costs and benefits and the need to balance accountancy costs with the desire to save the planet. It is easy to account for the cost of a new road in financial terms but, as the hon. Member for Lincoln (Sir K. Carlisle) pointed out, it is much more difficult to put a cost on the destruction of ancient woodland.

I know that the Government are aware of the matter, but my anxiety is caused by the fact that the discussion has only just started. We are in the very early days of saving the planet and balancing the important arguments. I know that the Minister has issued guidance but I do not feel that he has taken the debate much further.

We need to examine closely new techniques about the cost and value of lifting the landscape and environmental improvement. They are key issues, ones on which the young people of Nottinghamshire have focused. Again, I commend their document to the Minister because it goes right to the heart of the matter. As it is "The Essential Guide to Saving the Planet", I have no hesitation in sending it to him and asking him to consider the views set out in it.

Mrs. Helen Jackson (Sheffield, Hillsborough): As the Minister will know, the new clause deals not with whether costs and benefits should be recognised by the Environment Agency as important considerations but with whether it is better to include them in ministerial guidelines to the agency or in the Bill. The new clause should be accepted because, if it is not, when there is a query about a pollution incident that needs remedial action, the tendency may be for the polluter to look to the accountant to draw up reasons why the company cannot afford the remedial action instead of looking to its policy development officer to work constructively with the agency to find ways to reduce or remove the pollution. Polluters have to take an important decision. A duty included in the Bill may mean that the agency rather than the polluter could end up in the dock in court.

Since we discussed the matter in Committee, I have received parliamentary answers relating to the enforcement aspects of the existing agencies—Her Majesty's inspectorate of pollution and the National Rivers Authority—and the frequency and success of the court actions that they have undertaken in the past three years. In a written parliamentary answer relating to HMIP, which undertook 38 court actions in the past three years, the Minister said:

> "When considering what level of enforcement action to take, HMIP considers not only the environmental consequences and operator culpability"

but how to ensure that

> "remedial action to prevent a recurrence is carried out."—[*Official Report*, 23 May 1995; Vol. 260, c. *524*.]

That is good, but the cost-benefit clause means that when HMIP becomes part of the environmental agency, it will also have to take into account the potential costs or otherwise to the polluter before it considers whether to take enforcement action. That is an unreasonable burden to place on the new agency.

If there is a problem for the HMIP side, there is much more of a problem for the NRA side. The NRA undertook not 38 court actions in the past three years but 830, from which the Treasury gained £3 million in fines. The success rate was very high. Of the 830, 789 were successful; 100 were against water and sewerage undertakers and resulted in fines totalling £500,000.

Are the Government really saying that the enforcement actions of their own agencies have been too successful? Are they saying that the NRA has been unfair to water companies such as Yorkshire Water, which was taken to court 11 times in 1993 and fined £100,000 from its several million pounds worth of pre-tax profits? Are they saying that that was unjust to the polluters?

If that duty is included in the Bill, it will not only weaken the enforcement powers of the agency but will cause delays because of the extra time that the agency will have to take to consider the costs properly before it takes enforcement action. It will also increase the likelihood of the polluter going to litigation rather than taking remedial action on the basis of consensus with the agency, which is what I believe members of all parties on the Committee were driving at.

Mr. Sam Galbraith (Strathkelvin and Bearsden): Like my hon. Friend the Member for Sheffield, Hillsborough (Mrs. Jackson), I stress that we are not opposed to a cost-benefit analysis being undertaken because it is appropriate. Our objection to the cost-benefit analysis being written into the Bill is, as the hon. Member for Lincoln (Sir K. Carlisle) said, that it produces conflicting advice. On the one hand, the agency has a duty to protect and enhance the environment but, on the other, it has a duty to take into account the cost-benefit analysis.

That conflicting advice is bad enough for the Environment Agency, but it creates an even greater problem for the Scottish Environment Protection Agency. Whereas the Environment Agency has a duty to protect and enhance the environment, according to clause 38, SEPA has only to "have regard to" the desirability of conserving and enhancing the environment. It has a rather vague duty under clause 38, but under clause 37 it must take into account the cost-benefit analysis. I think that that negates much of the Bill's impact. It sends out conflicting signals and the resulting conflicts will be tested in various ways, not least through the courts.

The second reason why I do not think that the provision should be on the face of the Bill is that it is not yet a tested method of analysis. The Minister said in Committee that there had been on-going work in that subject and that perhaps properly worked out methods were around the corner. I am not so sure about that. It is clear that there are no good, hard-and-fast methods of assessing cost-benefit analyses. The methods will change from day to day and from year to year and, therefore, they should not be written into the Bill. We do not want to change the statute constantly, so the provision should remain in the form of ministerial guidance which can be altered.

Let us return to the example of the black-throated divers, which became famous in Committee. As I see it, a cost-benefit analysis involves an assessment of cost to business or someone else on one side and benefit to the environment on the other. The black-throated diver is under threat from eutrophication and acidification, among other things. We can work out the cost of eliminating acidification, but if that is the cost of saving the black-throated diver, how could one then work out the benefit of saving the black-throated diver and, finally, arrive at a cost-benefit analysis? If the Minister can answer that question I may go some way towards agreeing with him.

I should like to know how to work out the cost-benefit analysis in the case of the black-throated diver. I think that that would be very difficult to do and, therefore, I think that the measure should remain in guidance form so that we may examine it again when the methodology develops further. For those reasons, I urge the Minister to adopt the new clauses.

Mr. Matthew Taylor: Clause 38 has been a fundamental issue of concern from an environmental perspective throughout the consideration of the Environment Bill. On the face of it, the requirement to have regard to costs and benefits looks entirely reasonable. However, as hon. Members in all parts of the House have pointed out, the practicalities are another matter. I do not believe that Ministers have addressed the concerns successfully at any stage because there is no answer to the fundamental concerns about that issue.

In Committee, the Minister admitted that many of the concerns raised about clause 38 would be unacceptable to the working of the agencies. He agreed

"that it would be unreasonable to require the Agencies in every case to undertake vast examinations of all possible costs and benefits and that a requirement on the Agencies always to demonstrate that the benefits outweigh the costs before they could act would be both damaging and unworkable".

He also agreed

"that it is essential to avoid a position in which the Agencies are unable to exercise their judgment or are obliged to exercise it in ways that give undue weight to short term or financial cost for fear that they would be unreasonably exposed to challenge in the courts."—[*Official Report, Standing Committee B*, 18 May 1995; c. 283-84.]

While agreeing on those points, the Minister failed to explain at any stage how to avoid that situation. It is the first time in legal history that statutory environmental agencies are being charged with a duty to place cost considerations ahead of the environment in the decision-making process. No other environmental agency—whether it is the National Rivers Authority, English Nature or the Countryside Commission—has that statutory requirement. The Minister has not produced any examples of where that has been a problem in practice and he has not given any examples of how the application of a cost-benefit analysis would have led to a different conclusion.

6.15 pm

I believe that the duty may open up the agencies to judicial review. Constant legal challenge to the agencies—whether from environmental or industrial interests—would undermine the possibility of their operating satisfactorily. In response to that concern, Ministers have argued that the likelihood of judicial review is slight given alternative appeal mechanisms. Frankly, being bogged down with alternative appeal mechanisms will not resolve the problem satisfactorily—particularly when that process could end in judicial review at enormous cost to the agencies.

As many hon. Members have argued already, Ministers have not explained how environmental—as opposed to financial—benefits and costs can be measured properly. I will not elaborate on that argument because it has been well made today by many hon. Members—including the hon. Member for Lincoln (Sir K. Carlisle). A cost-benefit analysis may be useful in circumstances where it is possible to identify the costs and the benefits, but overwhelmingly the agencies will be dealing with matters where that is not the case.

It goes even further than that. When it is possible to identify environmental costs and benefits, it is likely that the financial costs and benefits will be taken more seriously. The Government inquiry "Next Steps New Agencies" makes that point, and notes:

"Financial targets are given a much higher priority. This appears when New Agencies wish to invest in order to improve quality. Chief Executives do not always feel allowed to make such investments. Furthermore, they believe they are only judged on the result of financial targets".

The guidance issued by Ministers recognises that problem. It states:

"it is not always possible to quantify the value of improvements or losses to the environment. Moreover, it is not always obvious what the environmental impact of a decision will be, even in physical terms".

Having noted that problem, however, the guidance fails to set down any solutions. It does not set down factors which should be taken into account when setting agency criteria and objectives. The importance of using the best available science is mentioned in respect of risk assessment, but a clear and more widely applicable framework is not included in the guidance or the Bill as a duty of the agencies. As there is no accepted methodology, it remains more an art than a science. Therefore, I do not believe that it will work in practice and it certainly should not be applied as a statutory duty on the agencies.

The costs and benefits which must be taken into account may also get bogged down in individual detailed decisions. Will they apply to individual cases or will they apply only to overall policies and strategies? The Minister, whose comments I quoted earlier, seemed to accept that it would be impractical for the agencies if they were to apply in every individual case. However, clause 38 refers to particular cases and the guidance refers to the impact on individual companies and industry sectors. That suggests that the Environment Agency will be expected to apply cost-benefit considerations case by case in exercising its powers.

Does that mean that the Department of Trade and Industry will offer advice about how to cost the value of water for every possible use so that the agency can assess the costs and benefits to individual companies and industry sectors as required by the guidance? If the agency must rely on information that is provided by the company or the individual concerned, how will it assess the accuracy of the information supplied? I do not see how a statutory duty to take costs and benefits into account can realistically be placed upon the agency, especially if it requires that sort of detail.

If the Government refuse to delete clause 38, they should at least place a duty upon the agency to take the "best practicable environmental option" in discharging its duties, using its powers or pursuing its objectives. While cost-benefit analysis has a role in the work of the agency, it should be used only to find cost-effective ways of implementing agreed standards and not for deciding what those standards should be. That distinction should be made clear in the Bill and the guidance.

The Government should ensure that other criteria also play a part in setting the standards and targets to be achieved by the agency. Cost-benefit analysis can only

[Mr. Matthew Taylor]

be part of a multiple-criterion system. Without that, the Minister and the Government remain guilty of seeking to apply cost-benefit analysis for the sake of looking good to their business sponsors, without having explained to the House the way in which it will work or considered the way in which it may affect those business sponsors.

As I have argued previously, the environmental movement may have a greater interest than business in pursuing some of those issues. It wishes to test the effect—which may be detrimental—of cost-benefit analysis on the environment, whereas business hopes to benefit from it.

Mr. Dafis: I wish to associate myself very strongly with the anxieties that have been expressed about clause 38. I wish to support the spirit of amendments Nos. 29 and 3—and amendments Nos. 13 and 14, which originated from the Liberal Democrat Benches, but which were not selected. I shall speak to my amendment, No. 252, which would provide a useful safeguard if the Government were to insist on retaining clause 38. It is obvious to me, as it is to other people, that the consideration of the costs and benefits of any action is simply a matter of common sense. Of course costs and benefits should be considered. Obviously, it would be absurd to go to enormous cost to achieve an insignificant environmental benefit.

I welcome some of the statements that have been made by the Secretary of State about the issue of costs and benefits, because he has emphasised a new interpretation of them, different from the one with which we have become familiar. Rather than emphasising the need for environmental benefits to be justified in terms of economic cost, he has emphasised the other approach—the need to consider carefully whether any economic benefit can be justified in terms of the considerable environmental cost that it might entail. That is a useful interpretation of the idea of costs and benefits. It has contributed to a fuller understanding of the subject. However, I would strongly question, as others have done, the need to state on the face of the Bill what is a matter of common sense.

I wish to go further, and consider the issue of cost-benefit analysis as distinct from merely considering costs and benefits, because it is not quite the same thing. I have grave reservations about the use of cost-benefit analysis for any purpose. I regard it as a spurious sub-discipline of conventional economics, attempting to encompass considerations that properly belong to the fields of natural science and ethics.

Conventional economics is in deep trouble these days, and it has great difficulty coping with the revolution in understanding that environmental politics brings to us. So there it is, trying to encompass that difficulty, or to modernise itself, as it were, by inventing what I regard as a spurious sub-discipline. It does so by monetising considerations which cannot and should not be quantified in monetary terms, because to try to do so produces ridiculous distortions and wrong decisions.

I shall mention a couple of examples. One is the way in which the Welsh Office highways directorate considers road schemes and uses cost-benefit analysis. The Welsh Office approach to that has been very effectively demolished in the Council for the Protection of Rural Wales document, "Wales Needs Transport not Traffic", which merits careful study. Specifically, that document says:

> "The only way environmental costs enter the equation"—

in the cost-benefit analysis—

> "such as the damage done to a site of special scientific interest or an area of outstanding natural beauty, is as a capital cost of land acquisition. Because such sites are often of poor agricultural quality, this cost is usually low, when it should be very high."

Even worse, the cost of acquiring an SSSI is actually reduced because the designation as an SSSI imposes constraints on the possibility of development, so it reduces its development value, reduces its market price and, in a perverse way, creates an incentive to put a road through it. That is an extraordinary situation.

It might be argued that the way to correct that is to place a monetary value on the scientific or aesthetic worth of the SSSI or the area of outstanding natural beauty. However, the question is how to do that, and the fact is that it cannot be done. Any attempt to do so will merely give spurious objectivity to an assessment that cannot be subject to objective measurement. The aesthetic or scientific value of an SSSI is not subject to objective measurement.

Some time ago, I discussed a far worse example of the use of cost-benefit analysis—as I trust that one of the Ministers will remember—in the Adjournment debate that I initiated on climate change. I have had correspondence with his Department following that debate. Cost-benefit analysis is being used by economists in the United Nations intergovernmental panel on climate change to consider what actions might be appropriate to tackle global warming. That research is being given international credence and is partly funded by United Kingdom public moneys. In the process, it is being suggested that the cost to American gross domestic product caused by reducing automobile production in order to reduce greenhouse gas emissions is greater than the benefit of saving Bangladeshi farmland, on which many thousands of people depend for their subsistence.

Even more serious, and scarcely credible, but nevertheless true, is the fact that the IPCC economists, some of whom are UK economists, are ascribing differential values to human lives and feeding calculations based on such valuations into the consideration of whether specific actions are cost-effective and therefore worth implementing. Typically, an American life is valued at 10 times a Bangladeshi life. That is in the documentation—that is the type of thing that is going on. The Secretary of State, to his credit, is on record as rejecting that opinion. He stated in a question session that he believed that all human lives were of equal value. It is nice to have that type of confirmation.

The question is whether the clause requires the use of cost-benefit analysis. Unfortunately, the draft ministerial guidance to the Environment Agency gives its approval to the use of that spurious sub-discipline. It says:

> "The use of risk analysis techniques and formal cost benefit analysis may be a useful aid to such consideration in appropriate cases."

I do not believe that it is, although the guidance goes on to qualify that in a way that I welcome. It says:

> "Costs and benefits which are unquantifiable or which cannot readily be given monetary valuations should also be considered".

It therefore suggests that cost-benefit analysis is done first, and then one considers the environmental value separately from the cost-benefit analysis. In those circumstances, what validity does the cost-benefit analysis

have? In any case, it falls well short of discrediting cost-benefit analysis as a valid academic discipline, which is what is needed.

The dangers of applying cost-benefit analysis to the duties of the agency are illustrated by an example provided today in a briefing document by the Royal Society for the Protection of Birds. It mentioned that a cost-benefit analysis study was commissioned by the National Rivers Authority to consider options for tackling a loss of about £15,000 per year of winter wheat as a result of flooding in Kent. The cost-benefit analysis led to the conclusion that the installation of a land drainage pump at the outfall of the Capel Fleet—I assume that that is a river—should be carried out, at a cost of £250,000. The key is that that decision—to take action—was arrived at by including no costs to the environment and no benefit to the environment from pursuing the option of creating wildlife habitats.

Mrs. Anne Campbell (Cambridge): Perhaps the hon. Gentleman will consider also the Brent Spar disposal. After careful consideration, Shell reached the conclusion that deep-water disposal would cost £12 million and that horizontal dismantling would cost £46 million. That did not take into account the environmental effects of having a structure such as the Brent Spar, full of toxic waste, in deep water. Does the hon. Gentleman regard that as another valid example of cost-benefit analysis not creating the right picture?

6.30 pm

Mr. Dafis: I am not sure that Shell carried out a cost-benefit analysis which included environmental considerations. Shell is now claiming that the environmental damage of bringing the Brent Spar to shore is likely to be greater than sinking it. That should all have been considered at the outset, to see whether the Brent Spar could be designed so that it might be brought ashore in an environmentally acceptable way. That raises the question of whether oil should be extracted from deep-sea sources, thereby ultimately creating an environmentally impossible situation.

If the Bill must contain a reference to cost benefits, as the Government believe, new clause 3 should also protect the agency from the requirement to use that spurious discipline. I urge the Government to accept the amendment as an addition to the clause and not a requirement to be deleted.

Mr. William O'Brien (Normanton): The amendment seeks to improve the Bill, which grew each time it was debated in Committee in another place and in this House. More and more amendments were made and new clauses added, so that the Bill is now one of the largest that the House has enacted for some time. It devotes more pages to schedules than to clauses, and much of the information that it contains will have to be studied by the companies, industry, local government, commercial organisations and even individuals who will be affected by the Bill in some way. We want the Bill presented in such a way that the public will enjoy the full benefit of the legislation.

We in the Opposition do not oppose the principle and spirit of the Bill. There is much merit in the agency arrangements, but we are concerned about the agency's duties and responsibilities. We are not against assessing the cost of schemes, but how are they to be decided? To leave the Bill in its present form will not help the organisations which will have to analyse costs and compare benefits.

The amendment requires that before any scheme is considered, the Secretary of State—after consulting the bodies involved—will present a report to Parliament so that it will have an opportunity to consider the costs and benefits. That constructive approach will assist everyone and allow the legislation to work properly, by making available information affecting communities.

Reference was made to motorways and motorway construction. I have a particular interest in the diversion of the A1 in my area. I would prefer the principle embodied in the Bill applied to that proposed road development because the public would then be able to understand the real implications, compare costs and analyse different schemes that will influence the environment and the health and destinies of individuals. The public would then be able to study the changes proposed by the agency in realigning the A1 to Ferry Bridge.

New clause 3 is significant and important. The Minister would do a service to the House and to the nation by carefully considering the new clause and the points made by hon. Members in all parts of the House, including the hon. Member for Lincoln (Sir K. Carlisle), who expressed favour for it. All hon. Members who have spoken have offered new evidence for accepting new clause 3.

Our personal experience and knowledge of work involving changes to the environment which have caused damage in many areas prompts us to enter the plea that new clause 3 is constructive, will help the Bill and will benefit the people who have to administer the legislation. I fear what might happen if a proper, sincere and constructive approach to analysing costs and environmental benefits in schemes such as the A1 to Ferry Bridge is not taken. That would be doing a tremendous disservice to communities.

There is merit and value in new clause 3. It is not a wrecking clause and it will strengthen the Bill. I ask the Minister to accept the new clause and to acknowledge its value to the Bill.

Mr. Nick Ainger (Pembroke): It has been said that, because of the way in which clause 38 is worded, it is likely that we shall see a rash of judicial reviews. My constituency has not produced such a rash so far, but one of my constituents, Mr. Toby Chapman, has been given leave by the High Court to seek a judicial review of a decision made by Her Majesty's inspectorate of pollution. We know that HMIP will shortly become part of the new Environment Agency.

The issue on which Mr. Chapman is seeking judicial review touches on the benefits element of the cost-benefit analysis, which was so interestingly discussed and examined by the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis). It bears on a decision following an application by National Power to convert Pembroke power station to burn emulsified fuels.

The application was received by HMIP in August 1994. It took HMIP about five months to arrive at the best practical environmental option and BATNEEC—best available technology not entailing excessive cost. After about five months of deliberation and periodic review of recommendations within HMIP, the decision was made that flue gas desulphurisation was BATNEEC, but that

[Mr. Nick Ainger]

gasification was the best practical environmental option. However, as costs had to be taken into account, it was decided to proceed by reviewing the flue gas desulphurisation proposal and discounting gasification.

My constituent, Mr. Chapman, believes that, because health issues were not taken into account, so he says, by HMIP, there should be judicial review of its decision.

The details of the issue are quite complex, and it is interesting that HMIP has welcomed a judicial review. It will be the first time that its processes will have been tested. Unfortunately, the issue will be tested by a judge. I am not sure of his environmental background and his knowledge of cost-benefit analysis. Although we have judicial review, perhaps it is not the best method to review decisions made by HMIP or, in future, by the Environment Agency.

The new clause refers to the Royal Commission on environmental pollution, the Select Committee on the Environment, the House of Lords Select Committee on Sustainable Development and the Prime Minister's panel on sustainable development. All these organisations represent experts in their own areas. They can give advice and make recommendations on cost-benefit analysis. The issue would not be left, as I fear it will be in Mr. Chapman's case, for determination by a judge.

I take that view no matter how well versed the judge may be in law, and irrespective of what he may have been able to pick up on the side on environmental issues. I think that everyone would accept that a judge is not the best person to arrive at a judgment in this instance.

I urge the Minister to accept that the new clause is sensible and should be inserted in the Bill. I fear that, in future, the new agency will be tied down by a rash of judicial reviews because of the way in which clause 38 is worded.

Mr. Atkins: It became apparent during consideration of the Bill in Committee that two members of the Committee had made significant contributions to our debates. One of them was my hon. Friend the Member for Lincoln (Sir K. Carlisle), who spoke with great authority on many issues. I listened most carefully, therefore, to his interventions in Committee. Secondly, the hon. Member for Normanton (Mr. O'Brien) always spoke with sound common sense. I found myself, as I know did many of my colleagues, agreeing with almost everything he said this evening, until he reached his conclusion, which seemed to be an illogical turn-about bearing in mind what he had said previously.

No clause has been so misrepresented as clause 38.

Mr. Matthew Taylor: By whom?

Mr. Atkins: By Opposition Members as much as anyone else.

Bearing in mind the comments that have been made, one might be forgiven for thinking that clause 38 represents a radical attack on environmental protection, including an attempt to replace environmental analysis and the precautionary principle as a basis for setting standards, with cost-benefit analysis to demonstrate that the short-term value, in terms of money, of benefits, will always outweigh the costs before action can be taken.

Ms Ruddock: Will the Minister give way?

6.45 pm

Mr. Atkins: I shall always give way to the hon. Lady, but I would like to get a little way into my speech. If the hon. Lady insists, I shall give way.

Ms Ruddock: I do insist. I am extremely grateful to the Minister for giving way. Before he goes any further, I want him to acknowledge that there is no precedent, and that HMIP does not work under the same conditions. Indeed, the National Rivers Authority never worked under the same conditions. English Heritage, English Nature and the Countryside Commission, all of which are key environmental bodies with which the Government have worked, have not worked under the same conditions. The conditions that we are discussing are unique.

Mr. Atkins: We know that, in Committee, the hon. Lady quoted from briefs from various organisations, all respectable ones that had a great part to play in our proceedings, and made great play of their views. I shall deal with as many of the matters that she has raised as I can.

It is suggested that clause 38 is a Pandora's box, in that any action taken by the agencies could be challenged for the first time in the courts if they, the agencies, could not demonstrate in each instance that the most comprehensive cost-benefit analysis showed beyond reasonable doubt that the action was justified in monetary terms. No doubt we could have an interesting debate about the consequences of adopting such an approach, but it would not be relevant to our consideration of the clause. As was repeatedly made clear in another place and in earlier consideration in this place, there is not that form of duty under clause 38.

In essence, what clause 38 requires is simple. First, it imposes a duty on each agency to consider costs and benefits. Secondly, the clause is limited to those cases in which the agency properly has discretion. Thirdly, it requires the agency to use its discretion in a reasonable way.

The clause gives the agencies considerable and necessary discretion in determining how consideration is best undertaken in the prevailing circumstances. It does not require them to undertake cost-benefit analysis in each case, or to demonstrate a particular balance before they act. It does not place cost-benefit analysis above or in place of environmental assessments. The Government recognise the importance of longer-term and difficult-to-quantify environmental effects.

In short, far from weakening environmental protection, the new duty is an essential element in helping both the regulator and the regulated to focus on environmental priorities in the context of sustainable development, and to avoid misallocation of resources through inappropriate regulatory action.

Ms Ruddock: Will the Minister clarify for me whether he thinks that what he has just said means that the agencies will set their corporate objectives bearing in mind the cost-benefit requirement?

Mr. Atkins: I see no reason why the agencies should not set their corporate objectives in that way. Why does the hon. Lady think that that should not be the case?

Ms Ruddock: I am seeking clarification from the Minister. It is his proposal that we are discussing. It seems possible that the corporate objectives of the agencies

could be set with regard to the cost-benefit requirement. In our view, the corporate objectives of the agencies should be about enhancing and serving the environment.

Mr. Atkins: We have had long debates on Second Reading and in Committee on this issue. I have made it clear on every possible occasion that at the forefront of the Government's mind, and that of the Department of the Environment and eventually those of the agencies, will be environmental considerations. They cannot do that without taking account of costs and benefits. That is the crucial difference between the Government and the Opposition.

Mr. Michael Jopling (Westmorland and Lonsdale): I have been approached by the Wildlife Trust for Cumbria, which has expressed some concern about this issue. It asked me to obtain assurances from the Minister that, in five, 10 or more years from now, the work of the agencies will bring about a better future for Cumbria's wildlife. My impression is that that will happen, but I should be grateful for the Minister's assurance that that is his view.

Mr. Atkins: I can say yes on two counts, and not only because I would be in dereliction of my duty if I did not accede to my right hon. Friend's request and his continued representations on the lake district, one of the most lovely parts of England. Secondly, I can say yes because, as my right hon. Friend correctly concludes, the Bill sets out just that objective. I have no doubt that, when it becomes an Act, my right hon. Friend's concerns and those of his constituents will not be realised, because the Act will address the matter in strong terms.

Sir Kenneth Carlisle: Perhaps my right hon. Friend can enlighten me further. If, next year or the year after, the agencies start to do a cost-benefit analysis which leaves out conservation issues and does not enhance the environment or follow the line that my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) has raised, will the Government be able to instruct the agencies to take far greater account of the desirability of conserving and enhancing natural environmental beauty; or will they not be able to influence the agencies at all?

Mr. Atkins: My understanding is that we could accede to that request. The Government could certainly bring some pressure to bear, and would do so if we felt that my hon. Friend's concerns and mine were not being recognised.

Mr. Dafis: I should like some clarification about the way that the cost-benefit process will be undertaken. The guidance mentions cost-benefit analysis. May I take it that, if the process is used at all, a formal analysis will consider matters that are quantifiable in money terms? If that analysis shows that a measure may not be justified in cost-benefit terms, will the less quantifiable or non-quantifiable considerations subsequently be brought to bear, so that they might overturn the consequence of the outcome of the cost-benefit analysis? The point that I am trying to make is that there is a difference between cost-benefit analysis and a consideration of costs and benefits.

Mr. Atkins: I take the hon. Gentleman's point, but I do not agree with it. We consistently and continuously made it clear on Second Reading and in Committee that, while environmental considerations are at the forefront of what the agencies must do and what my Department is doing, we cannot proceed without considering costs and benefits.

Mrs. Anne Campbell: Will the Minister give way?

Mr. Atkins: I should like to make some progress, because I have been stuck on the same paragraph for some time.

Mrs. Campbell: My question is on the specific point that the Minister is dealing with.

Mr. Atkins: I give way to the hon. Lady.

Mrs. Campbell: Many Opposition Members are concerned about costs and benefits being weighed against environmental benefits in a way that we do not think will be fully beneficial. Is one of the reasons for the Minister's approach the fact that his Department is working on what it calls an integrated environmental index, which intends somehow to combine costs with some environmental factors? I do not find that reassuring, but perhaps the Minister could say how his Department or HMIP is thinking about this issue.

Mr. Atkins: I intended to mention that matter, but as the hon. Lady has asked about it, I shall deal with it now. I said in Committee that, in 1991, my Department issued a guide called "Policy Appraisal and the Environment". There was a follow-up in 1994 illustrating its applications to specific cases, and it was entitled "Environmental Appraisal in Government Departments". Also relevant is a document entitled "A Guide to Risk Assessment and Risk Management for Environmental Protection", which we published earlier this month.

As I said in Committee, the National Rivers Authority has developed a manual on the assessment of costs and benefits, which it currently applies when, for example, assessing proposals for water quality standards. Hon. Members, including the hon. Member for Cambridge (Mrs. Campbell), have regularly pressed me for greater precision and specification in the requirements that are to be incorporated in the Bill. However, it is important to appreciate that, the more precise and detailed a requirement is, the greater the inevitable risk that it will prove inappropriate in a particular case. The risk that the agencies will be open to challenge for failing to pursue that procedure will follow.

I have made it plain why the Government are not prepared to delete clause 38. Much as Opposition Members may deny it, it is hard to see amendment No. 3 and new clause 3 as anything other than delaying tactics to avoid the early introduction of the duty. They certainly show a lack of confidence in the ability of the new agencies to use their judgment and professional expertise in dealing with a reasonable requirement, and their wide discretion on discharging their duties.

There is an erroneous belief among Opposition Members that somehow there is a generalised right way to take account of costs and benefits, and that it can be applied to all the circumstances that the agencies will face. They also think that it could be discovered if only there was sufficient prior effort and consultation. That is simply unrealistic.

As I said earlier, considerable work has been done on this matter, and I do not think that any technique will be equally applicable in every circumstance. Clause 38 implicitly recognises that the agencies must be able to exercise their judgment on what sort of consideration is appropriate in any particular circumstance. That is likely

[Mr. Atkins]

to lead to a modest and desirable evolution rather than a single sudden shift in the way that the agencies approach their tasks compared with their predecessor bodies.

Ms Ruddock: Given what the Minister has just said, why does he not accept our view that these matters should be the subject of guidance? He has clearly stated that this so-called science is utterly imprecise, and he has given every reason why agency decisions should be subject to judicial review. He must agree that this is not a proper matter to put in the Bill. I repeat that it would be unique to do that.

Mr. Atkins: The hon. Lady is obsessed with judicial reviews. I have tried to explain that the agencies will be allowed wide discretion. If matters are made more precise and specific, there is a likelihood that more judicial reviews will be held than were conducted in the past. What I said in Committee bears repeating. I remind the hon. Lady that I said:

"All challenges by way of judicial review require leave to be given by a judge. If they are unsuccessful they can result in orders for costs against the challengers. Frivolous or vexatious challenges are disallowed. There are significant protections against the bringing of borderline or exploratory cases for judicial review."—[*Official Report, Standing Committee B*, 18 May 1995; c. 285.]

As I have said in this debate and in others, being precise and specific is likely to do more harm than good.

Although there is a fundamental issue between the Government and the Opposition on this clause, I suspect that there is not much difference between us on the way that the matter is being addressed. Opposition Members have made it clear that they believe that the cost assessment of any action by the agencies should be of secondary importance. That is not our view. Despite the fact that we have debated this issue time and again, I cannot accept the amendment that proposes to replace clause 38 or the amendment tabled by the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis).

In summary, at best the amendment of the hon. Member for Ceredigion and Pembroke, North is confusing. The new clause, as I have sought to explain, is unnecessary, and its interpretation differs from that which we believe. If carried—I am sure that it will not be, because I shall urge my right hon. and hon. Friends not to do so—it will result in precisely the field day for lawyers about which so much concern has been expressed by hon. Members on both sides of the House.

Ms Ruddock: The Minister has been utterly unconvincing. He has failed to answer the fundamental point: why should these matters be on the face of the Bill and not in guidance, their proper place, for which universal acclaim exists on the Opposition Benches and in all concerned bodies outside the House? The new clause must be pressed to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 242, Noes 263.

Division No. 178] **[7.00 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*

Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Spellar, John
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Barbara Roche and
Mr. Eric Clarke.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas

Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. David Willetts and
Dr. Liam Fox.

Question accordingly negatived.

New clause 4

GREATER LONDON REGIONAL ADVISORY COMMITTEE

'. It shall be the duty of the Agency in determining the regions for which environment protection advisory committees are established and maintained under Section 12 to establish a Greater London Regional Advisory Committee for a region which shall be so constructed as to cover all London Boroughs.'.—*[Ms Ruddock.]*

Brought up, and read the First time.

Ms Ruddock: I beg to move, That the clause be read a Second time.

This new clause has the distinction of being supported by the Association of London Government, the local authorities' associations, the London Waste Regulation Authority and the National Society for Clean Air. Perhaps since everyone else agrees, the Minister might be minded to accept the new clause.

We understand—perhaps the Minister will confirm this—that the shadow agency board, which has the responsibility because Ministers were not prepared to shoulder it, is still considering both river catchment boundaries for some operational functions and coterminous local government boundaries for representational and other functions.

Mr. Atkins *indicated assent.*

Ms Ruddock: I see that the Minister agrees. That is at the heart of why the new clause has to be tabled.

7.15 pm

We believe that London is a special case. The fact that it has no strategic authority and that that is coupled with a large river catchment area poses particular difficulties. We believe that Greater London should be given a specific regional function within the agency and that the best way of achieving that would be to establish a Greater London regional advisory committee.

At present, the National Rivers Authority, which is to be one of the constituent bodies of the Environment Agency, has a Thames region with three sub-regions dividing London into two along the line of the river. Not all of London is covered by the existing Thames region and large parts of counties outside London are included.

I remind the House that London has over 7 million people. It creates 20 million tonnes of waste a year and, sadly, has the worst air pollution in the country. Currently, a great deal of environmental regulation and effort is carried out on a London-wide basis, particularly waste regulation and air pollution monitoring. The Government have appointed a Minister with responsibility for London, although we sometimes wonder why.

Londoners identify with their capital city and desperately want a better environment. One small step towards achieving that would be to identify London as an entity and for the Government to ensure that, whatever other responsibilities are passed, we believe perhaps wrongly, to the agency, on this matter it will take its own decisions. London is unique and it needs a regional advisory committee. That can be established only if the Government acknowledge the need to establish a boundary that is coterminous with the totality of London boroughs.

Mr. Simon Hughes (Southwark and Bermondsey): The new clause has the support of all the agencies to which the hon. Member for Lewisham, Deptford (Ms Ruddock) referred and my colleagues and I willingly support it. I shall not elaborate in great detail, except to say that the benefit of the way in which the new clause is drafted is that it allows the flexibility to which the hon. Member for Deptford alluded in her speech. It is drafted to suggest that the advisory committee should cover all London boroughs. It does not say that it should be coterminous with the boundaries of the 32 boroughs and the City of London, the outside of the current Greater London area. It is drafted to include those areas, but may go beyond that.

This is not an argument that we must always have a structure that is exactly coterminous with the old Greater London council boundary. However, it is important that all the London authorities are included because, for all sorts of reasons of which you, Madam Deputy Speaker and the House are well aware, London boroughs have a particular status and have powers and responsibilities that are not the same as those at county or district level or even, pursuant to future local government changes, at unitary level outside London. The London boroughs are all of a type in terms of their powers and functions and they should all, therefore, be included within this agency.

Secondly, it is clear that Greater London is not only the most important region for many environmental reasons, to which the hon. Member for Deptford referred, such as the amount of waste created, the incidence of pollution and the density of population, but the weightiest region in terms of population, which causes particular concerns and problems. The recent installation of the Thames ring main was a huge enterprise because of the volume for which it needed to cater. We are talking about an area that, in population terms, is hugely greater than Scotland, Wales or any other economic region.

Thirdly, it is logical—I understand this position—that we begin by working on the basis of river boundaries and river catchment areas. It seems that the shadow agency is thinking in those terms already. If that is the case, it

presumably understands that the illogicality of the present arrangement is that some of Greater London, for historical reasons, does not come within that catchment area. Again, the advisory groups tell us that that problem would be corrected by bringing all of Greater London within the area. The logic of having river catchment areas is not broken by including the whole of Greater London, even though one might also go beyond Greater London.

Fourthly, whatever the ultimate structure, it is important for this geographical area to be able to express its voice. The Minister may say that we should not get into a debate about where advisory committees should exist. We are not arguing for the proposition as a precedent for Greater London authorities in other areas. The Government have always taken the view—I dissent from them in this respect—that one should judge the need for bodies to deal with Greater London on an issue-by-issue basis. This matter is being judged on that basis. All the local authority associations and all the other advisory bodies have said that in terms of the environmental advice that should be given, it is important that London is seen as a whole—in its natural context. It is important that advice can be given on that basis.

Fifthly, the problems and the issues are more complex in London, so the work that needs to be done by the agency would benefit from having an independent standing advisory committee. Clearly, it is useful when dealing with such complicated issues to be able to bring in a body that is the equivalent, at a local, regional level, of a royal commission. It is useful for it to be there permanently, giving advice and so on.

I ask the Minister to be positive, not to rule out the proposition and to respond in a way that leaves the matter open. I hope that he accepts that ours is not a dogmatic proposition, but one that accepts the geography, the practicality and the importance of London as a metropolitan area, huge in population and needing special consideration. I hope that hon. Members will support the new clause.

Mr. Atkins: The new clause would require the agency to establish a Greater London regional advisory committee for a region covering all the London boroughs. I agree that the agency will need to be mindful of particular issues relating to London, but I do not think that a region based on London alone is necessarily the best way forward. The Environment Agency advisory committee has now submitted recommendations to Ministers on the agency's boundaries, a copy of which was placed in the Library on 26 June. It proposes committees with political boundaries, drawn as close to river catchment boundaries as possible and using district council boundaries where that provides a better fit.

The EAAC considered the case for a London-only region, but it felt that a region encompassing all the Thames catchment area, including all of Greater London, would deliver better integration across the agency's functions, especially water management. The House will be delighted to know that we are still considering the EAAC's recommendations and that we shall announce the Government's decisions shortly. We shall reflect carefully on the views expressed by London Opposition Members today. I do not think, however, that those matters would be appropriately included on the face of the Bill and I do not think that a Greater London region is, necessarily, the right way forward.

Mr. Simon Hughes: So that there is no misunderstanding, I hope that the Minister will clarify this point. He suggested that the proposition was that the region should comprise Greater London only. I think that he heard both me and the hon. Member for Lewisham, Deptford (Ms Ruddock) say that it was not a Greater London-only proposition. It appears, therefore, to coincide with an option that has been suggested to him and which he is considering. Will he clarify that he understands that this is not a Greater London-only proposition?

Mr. Atkins: I understand the hon. Gentleman's point. I am saying that the proposition is part of the considerations on which I and my colleagues will have to decide. We have made no decision and we shall be careful in terms of listening to and reading again the views that have been expressed by Opposition Members. I hope accordingly that the hon. Member for Lewisham, Deptford (Ms Ruddock) will withdraw the new clause.

Ms Ruddock: I am grateful to the Minister for the way in which he addressed our concerns. The very fact that the Association of London Government has been formed, bringing together boroughs of different political persuasions, shows the common purpose that people find in London. Nowhere is that more significant than in the environment. I hope, therefore, that the Minister will, as he has suggested, take seriously the concerns and wishes that we have expressed.

Mr. Atkins *indicated assent.*

Ms Ruddock: The Minister nods in assent and I am grateful for that. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 7

EMISSIONS FROM FURNACES

'After subsection (3) of section 47 of the Clean Air Act 1993 (application to fumes and gases of certain provisions as to grit, dust and smoke) there shall be inserted—

"(3A) Without prejudice to the generality of his powers under this section, the Secretary of State shall exercise those powers so as to ensure that where any fuel derived from waste material is used for the purpose of any industrial process, the emissions from the burning of that fuel are subject to requirements no less stringent than those which would apply under any enactment to the incineration of that material as waste.".'.—*[Ms Ruddock.]*

Brought up, and read the First time.

Motion made, and Question proposed, That the clause be read a Second time.—*[Ms Ruddock.]*

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss also new clause 17—*Definition of waste*—

'.—For the avoidance of doubt, any waste material shall continue to be deemed to be waste notwithstanding that it is used or intended to be used in an industrial process, and any enactment relating to the storage, handling, transport, disposal and incineration of waste shall be construed accordingly.'.

Mrs. Anne Campbell: The new clause deals with the fuel derived from waste material. Its purpose is to try to ensure that emissions from the burning of such fuels, sometimes known as substitute liquid fuel or secondary

[Mrs. Anne Campbell]

liquid fuel, are subject to requirements that are no less stringent than those which apply when that material is incinerated as waste.

Hazardous materials, such as paint solvents, have traditionally been disposed of in hazardous waste incinerators. A whole industry has grown up around the incineration process. The disposal of hazardous waste has to be paid for. It is carried out in specially constructed incinerators which are subject to planning controls and to rigorous emission limits. I am not saying that the local population entirely accept hazardous waste incinerators, but I believe that much has been done to dispel the disquiet that arises when an incinerator is constructed.

Cement manufacturers have now been given permission to conduct trials into burning the waste in cement kilns. Secondary liquid fuels are being used as a substitute fuel rather than disposed of as waste. A little while ago, the hon. Member for Cambridgeshire, South-West (Sir A. Grant), who is one of my neighbours, initiated an Adjournment debate on the subject at which I and many other hon. Members were present. The Minister said that because the conditions in the cement kilns were different—that is, they were operating at a much higher temperature—it was not necessary to have the same limits for emissions. That was plainly nonsense. The British Cement Association, represented by Mr. McKenzie, repeated that view to the Select Committee on the Environment when it discussed the subject recently.

What matters to my constituents is what comes out of the kiln in the way of emissions, not what goes on inside the kiln. I gather from what Ministers have said more recently that they have changed their mind on the issue. During this debate, I am anxious to explore the extent to which the Minister has changed his mind and to ascertain how far he is prepared to go towards accepting that secondary liquid fuels should continue to be classified as hazardous waste and treated in exactly the same way as hazardous waste.

There are plenty of economic benefits at stake for cement manufacturers. The new fuel is cheap and companies may even be paid for burning it, but from the point of view of local residents the cement kilns were not constructed for that purpose. They are not subject to a BATNEEC, or best available technology not entailing excessive cost, assessment.

My constituents are concerned that, when fuel is burnt, the cement kilns suffer from frequent stoppages, or what during the Select Committee's inquiry into the matter were called carbon monoxide trips. The problem is that there is little monitoring of emissions during those frequent breakdowns. Her Majesty's inspectorate of pollution has not been able to satisfy residents that, when the kilns break down, emissions that could be damaging are not produced because high temperatures are not maintained. There is considerable concern among local residents that less stringent conditions will apply to the emission limit for kilns than would apply to hazardous waste incinerators.

The other thing that concerns residents is that there appears to be no change in status when a kiln becomes what is called a co-incinerator when it begins to burn fuel. Residents are not consulted, and they do not have an opportunity to object. There is no new plan or process, and local people do not have the right to see all of the information and data from the trial because it is said to be commercially confidential. That is giving rise to a great deal of concern, and local people are neither happy nor satisfied with what has been said either by HMIP or by the Minister in Committee.

7.30 pm

In Committee, the Minister assured me that fuel would be classified as waste. We are also discussing new clause 17, which states:

'.—For the avoidance of doubt, any waste material shall continue to be deemed to be waste notwithstanding that it is used or intended to be used in an industrial process, and any enactment relating to the storage, handling, transport, disposal and incineration of waste shall be construed accordingly.'.

We are concerned not only with the terminology but with the way in which waste is treated as a result of being classified as waste, and not as fuel.

My hon. Friend the Member for Denton and Reddish (Mr. Bennett) conducted an extremely worthwhile inquiry in his role as Chairman of the Select Committee on the Environment. The Committee came up with a number of recommendations, three of which are worth mentioning here. The Committee recommended that the Government formally classify secondary liquid fuel as waste—if necessary by amending the law—thus applying a duty of care to all shipments of secondary liquid fuel to kilns. The Committee also recommended that the Government formally bring the burning of secondary liquid fuel in kilns within the scope of the EU's hazardous waste incineration directive.

The Committee proposed that the adaptation of kilns for the burning of SLF would constitute a substantial change under part I of the Environmental Protection Act 1990, thus ensuring that a change could not happen without informing the local population or without going through a proper planning process.

The Committee also recommended that trials should be limited in duration. Trials have been taking place at Barrington near my constituency for several years. Trials should not be used as a way of bypassing legislation. A trial should take place over a limited period; it should not be allowed to continue until it becomes a commercial process.

The Minister has discretionary powers to treat cement kilns or co-incinerators in exactly the same way as incinerators. I hope that he will tell us tonight that he will apply that power rigorously. In Committee, I sought to remove the Minister's discretion and to ensure that the same conditions applied, but he rejected my proposal. It would be of enormous assurance to the House, and to my constituents, if the Minister would accept the new clause. That would mean that he will apply rigorously the same conditions to co-incinerators as are applied to incinerators, and that is what we are seeking.

Mr. Alan Duncan (Rutland and Melton): Thank you, Madam Deputy Speaker, for allowing me the chance to draw to the attention of the House the important issue of the burning of secondary liquid fuel. In Ketton in my constituency, Castle Cement has been conducting trials of the burning of secondary liquid fuel.

There is a lot of confusion about the issue, and the House should be aware that the hon. Member for Cambridge (Mrs. Campbell) has come to the issue rather late. *[Interruption.]* If I am wrong, she is welcome to inform me, but those of us who have been following the

trials in our constituencies for a number of years have felt that it is only recently that the hon. Lady has got to grips with the issue. I suggest that she has not yet got to grips with the facts.

The purpose of the process is to recycle a fuel that has many constituent parts which are put into cement kilns according to a strictly regulated formula and specification. One cannot predict the mix of products that go into incinerators, which therefore must cope with great extremes and strange combinations of waste. Waste is put together according to a specification, and then fed into the cement kilns.

The regime under which the cement companies must now work came about as a result of pressure put on my right hon. Friend the Minister by my hon. Friend the Member for Ribble Valley (Mr. Evans) and me. The regime was much enhanced a few months ago in co-operation with HMIP, which has been punctilious to the extreme in following this issue.

Monitoring has been taking place throughout the trials. The specification of the fuel has been monitored, as has the environment in and around the cement kilns before, during and after the trials. To suggest that those who live near a cement kiln that is burning secondary liquid fuel are in greater danger than those who live around an ordinary incinerator is wrong.

Mrs. Helen Jackson: Does the hon. Gentleman accept that satisfactory monitoring has not taken place when there has been an interruption of production? Has there not been public concern in the hon. Member's constituency—and other areas—that monitoring is not taking place during interruptions and the start-ups following them?

Mr. Duncan: The hon. Lady's intervention identifies exactly where she and her colleagues are mistaken. The temperature in a cement kiln remains very high for many hours—even when it has been switched off—and the trips last only for seconds. The fuel is destroyed in the kiln, which reverts to coal burning within a matter of moments. The concern that the hon. Lady is levelling against the process is misplaced.

Mrs. Anne Campbell: Does the hon. Gentleman accept that it is important that local residents are reassured that monitoring will continue during a breakdown, even if that breakdown lasts for only a few seconds? What is important to residents is not the high temperatures in the cement kilns, but what comes out of the kilns. If monitoring is not done during a breakdown, it is impossible for local residents to know whether what is coming out of a kiln is damaging.

Mr. Duncan: I repeat that the heat retained in the cement kiln is such that, even though there has been a slight breakdown, the fuel is destroyed and rendered inert. The hon. Lady should be aware that the regime involves constant monitoring. As a result of the improvements that my right hon. Friend the Minister and HMIP have put in place, my constituents' concerns have been allayed and they are happy to accept HMIP's explanation. About 700 constituents came to an initial public meeting. All of them have learnt what has been put in place to deal with their concerns.

Mrs. Campbell *indicated dissent.*

Mr. Duncan: The hon. Lady may well shake her head, but I know what my constituents think. HMIP and many other experts have addressed them directly. I must advise her that her concern is misplaced. HMIP and the Minister deserve great credit for what they have done to improve the monitoring regime for cement kilns.

Mr. Bennett: I support the new clauses, particularly new clause 17.

The speech of the hon. Member for Rutland and Melton (Mr. Duncan) suggested a certain measure of complacency. The Select Committee on the Environment was lobbied very hard by the various interest groups concerned about the burning of secondary liquid fuels and the House wants to be clear exactly who is involved.

There are the traditional companies that have built incinerators at considerable expense and are burning a great deal of waste material to the highest standards. To make the incinerators work as efficiently as possible, they are keen to get waste solvents, which improve the combustion process. They are obviously extremely worried that they might lose the solvents to the cement industry. Those companies—especially Shanks McEwan and Cleanaway—are concerned that they might lose some of the best fuel for their incinerators. The traditional companies thus have a clear and substantial financial interest.

The cement companies clearly believe that, if they can use the fuel, they can dramatically reduce their costs. They suggested to the Select Committee that they might be able to reduce their fuel costs by as much as 35 per cent. They did not totally convince me because they were very coy about how much that would mean on the price of a bag of cement. My inquiries suggest that marketing seems to have more influence on the price of a bag of cement than does the possibility of using such fuels. I understand the problem that they face, however. They do not want to find that they have competition from Europe, where it might be possible to use such fuel and, therefore, to produce cement more cheaply. Two big commercial interests are involved.

There are also the people who live close to cement kilns, for whom I have every sympathy. I am afraid that the cement industry has not had a particularly good record. On many occasions, kilns have broken down and people suffer because of the dust particles that are emitted, so I have a great deal of sympathy for them.

Finally, all people who are concerned about the environment must judge whether, if the fuel is not available to the companies that use it in their incinerators, some of the material that is being incinerated might well have to go to landfill sites, which might be far less satisfactory than getting rid of it in incinerators.

There is also the question of emissions from cement kilns. It was difficult for the Select Committee to get an accurate picture. It certainly seemed that nothing like enough monitoring was done during breakdowns, as my hon. Friend the Member for Cambridge (Mrs. Campbell) explained. It appears that, for safety reasons in the plant, trips take place when gas reaches a certain level in the kiln. There is considerable doubt about the effectiveness of combustion at that point.

The hon. Member for Rutland and Melton implied that the kilns stay very hot for a long time, which is true, but they must stay at the highest temperatures to guarantee that no dioxins are emitted, so some questions remain.

We must also remember that, at the moment, these are only experiments. It is easy to get a specification for the fuel when doing an experiment and using relatively small

[Mr. Bennett]

quantities, but it is quite another matter in large-scale production to ensure that the wastes are in just the right quantities to guarantee that the material reaches the same standard. That is another important area for concern.

The Select Committee wanted the Minister to say that the fuel would be treated as a waste and that, when burnt in cement kilns, exactly the same standards would apply as if it were being burnt in incinerators. That seemed a fair proposal. It would also have meant that, when the material was transported by road, it would have to be treated according to the highest standards—as a waste—rather than the lower ones required for a fuel.

7.45 pm

I hope that the Minister for the Environment and Countryside can clear up the doubt about how long the material will be treated as waste. He seems to be saying that the Government are happy to classify it as waste to start with, but that as soon as it is to be used as a fuel they will change the classification. It would be to the satisfaction of a large number of people who live close to the kilns if the Government were to make it clear beyond all doubt that the material is to be treated as waste throughout its use in the kilns and that it is to be treated in exactly the same way as it would be if it was burnt in an incinerator.

I know that it is a corny phrase, but that would give us a level playing field. It would be fair to all involved—the big incinerator companies, the cement companies and the people who live close to the plant. It would also be the best way forward for an environmental policy.

I hope that the Minister will either accept new clause 17 or make it clear beyond all doubt that the material is seen as a waste rather than a fuel.

Mr. Nigel Evans (Ribble Valley): Hon. Members who start by saying that they will make a short speech invariably speak at length, so I will not do that, but just get on with it.

I have made many representations to my right hon. Friend the Minister on this subject. He was delighted to see me on the train from Preston on Monday and knew exactly what I wanted to talk to him about. Castle Cement in my constituency is burning a substitute fuel, called cemfuel, in its kiln. While I am extremely pleased to have the kiln in my constituency, as it employs a lot of people, if the economics of it had to be weighed against the health of my constituents, I would always go for the latter. It would be ridiculous to do otherwise. That is why I have made representations on the subject to my right hon. Friend.

It would be great if we could reduce the amount of waste that is produced. Incineration is probably one of the most environmentally friendly ways of getting rid of it—it is preferable to landfill or dumping—but it has to be done in the right way.

There is no doubt that when Castle Cement started to burn cemfuel in Clitheroe, it made several mistakes. It did not consult people in the area properly. They were not given the right amount of information. Because of that lack of knowledge, the public were immediately concerned. They did not know what was being done and their questions were not answered properly. They also got very suspicious when they discovered that Castle Cement was being paid to burn the fuel, as opposed to paying for it in the traditional manner. They had many concerns, therefore.

Some residents living around the cement kiln formed the Residents Against Toxic Substances action group.

Mr. Atkins: That spells rats.

Mr. Evans: Yes, RATS. The group has held two public meetings on the issue in my constituency and both were well attended, which shows the amount of concern felt by members of the public who live around the kiln.

Several people have complained that they have felt ill since the burning of the substitute fuel, cemfuel, began. I am not an expert or a doctor, and although the doctor in the area has been consulted about whether there has been an increase in asthma or other such complaints since the burning of cemfuel started, it is difficult to get any precise answers one way or the other. I am certain that, as doubt exists, some people are so concerned that illness can be caused by the stress of worrying about the burning of the substitute fuel. That problem, too, must be addressed.

That is why I wrote to the hon. Member for Denton and Reddish (Mr. Bennett) to ask whether the Select Committee would investigate the burning of secondary fuels in cement kilns. I am delighted to say that he agreed, and my only reservation is that there was only one sitting on the subject, although I am sure that, because of all the representations that were made and all the people who wanted their voices to be heard, there could have been three or four.

Nevertheless, a good report resulted. I am sure that my right hon. Friend the Minister has read it, so I shall not read out any of its recommendations now. I have already said that I accept its main thrust, and I hope that HMIP will take it on board when it makes its recommendations, which I hope it will do soon.

My right hon. Friend also knows that I have another problem connected with the cement kiln.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): Does my hon. Friend accept that perhaps the greatest reassurance that his constituents could have is the fact that all the evidence submitted to the Select Committee inquiry suggested that there was no significant difference between what came out of the cement kiln when it was burning secondary liquid fuel and when it was burning conventional fuel? Would my hon. Friend's constituents be further reassured if the constituent components of that secondary liquid fuel could be further redefined? Surely what goes in at the beginning determines what comes out at the end.

Mr. Evans: I understand that, because of commercial confidentiality, the composition of the fuel is not made known to the wider public. I know that HMIP will examine the matter. If it was known what constituted the secondary liquid fuel—in this case, cemfuel—I am sure that people would be delighted to know. That would reassure them, so I hope the investigation will be made.

Mr. Ainger: Will the hon. Gentleman give way?

Mr. Evans: No, my speech is coming to an end. I hope that the hon. Gentleman will have the opportunity to make his own speech.

The plume grounding in Clitheroe is a problem, but it would exist even if cemfuel were not burnt. It must be addressed as a separate issue. Coal, for example, is a dirty fuel, and if the plume were grounding early that, too, would cause its own distinct problems.

May I, through my right hon. Friend, express my thanks to HMIP for the way in which it has treated my constituents' representations? Every time I have asked the inspectorate to come to my constituency, its staff have done so. They have been present at two of the public meetings, and met separately the residents who formed the pressure group. I am grateful for the time that they have given, and I appreciate the pressure to which they are subjected when the residents continually ask questions. I hope that the response is coming through.

A precedent is being established here. People are worried, and ask who is to say what other wastes will go into cement kilns in future if nothing is said about the present problem. We want to be certain that we get it absolutely right this time, so I hope that HMIP will take on board the Select Committee report and the representations that have been made to it by my constituents and by me. I hope that the inspectorate will soon make its own recommendations and that they will reassure not only me but the people who live in Clitheroe.

Mr. Atkins: I am grateful to my hon. Friends the Members for Rutland and Melton (Mr. Duncan) and for Ribble Valley (Mr. Evans), especially the latter, because he is my next-door neighbour and the other hon. Member for Ribble. There is a danger that, with the constant mention of rats at the Dispatch Box, I may begin to get a bit of a complex—but I know that this time RATS is an organisation that has addressed itself both to my hon. Friend the Member for Ribble Valley and to me.

I entirely agree with my hon. Friend the Member for Rutland and Melton about Opposition Members. My hon. Friends have been concerned about the issue for a considerable time and have pressed me and come to see me. I have also been to visit the kiln in my hon. Friend's constituency, so I am fully aware of what has been going on.

I want to reassure the House that it can be confident that part I of the Environmental Protection Act 1990 is well able to control pollution from the burning of secondary liquid fuel—SLF—in cement kilns. The Environment Select Committee, of which the hon. Member for Denton and Reddish (Mr. Bennett) is Chairman, produced a good, albeit briefly investigated, report on the subject, which I mentioned in Committee and on which I congratulated the hon. Gentleman and other members of the Select Committee. I said that we would act on the recommendations of the report and consider carefully the implications of what it suggested.

Several points have been raised in the debate. Although the hon. Member for Cambridge (Mrs. Campbell) has been told certain facts many times, she continues to reiterate her charges in the face of the reassurances that I offer on behalf of HMIP. Monitoring continues during upsets. The hon. Lady says that it does not, but it does.

My hon. Friend the Member for Ribble Valley rightly raised the question of health. The Department of Health and the Ministry of Agriculture, Fisheries and Food are now seeking views on questions related to health and to agriculture—the latter must involve food, I suppose—and HMIP and the Government will take into account anything that might be said there.

The hon. Member for Denton and Reddish asked about the definition of waste. It is the view of the Government and of HMIP that SLF is a waste, so the duty of care requirements in the Environmental Protection Act 1990 wil apply to it. As I said, all the Select Committee's recommendations will be carefully considered.

I repeat briefly that the existing legislation allows HMIP to regulate and monitor the SLF trials closely. That is being carried out to HMIP's usual high standards. I am grateful to both my hon. Friends for putting on the record their thanks to the inspectorate not only for its work on the evaluation of the trials but for the way in which it has assisted my hon. Friends' constituents. All the results of the trials will be placed on HMIP's public registers, and I know that the House in general will accept that that body is carrying out its regulatory responsibilities in a highly professional way.

Permanent burning of SLF in cement kilns will not be authorised if there is a net adverse environmental effect. New clause 17 would amend the definition of waste to provide that

"waste material shall continue to be deemed to be waste notwithstanding that it is used or intended to be used in an industrial process".

Mrs. Anne Campbell: Will the Minister be a little more specific about the precise meaning of "net adverse environmental effect"? Is the situation when secondary liquid fuel is burnt in cement kilns being compared with the situation when the same fuel is burnt in hazardous waste incinerators, or is the Minister instead drawing a comparison between secondary liquid fuel in cement kilns and the solid waste—coal and other fuels—that is also burnt in cement kilns? I am not clear which of the options is being used as a comparison.

Mr. Atkins: I have made it clear on this occasion and on previous occasions, and I shall continue to do so, that HMIP operates trials to standards that would suggest that if something were not at least as good as what we have now, the trials would be stopped. That is the meaning of the phrase "net adverse environmental effect". If the hon. Lady cannot understand that, there is not much point in pursuing the explanation. I have made it crystal clear many times, and she persists in deliberately misunderstanding or ignoring what I say. I cannot spell it out any more clearly. Before we are much older we shall be entitled to conclude that the hon. Lady is being mischievous and does not really care about the issue.

HMIP is a renowned international organisation operating to the highest possible standards, regardless of anything other than environmental criteria. For anyone on either side of the House, or outside the House, to suggest that it is not doing the job properly is mischievous, and I will not have it.

Mr. Bennett: Before the Minister gets too excited about this matter, and while he might be right to praise HMIP, will he explain whether it will consider whether some of the components of that secondary fuel could be better used by being recycled as solvents, which could continue to be used by companies that use solvents, rather than bought to bring fuel up to the standard necessary for it to be burnt in kilns?

Mr. Atkins: The hon. Gentleman makes a fair point. The economic background is what provoked the cement companies to look into this matter. Equally, however, the

[Mr. Atkins]

fuel's make-up, how and whether it should be used, and all the other issues, including the fair question the hon. Gentleman asked, must be considered. HMIP will look independently at a wide range of environmental improvements that could follow if it decides that SLF is acceptable or, if not, what should replace it. All those issues will be taken into consideration, which is why the Select Committee report was so important.

8 pm

Mr. Jon Owen Jones: Surely all the issues that have been raised on both sides of the House tonight could be addressed if either HMIP or the Minister's Department were to designate the change from burning coal in cement kilns to burning SLF as a "substantial change". That would trigger a full environmental impact assessment of all the issues and the concerns of people who live around the kilns would be addressed because it would all be on the public register. Why does not the Minister take that road and resolve many of the problems that have been presented to him tonight?

Mr. Atkins: There is no great difference across the Floor of the House about the appreciation of the importance of this issue. That is why I said that the Select Committee—an all-party Committee—has done wise work in examining this issue. However, the point which I get slightly aerated about is the implication that HMIP is not doing its job properly.

Mr. Jones *indicated dissent.*

Mr. Atkins: I do not suggest that the hon. Gentleman said that, but it has been implied. If I am being obtuse, I may have misunderstood that to be the case. In any case, HMIP carries out its task to the best of its ability, which is a pretty high ability. As a non-scientific person in this regard, I am content to take its advice, as I must as the Minister responsible.

All the considerations that have been discussed across the Floor of the House in this brief debate tonight, with the considerations discussed in Committee, will be considered carefully as a result of what HMIP may decide to do. As the hon. Member for Cambridge knows, and as I have said on other occasions, we do not think that new clause 17 is the way to proceed. In the circumstances, I hope that she will consider withdrawing it.

Ms Ruddock: I am grateful to the Minister for the considered way in which he has replied to the debate, although his remarks contained some implied criticism of some of my hon. Friends. When an hon. Member begins to raise an issue in the House, it often means that it is the first occasion on which that hon. Member, such as my hon. Friend the Member for Cambridge (Mrs. Campbell), has had to do so and it does not mean that she has not been interested in the issue for some time, as the hon. Member for Rutland and Melton (Mr. Duncan) suggested at the opening of his remarks.

The hon. Member for Rutland and Melton may have an advantage over my hon. Friend the Member for Cambridge. After all, he owns Harcourt Consultants, which trades as an oil broker and adviser on energy matters. I did not hear the hon. Gentleman declare an interest when he began his speech, but those interests might relate to the secondary liquid fuels that we are discussing.

Mr. Duncan: I assure the hon. Lady and the House that they do not and it is scurrilous of her to suggest that they do.

Ms Ruddock: I am grateful to the hon. Gentleman for that clarification. He will know, as I know, of connections between secondary liquid fuels, the oil industry and energy matters and I thought that it was reasonable to ask him to clarify that for the House. We all have access to the Register of Members' Interests, and the matter is important. The hon. Gentleman made some unpleasant remarks about my hon. Friend the Member for Cambridge and it is reasonable that we should redress the balance—*[Interruption.]* The hon. Gentleman deserved that.

On the new clause and the Minister's questions to us, what I take most seriously is my understanding that the Minister has an open mind on these matters. That is absolutely essential. The Opposition believe that some of the materials that go into secondary liquid fuels should be more properly recycled. We heard him say that economics drove companies to burn what we consider to be a noxious material.

In the circumstances and in the light of the Minister's remarks tonight—the Opposition will follow through those remarks in due course—I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 8

COAL AUTHORITY RESPONSIBILITY IN RELATION TO WATER FROM ABANDONED MINES

'. (1) It shall be the responsibility of the Coal Authority to prevent water from abandoned coal mines by means of the control and/or treatment of such water from causing significant harm or from polluting controlled waters.

(2) "Harm" has the same meaning as in Part II of this Act.

(3) It shall be determined in accordance with guidance issued for the purpose by the Secretary of State in accordance with subsection (4) below as to—

(a) what harm is to be regarded as "significant",

(b) whether the possibility of harm being caused is "significant", and

(c) whether pollution of controlled waters is being or is likely to be caused.

(4) Any power of the Secretary of State to issue guidance under this Part shall only be exercisable after consultation with the appropriate Agency and such other bodies or persons as he may consider it appropriate to consult in relation to the guidance in question.

(5) A draft of any guidance proposed to be issued under subsection (1) above shall be laid before each House of Parliament and the guidance shall not be issued until after the period of 40 days beginning with the day on which the draft was so laid or, if the draft is laid on different days, the later of the two days.

(6) If, within the period mentioned in subsection (2) above, either House resolves that the guidance, the draft of which was laid before it, should not be issued, the Secretary of State shall not issue that guidance.

(7) In reckoning any period of 40 days for the purposes of subsection (2) or (3) above, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

(8) The Secretary of State shall arrange for any guidance issued by him under this section to be published in such manner as he considers appropriate.'.—*[Ms Ruddock.]*

Brought up, and read the First time.

Ms Ruddock: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this, it will be convenient to discuss also the following: New clause 9—*Review of minewater pollution from abandoned mines—*

'.—(1) The Agency shall, from time to time, prepare a report to the Secretary of State on the environmental effects of pollution of controlled waters from an abandoned mine.

(2) In any report under subsection (1) above the Agency shall make a recommendation as to whether subsections 59(1) and 59(2) should be brought into force.

(3) The Agency shall publish any report produced under subsection (1) above.

(4) Not more than three months after publication of a report under subsection (1) above the Secretary of State shall consider whether to exercise his power to specify a date under sections 59(1) and 59(2) above and shall publish his decision.'.

Amendment No. 4, in clause 59, page 80, line 24, after '1999', insert

'or such earlier date as may be specified by order of the Secretary of State'.

Amendment No. 5, in clause 59, page 81, line 14, after '1999', insert

'or such earlier date as may be specified by order of the Secretary of State'.

Ms Ruddock: The purpose of the new clause is to ensure that the responsibilities of the Coal Authority in relation to polluting minewater are laid down in statute.

Under the privatisation proposals, the Coal Authority acquired some restoration obligations and, arguably, over time we may see some of our beautiful landscapes and areas that have been ravaged by mining activities restored to their proper splendour. Yet no statutory mechanism is in place to deal with an often less obvious and more insidious legacy: polluting minewater emanating from closed mines.

The Coalfield Communities Campaign has won the respect of many hon. Members on both sides of the House for its persistent and imaginative campaigns highlighting the disaster of polluting minewater in its communities. It leads an extremely impressive list of organisations that back the new clause. The scale of the problem is considerable. The serious pollution of 340 km of rivers and streams was reported in 1994 as a result of minewater escapes.

Since nationalisation, almost 1,000 mines have been abandoned. The Coal Authority is the successor body to the National Coal Board and British Coal and, as such, owns all those abandoned mines. Ministers have sought to reassure the Coalfield Communities Campaign and many hon. Members. The noble Lord Strathclyde said that the Government expected the Coal Authority

"to go beyond the minimum standards of environmental responsibility which are set out by its legal duties in these areas".—[*Official Report, House of Lords*, 26 April 1994; Vol. 554, c. 541.]

That is a fine promise and it was quoted again in Committee.

Mr. Atkins: I shall probably quote it again.

Ms Ruddock: It will still be but an opinion. It is not the same as legislation and it has failed to satisfy all those to whom it was addressed.

The new clause requires the Secretary of State to issue guidance. Such guidance could remove any ambiguity about the action which the Government expect of the Coal Authority and could define precisely how the Coal Authority is to go beyond the minimum standards of environmental responsibility set out by its legal duties. No one knows what the noble Lord Strathclyde's comment means and we shall know no more if the Minister repeats it again tonight, and again and again.

Mr. Gareth Wardell (Gower): He will have to do better than that.

Ms Ruddock: Indeed.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): As someone who represents the Taff and Merthyr valleys, which have suffered industrial vandalism with the closure of all our pits, but are seeing the revival of our rivers to good clean water where trout and other life can exist, may I tell my hon. Friend that the passion with which she presents this new clause is very much supported by those Labour Back Benchers who are not willing to accept just promises? I represent a community that has suffered enough from disasters in the mining industry, and we are no longer willing to accept mere assurances; we want legislative certainty.

Ms Ruddock: I thank my hon. Friend for those comments. As someone who was born and bred in the south Wales valleys, I can pay testimony to everything that he said and to the passion which the people of those valleys and other abandoned coalfield communities feel about the issue.

No one knows what the promises mean. Lest the Minister thinks that I exaggerate, let me give him proof, chapter and verse. Neville Washington, the chief executive of the Coal Authority, was reported in the Newcastle *Evening Chronicle* of 26 April as saying:

"The Coal Authority is not responsible for water that emerges from pits".

On 8 May, Albert Schofield, the director of contracts at the Coal Authority, was interviewed on the "Report Back" programme broadcast on BBC Radio Nottingham, when he said that the Bill was not clear in assigning responsibility for minewater pollution from abandoned coal mines to the Coal Authority. We concur; we have made that point again and again to the Minister in Committee—the Bill does not provide for that.

Clarification is absolutely essential. Our new clause provides an opportunity for that. If the Minister is not minded to accept it, I can assure him that behind me, and probably in front of me as well, there are hon. Members who will press him with further questions, because many hon. Members represent mining communities. Those communities have seen pits abandoned and they now live with their legacy. Those local communities want to have a better environment, but they continue to feel great anxiety about the ever-present threat of pollution from minewater. Unless the Government act more decisively, among those communities the suspicion will remain that the Coal Authority cannot be relied upon to continue pumping the mines and to continue to take responsibility for minewater and the pollution that it causes.

I made a much longer speech about this matter in Committee, but I promised to be brief tonight because I am sure that many hon. Members want to make their own speeches. The Minister had better produce some more satisfactory answers than he has done hitherto, or he will suffer a further barrage of questions. Nothing that he has said to date satisfies us or the coalfield communities, which are so oppressed by the problem of minewater pollution.

Mr. Jopling: I have listened with great interest to the speech of the Opposition spokeswoman, the hon. Member for Lewisham, Deptford (Ms Ruddock).

I have been aware of the problem of minewater for some time through various correspondence that I have received from various bodies. I can remember years ago, when many hon. Members now in the House were perhaps a twinkle in their mothers' eyes, that I was made aware of the problem when I stood for Parliament in Wakefield in 1959. I do not need to remind hon. Members that I was unsuccessful on that occasion.

I have been particularly struck by the correspondence that I have received in the past few days from the Country Landowners Association and the National Farmers Union—let me declare an interest in that I am a member of both—about the problem.

I am a farmer, but I do not suffer from the problem of minewater on my farm, and, as far as I know, I do not have that problem anywhere in my constituency in the lake district. It is, however, a most important matter and it is vital that the Minister should give us the assurances for which the hon. Lady asked.

I am struck particularly to be told by the Country Landowners Association that it hopes that the Minister will be pressed to give detailed assurances to the House on how the Bill and the guidance will ensure that the costs of remediation required of individuals, while not responsible for contamination, will be contained. I am told that that concern is shared not only by the CLA and the NFU but by the British Property Federation, the Association of British Insurers, Lloyd's of London—I again declare an interest, although I stopped underwriting some time ago—and the Scottish Landowners Federation. I am told that those bodies are keen that there should be a full and positive response from the Minister, which would help to allay the genuine concerns of those who fear that they may discover that their property is on contaminated land.

I know from experience how sympathetic is the Minister to such problems. I wanted to intervene briefly in the debate to press upon him how important it is that we are able to allay those quite understandable fears.

8.15 pm

Mr. Gerry Steinberg (City of Durham): I shall try to be brief. I am in favour of new clauses 8 and 9.

Unlike the right hon. Member for Westmorland and Lonsdale (Mr. Jopling), my constituency, which is an ex-mining one, with an abundance of closed mines, is badly affected by minewater and the consequences of it. The problem is as bad there as it is in any other constituency.

The River Wear runs right through the middle of my city, which as many hon. Members will know, is one of the most beautiful cities in the country. With minewater draining directly into the River Wear, it could become heavily polluted. Those who are familiar with my constituency will know that the River Wear forms a horseshoe around the cathedral and the castle. The thought of a yellow and red scarf of pollution flowing around them is absolutely horrendous. It is one of the most famous beauty spots in the country and that pollution must not be allowed to happen. Only direct action by the Government will ensure that it does not.

I know that the Minister has a great interest in cricket and he might be interested to know that the River Wear also runs right by the new County Durham cricket ground at Chester-le-Street. That section of the river is also in danger of pollution. Can one imagine playing the West Indies in four years' time in a test match at Durham, with the River Wear running red right through Chester-le-Street? That is an appalling thought.

According to the National Rivers Authority, about 200 km of rivers in England and Wales are affected, or could be affected by minewater pollution. The problem of minewater pollution poses a tremendous risk not only to the River Wear but to many farms in my constituency. Last Friday, I visited, at his request, the farm of Mr. Wade at New Brancepeth in my constituency. I saw at first hand the appalling problems his land suffers as a result of minewater. I could hardly believe my eyes when I saw the huge amounts of water flowing not just off his fields, but underneath them as well. There was literally an underground river flowing right through his land. That land was opencasted many years ago and he has had tremendous drainage problems ever since. He is constantly having to repair drains or add new ones but he cannot stop the water flooding into his fields—and that is with the pumps still going.

He tells me that a few weeks ago—I saw the result—he had a contractor in to put more drains into his fields. A day later, after the contractor had left, the water reappeared 5 yd away from where the new drain had been put in. The fields were sown with corn. Acres of corn have been ruined, not only this year but every year since the land was reclaimed after opencasting.

About 8,000 million gallons of water are pumped each year from the Durham coalfield, where there are no longer any working pits. To be honest, it seemed to me that the whole 8,000 million gallons of water were coming through Mr. Wade's field when I was looking at it. It was unbelievable. It does not matter what Mr. Wade does, the water continues to flow. For the sake of people in the same position as Mr. Wade, the Government have got to take some action.

To make matters worse for Mr. Wade, and for many of the farmers in my constituency who are in a similar position, they have been tenants of British Coal for many years. Shortly, they are going to have to make a decision about whether to buy their farms. They will be given 28 days to make their minds up and then they will have to make a decision. How can the men and women who have worked those farms for many years as tenants of British Coal suddenly make a decision about whether to buy the land when there are such horrendous problems? Should they take a chance or will they be given some guarantee by the Government tonight that they will at least have their problems considered and be helped?

The new Coal Authority must be made legally responsible for protecting the environment from minewater and for protecting farmers such as Mr. Wade who have to decide whether they should buy their farms. The Coal Authority, which is supposed to be the coal industry regulator, does not have adequate legal responsibility for environmental protection. Under existing legislation, it is envisaged that it will seek where reasonably practical to enhance and to protect the environment. There needs to be a clear duty to protect farmland and water courses against flooding and against pollution from the water that emerges from abandoned mines.

If the new clauses were accepted, the Bill would ensure that the problems were solved. If they are not accepted, there will be the most appalling consequences because the Coal Authority clearly has no intention of taking responsibility for the situation. The Minister may look surprised, but my hon. Friend the Member for Lewisham, Deptford (Ms Ruddock) quoted Neville Washington, the chief executive of the Coal Authority. In an interview in the Newcastle *Evening Chronicle* on 26 April he said that the

"Coal Authority is not responsible for water that emerges from pits".

If that is not making a categoric statement, I do not know what is.

The fact is that if the Government do not take responsibility tonight and do not provide us with legislation, the Coal Authority will not take that responsibility. The consequence for farmers and other people who have the pleasure of living in my constituency will be that they are going to be blighted for the rest of time. I plead with the Minister, for goodness sake, to take action to ensure that the Coal Authority takes legal responsibility.

Sir Kenneth Carlisle: This issue requires clarity. Many of us have been deeply impressed by the passion and commitment of the Coalfield Communities Campaign. It has spoken with enormous sincerity for its communities and expressed the wish that they should live free from the threat of pollution. That is not easy because abandoned coal mines present us with one of our greatest pollution challenges.

The problem has existed for many years. As my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling)—who was almost the Member for Wakefield—said, it was an issue way back in 1959. Since then—especially in the 1960s—hundreds of coal mines have been closed, adding to the potential problem. We all recognise that should mines be abandoned willy-nilly and pumping cease, the pollution threat would be extraordinary and unacceptable.

We have to create a framework that recognises the problem and proposes a solution. I think that we all admit that in the long term, we have to find some mechanical, scientific way of resolving the matter but in the meantime we can take precautionary measures that will diminish the threat of pollution.

Mr. Gareth Wardell: In respect of the precautions that the hon. Gentleman was going on to, does he think that pumping should continue? Later on, if the Minister does not accept the new clause, will the hon. Gentleman join us in the Lobby?

Sir Kenneth Carlisle: The hon. Member should listen to what I have to say. Clearly, each mine has to be treated according to its circumstances—he knows that. Each pollution problem must be tackled specifically according to the circumstances.

The problem has existed for 30 years. There has been some action to prevent pollution, but the Coal Authority is now the body that has to carry that burden forward. What we want from the Coal Authority is a clear guarantee that action will be taken. If it is true that the chief executive of the Coal Authority, Neville Washington, said that the Coal Authority is not responsible for water that emerges from pits, it is unacceptable. It is quite clear that Albert Schofield, the director of contracts for the Coal Authority, is uncertain about what his responsibilities are.

I believe that we need from the Government a clear understanding of what is the responsibility of the Coal Authority and the certainty that it will conduct itself effectively. As my right hon. Friend the Member for Westmorland and Lonsdale said, that argument is supported by the Country Landowners Association and the National Farmers Union.

In Committee, I gave the example of a horticultural nursery that had been severely affected when polluted minewater started to interfere with its irrigation. Many local farmers in those areas are anxious that their livestock should have unpolluted water. I do not necessarily agree—perhaps this will help the hon. Member for Gower (Mr. Wardell)—that legislation is always a panacea. I believe that instruction, guarantee and guidance can also be effective.

I want to learn from my right hon. Friend the Minister that the Coal Authority's uncertainty will not be accepted, that there will be very clear instructions to the Coal Authority, which is the responsible body, and that there will be sufficient funds to enable it to reduce pollution to a minimum and to allow the continuance of research to find a long-term solution to the problem. The whole House and the coalfield communities require a clear statement and guarantee in the Bill that this major pollution threat—one of the greatest pollution threats that the country faces—is being tackled with the certainty and seriousness that is required.

8.30 pm

Mr. Tipping: I, too, support and congratulate the Coalfield Communities Campaign. It now has 99 members, and I look forward to it gaining its centenary member fairly soon. I mention especially Barbara Edwards, the deputy director of the campaign, who has tirelessly followed through the demise of British Coal, which was a thankless task. She has brought real commitment to that task, as have a number of local authorities involved in the campaign.

My hon. Friend the Member for City of Durham (Mr. Steinberg) mentioned the problems in his area where pollution from minewater is a pressing and immediate issue. It is not yet a live issue in Nottinghamshire because, thankfully, we still have a deep coal industry, so pumping will have to continue. However, we could face major pollution problems in 30 years. According to the National Rivers Authority and British Coal, the water discharge will appear not in the countryside but in the middle of Radford and Lenton which, as hon. Members who are familiar with the area will know, are inner-city areas. The consequences will be devastating, but there will be practical difficulties in taking remedial action.

It is important that we have provisions on the statute book to deal with the problems 30 years hence. Ministers gave commitments during the passage of the Coal Industry Act 1994 and of this Bill—in another place and in this House—but, as we have seen from the events of the past few days, things can change, and change quickly. I should like some security for the people who live in the coalfield communities.

There has been talk about the responsibilities of the Coal Authority. Again, assurances were given in another place during the passage of the Coal Industry Act 1994 and the passage of this Bill that the Coal Authority would pick up the mantle and meet all existing obligations.

[Mr. Tipping]

I went to see Neville Washington, the chief executive of the Coal Authority, and Albert Schofield, the director of contracts, at the end of last month. My discussion with them was not free and frank. I have to say that the comments made by the chief executive, Mr. Washington, were very guarded. I was dismayed to hear subsequently that my visit to the Coal Authority's headquarters was described as a fishing trip. The authority believed that I was trying to find out what its responsibilities were. Of course I have a clear responsibility to the people and communities I represent to find out what the authority's responsibilities are.

I should point out to the Minister that, during my discussion with him, Mr. Washington made it clear to me that commitments given by Ministers during the passage of the Coal Industry Act 1994 would not now be given by Ministers in similar circumstances—*[Interruption.]* I said, in similar circumstances. I am therefore concerned and want protection to be written into the Bill.

I am concerned because we are talking about large sums of money. I suspect that the Coal Authority is worried about its budget. We need to remember that trying to clear up the problems at Wheal Jane has cost the NRA something like £7 million in grant aid. I suspect that there are 100 difficult sites where there is a possibility of minewater discharge.

Mr. Matthew Taylor: On that very point, the hon. Gentleman should be aware that the cost is £7 million so far. There is still no permanent solution, only a pilot project. The hon. Gentleman should not underestimate the amount involved.

Mr. Tipping: That is a good point. The figure of £100 million has been quoted, although I think that the true figure will be far in excess of that. We should consider capital schemes rather than revenue schemes, but engineering solutions are preferable to capital schemes.

New clause 8 places a duty on the Coal Authority to clear up the problem. New clause 9 approaches the problem from a slightly different angle. It provides for an annual report on, or review of, the problem. It is important that not only Members of Parliament but local authorities and the coalfield communities have a clear idea of what the problem is and what is being done to resolve it so that we can all keep track of what is happening.

We should also consider carefully amendments Nos. 4 and 5. In Committee, I pressed the Minister about the responsibility of the new private owners. Will they, for example, keep up the pumping? Will Coal Investments at Annesley Bentinck in Nottinghamshire continue to pump at a cost of £1.4 million a year? Will R. J. Budge pick up the bill for continued pumping? I suspect that there is a question mark over that, which is why amendments Nos. 4 and 5 are important.

Under the Bill, it will not be a criminal offence to cause minewater discharge until 31 December 1999. The new coal contracts come into operation in 1998, which will be a year of challenge for the coal industry and could well be a year of change. It could be a year in which further pits are closed. That is why it is important that we accept amendments Nos. 4 and 5, which give the Secretary of State the power to bring the date forward if necessary.

The people of the coalfield communities accept that much of the deep coal industry has been buried. The Government have tried to walk away. Those people now want a better future, a landscape that is lifted and an environment that is enhanced. New clauses 8 and 9 and amendments Nos. 4 and 5 give us the opportunity to make it clear where we stand.

Mr. Matthew Taylor: I shall not speak for long, because I do not have a direct constituency interest in the coalfields and I know that a number of hon. Members here do. However, I have direct constituency experience of the Wheal Jane tin mine to which reference has been made. In that respect, I think that the Government are being foolish with the long-term finances of this country as well as with the environment.

There is no question but that pollution from abandoned mines can have a dramatic environmental impact. We saw that with Wheal Jane, which hit the headlines, partly because it was colourful to see the pollution flowing out across the Fal estuary and partly because of its serious environmental impact on livelihoods. It also meant that some people had to get water to their homes by tanker, whereas they had relied on natural water supplies. In the long run, it has been notable for the enormous costs involved. Some £7 million has already been spent, but much more is needed to find a solution.

When I visited the pilot project recently, it appeared that the reed bed solution might not succeed or be cost-effective, and that we might have to return to long-term chemical treatment of the effluent and long-term pumping to manage that process. That could extend to having to build up the mica dam, at considerable expense. It might ultimately mean a new dam area as the original area fills up. The costs are potentially huge.

Had pumping continued from the word go, it would not have provided a solution, but it would have managed the situation, and would certainly have reduced the early costs and the pollution. In other words, it would have been cheaper for the Government. Cheapest of all would have been to allow the investment programme in the mine to go ahead, thereby keeping the jobs. That, however, is another story.

I urge the Minister to consider whether it is not short-sighted and foolhardy to put back the date of action on the financial and environmental consequences that have been highlighted extremely well by the Coalfield Communities Campaign. It has done an extraordinarily good job in bringing the matter to the attention of Ministers and of the wider public and I hope that an effective solution will be found.

Mrs. Helen Jackson: I ask the Minister to accept the new clauses and amendments, for four reasons. First, the Government's responses in Committee—I suspect that they will be the same today, although we have yet to hear from the Minister—have failed to recognise the scale of the problem. Every day, 440,000 gallons of polluted water flow into the rivers and water courses in Yorkshire alone. It affects virtually every water course in south Yorkshire, and certainly most in my constituency.

Secondly, the Coal Authority's responsibility is crucial. People in mining areas know that every pit is linked with every other pit. Minewater that gathers in one place may surface in another. At the end of the day, the Coal Authority has responsibility for dealing with that problem.

Thirdly, minewater pollution is not a new problem, but it is likely to accelerate very quickly because of the level of pit closures. The problem at Sheephouse Wood in my constituency originates from a pit closure in the latter part of the 19th century, but the polluted water is there now.

I know that many hon. Members wish to speak, so I shall be brief. Fourthly, it is not simply a matter of clarity; it is also a matter of resources. We must recognise that the emission of polluted water, which kills fish and every other living creature in the water courses, can be resolved by proper investment. The Government must decide now—not in 1999—how the Coal Authority and the new Environment Agency will have the resources to deal with that problem in our mining areas, which threatens the wildlife and the livelihood of the local people.

I ask the Minister to take on board the views of the National Rivers Authority in the Northumbria and Yorkshire region about resources. It made it clear to me in a letter that the moneys it required to undertake pilot studies to treat the polluted water

"have not been specifically allocated by DoE and consequently have to be squeezed out of normal operating costs. We would prefer to see a specific allocation of funds on top of our normal budget to take account of the minewater problems."

I invite the Minister to confirm today that next year the Department of the Environment will make a specific budget allocation to the Environment Agency for minewater pollution. I invite him to make that commitment, as it will go some way toward alleviating the fears of many hon. Members who are in the Chamber tonight.

Mr. Michael Clapham (Barnsley, West and Penistone): I rise to speak in favour of new clauses 8 and 9 and amendments Nos. 4 and 5. New clause 8 is particularly important, because it identifies the responsible authority and puts a duty on that authority. That is extremely important, because, as the Minister is aware, we were given certain assurances about the Coal Authority's responsibilities when the Coal Industry Bill passed through Parliament. Many of those assurances have not materialised.

My constituency is a former mining region with a history of two to three centuries of mining. Many old mine shafts have been kept dry by the pumping operations conducted by British Coal when it operated collieries in my constituency. Since the end of the pumping operations at Dodworth, Woolley and Barrow collieries, for example, my constituency has experienced considerable problems.

8.45 pm

Four rivers—the Dearn, the Don, the Little Don and the Dove—run through my constituency, and all of them, especially the three primary rivers, are badly polluted with minewater. Minewater pollution in my constituency has been around for many years, but not in the same volume as we have experienced in recent years. When pumping stopped at Dodworth in 1989, all the mine shafts along the Silkstone valley began to fill up and to weep.

The beck that meanders from Silkstone to Barugh to join the Dearn is now so polluted that nurseries along the river—particularly the nursery at Silkstone—can no longer use the water for irrigation. Farmers along the beck have fenced off the banks, so that their cattle cannot drink the polluted water.

At Worsborough, the reservoir—which is used for leisure pursuits and is particularly popular with anglers—is almost impossible to use in the summer time. Last year, the water authority was forced to fit aeration equipment in order to put oxygen into the water and keep the fish alive. Problems on the west side of my constituency relate to older mines. We must learn from the experience of what has happened with those older mines and include provisions in the Bill to deal with the problems.

In 1964, Bull House colliery on the west side of my constituency closed. Following its closure, the ochre water from that mine polluted the River Don, which is now an orange colour for six miles down the river from the point of entry of the Bull House water, past Penistone and towards Barnsley. Sheephouse mine, an old mine in the west of my constituency, closed in 1898, but we still have an enormous problem with minewater. Water drains from Sheephouse and flows under the road at Stocksbridge and into the Little Don. The drainage system has operated for almost 100 years, and each day it must be swept in order to stop the ochre deposits from collecting and causing the road to flood.

Minewater is clearly an enormous problem, which requires legislative action. The assurances that we were given during the passage of the Coal Industry Bill have not materialised. Having said that, I pay tribute to the Coal Authority so far as its endeavours at Woolley are concerned. Woolley colliery is at the core of a project joining eight or nine other collieries.

The tremendous build-up of water pressure at Woolley colliery has resulted in a break-out of water that has severely polluted the Dearn. The National Rivers Authority helped to put pressure on the Coal Authority, which has now decided that it will spend £360,000 to develop a reed bed filtration process on the banks of the Dearn.

In my constituency, there are at least another six places where water courses are badly polluted. We require moneys to be spent by the responsible authority to clean up those waterways. It is essential, therefore, that the new clause is accepted.

Mr. Eric Illsley (Barnsley, Central): My hon. Friend mentioned Worsborough reservoir, which is in his constituency. It would be appropriate for him to give another dimension to the debate by saying that the Worsborough reservoir is fished by the Barnsley angling team, which makes up the bulk of the country's international angling team. The team is represented abroad, it fishes throughout Europe, and the majority of its members, including its captain, are based in Barnsley.

The team fishes in the Worsborough reservoir and invites international competitors to that reservoir. Unfortunately, as a result of the problem of minewater pollution, that reservoir was no longer usable, until the installation of the aeration equipment referred to by my hon. Friend. Perhaps he will add that dimension to the debate.

Mr. Clapham: I am grateful to my hon. Friend for prompting my memory. The position at Worsborough is the reverse of the position that we normally meet. The problem has been caused as a result of pumping being stopped and the reservoir not having the added volume of water. That has helped to create circumstances in which, in hot weather, algae develops in the reservoir and the fish cannot breathe. Consequently, aeration equipment is needed.

[Mr. Clapham]

The Minister must be aware that the country has enjoyed the great wealth that was extracted from the ground, and it is unfair that mining communities and former mining communities are to be left to pick up the tab. If the Minister would assure us that he is prepared to accept those new clauses, especially new clause 8, it would give a great deal of satisfaction to the Opposition and to many Conservative Members.

Mr. George Stevenson (Stoke-on-Trent, South): I shall make three brief arguments in support of the new clauses.

First, I too represent a region that has had a mine tradition for many years and has suffered from industrial pollution and damage as a result of mining activity. Were it not for clear legislation, a district such as the Potteries would not have the clean air that it has today. The position regarding minewater is similar.

My constituents, who have witnessed their collieries closing, especially in the past few years, leaving a small fraction of the mines that used to exist, are extremely worried that the transition from British Coal to the Coal Authority leaves them vulnerable to further pollution as a result of the inability or refusal of the Coal Authority to tackle the potential pollution and damage from water from abandoned mines.

My first argument to the Minister is that I know that it is difficult to strike a balance between the Coal Authority and people but, in my opinion, we have got that balance wrong. It is far too much in favour of the authorities. It was far too much in favour of British Coal, and continues to be far too much in favour of the Coal Authority.

Secondly, it simply is not good enough for the Minister, in resisting those new clauses, to give us assurances about the Coal Authority giving undertakings about its attitude to that important issue. We have only to consider the record—there is a good example in my constituency—of what happens when there are gaps or ambiguity in the legislation that places responsibility on the Coal Authority/British Coal.

We have many abandoned mine shafts in my constituency. Some are very small. They go back a long time, but they are the responsibility of the Coal Authority. As the present legislation refers to the Coal Authority having responsibility only if those abandoned mines cause damage, when the Coal Authority has been challenged it has walked away. It has said that, as no apparent damage is being caused to land and property, it has no responsibility. However, I can tell the Minister that hundreds of homes in my constituency are blighted as a result of the discovery of those mine shafts.

Although pollution of rivers and streams from abandoned mines, which affects people's property, may not damage that property physically, it will blight that property, that district and that land. If the Minister suggests that the present legislation be carried forward and those responsibilities placed on the Coal Authority, unless actual physical damage is done to land and property, the Coal Authority will deny responsibility and fight every case tooth and nail, as it is fighting that other issue in my constituency. We do not have to wait for the film: we can read the book. The evidence is there for the Minister to see.

My last argument is as follows. The experience in my constituency, and the constituencies of hon. Friends throughout the country, shows that we must not allow ambiguity to determine our decisions. We must not allow gaps to continue in the legislation. We must seek to place a clear responsibility on the Coal Authority for that extremely important issue. That is why new clause 8 is especially important. I can guarantee the Minister that, unless there is a clear responsibility, the Coal Authority will fight tooth and nail to avoid any responsibility unless it is placed on the statute book.

Mr. Atkins: I have been impressed by the quality of the debate. I know, as does any Member of the House, when people speak for effect and when they speak from the heart. I understand that hon. Members with mining constituencies feel strongly about that issue. I assure them that I and other Ministers and Conservative Members—as expressed by my hon. Friend the Member for Lincoln (Sir K. Carlisle)—feel just as strongly, and have the same worries.

I have also been impressed on several occasions by the Coalfield Communities Campaign. The Opposition Chief Whip, the name of whose constituency temporarily escapes me—[HON. MEMBERS: "Bishop Auckland."] Bishop Auckland, of course. I should know, I have been there. The right hon. Member for Bishop Auckland (Mr. Foster) has several times made representations to me, by way of inveigling me into accompanying him to Durham county cricket club, which he and I together, in another capacity, sought to get into the county cricket championship. Therefore, I understand and appreciate the anxieties especially of Durham, but also of other places, such as Nottingham.

There is a clear agenda behind the new clause, so I must address it at the outset. As to coal mines, it is proposed that the public purse, in the shape of the Coal Authority, should be under a duty to prevent minewater causing pollution. I cannot forbear from mentioning the hon. Member for Sheffield, Hillsborough (Mrs. Jackson) demanding—albeit not from the Opposition Front Bench—the commitment that more money be spent. Is that another commitment on top of all those already made by Labour, and has it been cleared?

Mrs. Helen Jackson *rose—*

9 pm

Mr. Atkins: I will not give way, because I want to proceed, but that point should be considered in the context of this debate.

It will not come as a surprise that the Government do not accept the potentially sweeping proposition that they should be under a duty to prevent minewater causing pollution. I recognise that that would have great attractions for parties actually or potentially affected by an abandoned coal mine, but we do not believe that it would be a responsible use of public funds.

Ms Ruddock: I appreciate that the Minister is trying to make progress, but this is an important point. He suggested that he is concerned about the public purse. What other purses are available to the Government to deal with the problem of abandoned mines, where pumping is required?

Mr. Atkins: Later, I will be reiterating commitments already made. The Coal Authority has the necessary

resources to meet what is required. I was merely posing a question to the hon. Member for Hillsborough, who was demanding more money on top of other demands for money.

Mrs. Jackson *rose—*

Mr. Atkins: I will not give way. Let us try to make progress with the facts; then the hon. Lady can respond. I am conscious of time, and I understand that Opposition Members are keen to hear my response to their genuine concerns.

New clause 8 would place an absolute duty on the Coal Authority to prevent water from abandoned coal mines polluting controlled waters or causing significant harm, irrespective of how long ago they were abandoned. That duty would be more onerous than the regulation applied to all other types of discharge.

Such an absolute duty would also be impossible to meet in practice. The Coal Authority would be under a duty to prevent all pollution from all minewaters discharging from all abandoned coal mines, irrespective of the seriousness of the water pollution. Such a duty would also apply in respect of coal mines that were abandoned before nationalisation. There would be no practical way for the Coal Authority to comply for all such mines at the same time, as is required in the amendment.

As to new clause 9 and amendments Nos. 4 and 5, the provisions of clause 59 have been carefully considered—in particular, the effective date for the removal of the existing, long-standing defence and exemption that apply to polluting discharges from abandoned mines that a person permits to enter controlled waters. The Government have repeatedly argued that the removal of those protections is necessary, but must be carefully handled to avoid potentially serious consequences.

Amendments Nos. 4 and 5, together with new clause 9, would simply allow the Secretary of State, on the advice of the agency, to specify any earlier date for the removal of the defence and the exemption. As the amendments are worded, there is no limit to how far back the change could reach—in theory, we could imagine mines abandoned 30 or even 100 years ago suddenly coming under the agency's regulation.

Mr. William O'Brien: I want to impress on the Minister the significance of old mine workings. In my constituency, because an old mine shaft was on charter, 13 miners lost their lives in the Lofthouse disaster. Does the Minister accept that auditing old mines and old mine workings under the Bill is important to avoid such a disaster occurring again?

Mr. Atkins: Of course I understand the importance of such an incident. I made it clear in Committee, and I do so again, that any such incident must be investigated, and that the conclusions drawn from such an accident must influence future policy. I do not disagree with the hon. Gentleman in that regard.

We all accept that minewater pollution is a long-standing and difficult problem. In this Bill, the Government have for the first time proposed a considered approach that will allow the agency to address the issue. It is simply not practicable to solve the problem at a stroke, as hon. Members imply.

The Government of course recognised the real and acute concerns about the continuation of British Coal pollution containment measures. I do not want to delay the House, but my noble Friend Lord Ullswater made a specific commitment in the other place, which has been met to date and will continue to be met in relation to British Coal, that is worth putting on record.

The Government made it clear during the passage of the Coal Industry Act 1994 that we would not expect the Coal Authority, when it assumed its responsibilities, to limit itself to the minimum standards of environmental responsibility that were set by its legal duties in respect of water pollution. We would expect the authority to seek the best environmental result that could be secured from the use of the resources available to it for those purposes. When the authority was in due course established, it accepted that task.

The hon. Member for Lewisham, Deptford (Ms Ruddock) referred to Neville Washington, so I refer to a statement issued by Durham county council in the name of Councillor Len James, chairman of its environment committee.

Ms Ruddock *indicated dissent.*

Mr. Atkins: I am sorry, but the statement is also dated 20 April. It states:

"Sir David White, chairman of the . . . Coal Authority"—

in the company of Mr. Neville Washington—

"told members of Durham County Council that pumping would continue until an environmentally acceptable alternative is found."

As a result of the meeting, Councillor James said:

"We were pleased to hear that the Coal Authority has made provision to ensure that adequate pumping cover is maintained and is drawing up a costed programme of action in priority areas. In all, it was a very productive meeting which has reassured us that some of the pressing issues which the County Council has long been campaigning to be resolved will be treated seriously and in a spirit of co-operation."

It is specific. Councillor James has said—

Ms Ruddock: The Minister does not help the House by quoting a press release yet again. He quoted it in Committee, and I had to tell him—I tell him again—that it was a proper courtesy for Durham county council to issue such a statement. It was a useful meeting, and the council was satisfied on some counts.

I can assure the Minister, as I have done in the past, that I have received a letter from Durham county council in which it raises many of the questions that he is now failing to answer. The council may have had some confidence, but there is clearly a great deal of confusion now. We have quoted to the Minister remarks from the chief executive of the Coal Authority to the effect that it, the authority, does not have responsibility.

Why should the county council feel thoroughly satisfied? That is not its feeling today, and I fear that it will not be in future. The Minister is failing to tell the House how, in the light of the Bill, the Coal Authority will have responsibility in future.

Mr. Atkins: I understand that the hon. Lady feels strongly about these matters. A perfectly legitimate response by a courteous county council seems to conflict with what she is saying. I assure her that I shall check with the Coal Authority to ascertain what the chief executive has said. As I have said, I have sought to do so. As I have also said, the dates appear to be the same, and there appears to be a conflict of information. That is something that I cannot resolve now. I shall return to the issue in due course.

Mr. Steinberg: Will the Minister give way?

Mr. Atkins: I am conscious of the time and—[HON. MEMBERS: "Get on with it."] I am being told to get on with it, but I am trying to respond to an important debate in which some hon. Members have spoken at length. I resent suggestions that I should get on with it when I am trying to answer questions.

Mr. Steinberg: Will the Minister give way?

Mr. Atkins: No, I will not.

My right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) asked me specific questions, and I must give him the assurances that he seeks. Liability is changing only under the abandoned mines provisions for the owners and operators of mines abandoned after the end of 1999. They are liable for mines abandoned before then only if they cause pollution. Farmers and other landowners in the area with no connection with the operation of the mine cannot be liable for causing pollution. I hope that that reassures my right hon. Friend.

I am conscious that Members wish to move on and make progress. I have tried to spell out the situation, but I have not been able to do so as well as I would wish, because of lack of time. I want to emphasise that we, the Government, care just as deeply about these issues as do the Opposition. We have stated in another place—we have been supported by the money that has already been spent—our commitment to future pumping, and continuing it for as long as is necessary.

I repeat that it is unnecessary to add the new clause to the Bill. I ask the House to reject it.

Ms Ruddock: I shall not detain the House. I expect that the Minister will be writing to me to clarify the statement of the chief executive of the Coal Authority, when he said, in effect, that the authority would not be responsible for water that emerged from pits.

Mr. Steinberg: Will my hon. Friend give way?

Ms Ruddock: Yes, indeed.

Mr. Steinberg: To take up the point on which the Minister would not give way, he said that Councillor Lennie James, whom I know personally as an honourable man, made a press statement on 20 April. He apparently left the meeting on the understanding that the Coal Authority would take responsibility. On 26 April, Neville Washington issued his response to the Newcastle *Evening Chronicle*, in which he said that the Coal Authority was not responsible for water emerging from pits. It seems that Councillor Lennie James may have been misled by what was said at the meeting. It is disgraceful that the Minister should seek to draw comparisons.

Ms Ruddock: My hon. Friend has provided the House with extremely useful information, which will be read by many hon. Members. I am sure that the Minister will need to take account of my hon. Friend's intervention when he writes on the subject.

There can be no doubt that the Minister has yet again failed to give any satisfaction to those who took part in the Coalfield Communities Campaign for a better deal for the protection of their environment, and for assurances for the future that responsibility will be taken for this terrible legacy. I have no doubt that the House needs to divide on this issue.

Question put, That the clause be read a Second time:—

The House divided: Ayes 241, Noes 268.

Division No. 179] **[9.10 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Ilsley, Eric
Ingram, Adam
Jackson, Helen *(Sheffd, H)*
Jamieson, David
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew

McLeish, Henry
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N Wkshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islton S & F'bury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Tyler, Paul
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Stephen Byers and Ms Estelle Morris.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grove)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Egger, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G. *(Harrow, W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lloyd, Rt Hon Sir Peter *(Farnham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth

Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. David Willetts and
Dr. Liam Fox.

Question accordingly negatived.

New clause 10

COUNCIL DIRECTIVE ON THE CONSERVATION OF NATURAL HABITATS AND OF WILD FAUNA AND FLORA

'. It shall be the duty of the Agency in the exercise of any of its functions to secure compliance with the requirements of the Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.'.—*[Mr. Morley.]*

Brought up, and read the First time.

Mr. Elliot Morley (Glanford and Scunthorpe): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss also new clause 12—*Restoration orders for areas of specific scientific interest (No. 2)*—

'.—In section 31 of the Wildlife and Countryside Act 1981 for subsection (1) substitute—

"(1) Where—

(a) the operation in respect of which an owner or occupier of land is convicted of a second offence within five years under section 28;

(b) the operation in respect of which a person is convicted of a second offence under section 29; or

(c) the behaviour in respect of which a person is convicted of a second offence under any byelaw made under section 20 of the National Parks and Access to the Countryside Act 1949 (as it applies by virtue of any enactment)

has destroyed or damaged any of the geological or physiographical features by reason of which the land on which it was carried out was of special interest, the court by which he is convicted, in addition to dealing with him in any other way, may make an order requiring him to carry out, within such period as may be specified in the order, such operations for the purpose of restoring the land to its former condition as may be so specified.".'.

Mr. Morley: New clause 10 deals with the functions of the new agency in complying with the European Union habitats directive and would write the duty to comply into the Bill.

In Committee, the Minister acknowledged that the Government accept their responsibilities and duties under international treaties and obligations such as the European habitats directive. The new clause would consolidate all the general duties that the various components of the new agency currently have under the Conservation (Natural Habitat etc.) Regulations 1994.

At present, the agency will have some functions operating under different general duties, according to whether they apply to land or tidal waters. Compliance with the requirements of the habitats directive will apply consistent standards of nature conservation above and below the high tide mark, applying both to special protection areas and to special areas of conservation. In that sense, the new clause will help the new agency to meet its duties.

New clause 12 deals with the protection and restoration of sites of special scientific interest and areas of special scientific interest. SSSIs were introduced under the Wildlife and Countryside Act 1981. Sadly, however, the operation of the Act has been flawed in certain areas and there have been difficulties in protecting SSSIs. The report by Wildlife and Countryside Link, "SSSIs—A Health Check", showed that 200 to 300 SSSIs were destroyed or damaged every year. Here I should declare an interest as a vice-president of Wildlife and Countryside Link. A more recent report, the 1994 National Audit Office report "Protecting and Managing Sites of Special Scientific Interest", showed that more than 800 SSSIs had been damaged since 1987.

In this respect, the low fines available to magistrates are a problem in deterring people from damage. The National Audit Office noted that despite more than 800 sites being reported as damaged, only nine prosecutions under section 28 of the 1981 Act had been brought. In many ways, I have a great deal of sympathy with the difficulties of the various countryside agencies in implementing section 28 of the 1981 Act. It can be expensive to bring to court someone who has damaged a site of special scientific interest. It must be galling for the agencies to incur that expense and then to see the people concerned getting off with low and derisory fines.

Most damage done to SSSIs is linked to planning applications and to perceived planning gain. The restoration of those sites, for which new clause 12 calls, is fair and a much more effective deterrent. Some owners of sites have deliberately damaged them because they think that it is in their interests to do so; there have been many such cases. I can recall cases of landowners spraying important meadows with herbicides to kill the plants of particular interest in them, hoping that it would make it easier to get planning permission for the site.

Ensuring that such people had to reinstate sites of special scientific interest would make them think twice about damaging them. Such a requirement would be more

effective than the present level of fines. New clause 12 has widespread support from all conservation bodies and, indeed, from English Nature which would welcome this more effective power. I very much hope that the Minister will support the new clauses because they will give the agency a strength that it currently lacks.

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): We believe that the new clause is unnecessary because regulation 3(4) of the Conservation (Natural Habitat etc.) Regulations already places obligations on the proposed agency and on other similar public bodies to have regard to the requirements of the EC habitats directive in the exercise of any of their functions. Hon. Members had the opportunity to debate the regulations in July last year. In addition, any specific duties placed on the National Rivers Authority by the habitat regulations will automatically become duties of the Environment Agency as a result of the transitional provisions in paragraph 218 of schedule 22.

As the hon. Member for Glanford and Scunthorpe (Mr. Morley) would expect, I have considerable sympathy with the intentions behind new clause 12. As my letter to the hon. Member for Denton and Reddish (Mr. Bennett) said, we have put some flesh on the bones of that sympathy. New clause 12, however, would restrict the existing powers of the courts under section 29 of the Wildlife and Countryside Act 1981. As the hon. Member for Glanford and Scunthorpe will agree, that is not acceptable. New clause 12 would enable the court to make a restoration order only when a person had been convicted of a second offence under section 29. At present, a restoration order is possible in relation to a first offence.

Under new clause 12, restoration orders would be available only where the geological or physiographical features of the land were destroyed or damaged, with no equivalent provision for the flora and fauna. I hope that with that understanding and in view of the intentions that I have already set out in my letter to the hon. Member for Denton and Reddish, the hon. Member for Glanford and Scunthorpe will feel that he can seek leave to withdraw the new clause.

Mr. Morley: I welcome the fact that the Minister recognises the importance of the subject and sympathises with our intention. It is a little strange that the Government are prepared to include on the face of the Bill subjects which could have been included in guidance, such as costs and benefits, but not such matters as the protection of SSSIs.

However, as the Minister has given certain assurances and recognises the thrust of our arguments, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 13

FOOTPATHS IN NATIONAL PARKS

'.—(1) Each National Park shall include in their annual report for each year after 1995 a list of all footpaths and bridleways which—

(i) are obstructed within their area, and

(ii) are not correctly sign-posted.

(2) The annual report shall also contain details of footpaths of which the legal status is currently under dispute, and of the progress of any discussions being held with the relevant highway authority in attempts to settle any such disputes.'.—*[Mr. Bennett.]*

Brought up, and read the First time.

9.30 pm

Mr. Bennett: I beg to move, That the clause be read a Second time.

I should make it clear to the House that I am a member of the Ramblers Association, and I suspect that the association would support the views that I am expressing on this occasion. We ought to recognise that footpaths and rights of way are a historic record. In many parts of the country, they are the best way to identify how people used to live, and how they moved about the countryside and carried out their activities.

Footpaths are also an important part of many people's daily lives. Footpaths are often used by individuals going to work, the shops, church or chapel, or to visit friends. It is important to remember that rights of way and footpaths are an important part of everyday life. They are also important for people who go to the countryside for recreation. Sadly, footpaths are often neglected and, in some cases, obstructed, and obstructions are sometimes caused not by neglect but by deliberate action.

The law requires that the landowner should keep all footpaths clear of obstructions and that the local authority should sign the footpath where it leaves the metal road. I welcome the fact that the Countryside Commission set targets for ensuring that those two requirements were achieved. The targets were the end of this year for all footpaths within national parks and the year 2000 for the rest of the network of footpaths. I am delighted that the Government have endorsed those targets, and in many cases they will be met.

The new clause deals particularly with what happens in national parks. Seven of the national parks have agreed with the highway authority—the local authority in the area—that the park should be the agent for the right of way and footpath network. In other parks, however, the highway authority continues to carry out that activity. We argued in Committee that it would be more sensible for the responsibility in the national parks to be handed over to the national parks themselves. Sadly, the Government resisted, and the new clause is an attempt to get back to the issue.

I hope to hear the Minister say that he believes that it would be to the benefit of the national parks and those who use footpaths if the agency agreement were to be worked out in all national parks—particularly in view of the extra powers that they will have—so that all rights of way will be clear of obstructions and will be properly signed by the end of this year.

The last part of the new clause deals with a rather difficult matter. There are one or two rights of way whose legal status is still somewhat blurred, and the authority in the national park will have a duty to get those legal issues sorted out as quickly as possible. I hope that the Minister can confirm the Countryside Commission's target and that the Government are keen to see that target achieved throughout the country, but particularly within national parks. I hope that the Minister will also agree that it would be sensible for national parks to take over the right of way provision.

Mr. Atkins: While I understand the intention underlying new clause 13, it is not one with which we can agree. We have endorsed the target set by the Countryside Commission in 1987, in that all rights of way should be

[Mr. Atkins]

legally defined, properly maintained and well publicised, by 1995 in the national parks and by 2000 in the wider countryside.

The response to that target has been extremely positive. Much has been achieved by the national park boards and committees working in co-operation with the relevant highway authorities. In this year's functional strategies, the English parks have reported that 90 per cent. of the network in the parks is already in an acceptable condition. Work on defining the network has been less satisfactory; nevertheless, progress has been and will continue to be made. I am sure that the remarks of the hon. Member for Denton and Reddish (Mr. Bennett) will provoke the parks even further.

We accept the importance of reporting on all aspects of the stewardship of the parks in the national park authorities' annual reports. I see no reason, however, for departing from the general principle that the precise contents of local authority reports are not a matter for primary legislation. We already made it clear in the draft circular published in January that we expect the new authorities to include in their reports information on their stewardship of the parks, with particular reference to matters of interest to their constituent local authorities. As well as information on more general issues of importance to those local authorities, we would expect the reports to include information on their co-operation in giving effect to the duty to foster the economic and social well-being of their local communities, and on their partnerships on rights of way.

In view of what I have said, I hope that the hon. Gentleman may feel constrained to seek leave to withdraw the new clause.

Mr. Bennett: I am rather disappointed that the Minister did not give a little more encouragement to those national parks and local authorities which have not entered into agreements to carry out the footpath provision to get on and do so. As we want to spend time debating rather than going through the Lobby, and in view of some of the Minister's message, however, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 14

EXTENSION OF NATIONAL PARKS TO SCOTLAND (NO. 1)

'. The Secretary of State for Scotland shall, within one year of this Act coming into force, make provision for the extension to Scotland of Parts I, II, V and VI of the National Parks and Access to the Countryside Act 1949.'.—*[Mrs. Fyfe.]*

Brought up, and read the First time.

Motion made, and Question proposed, That the clause be read a Second time.—*[Mrs. Fyfe.]*

Mr. John McFall (Dumbarton): I shall be brief because the Minister is aware of the concern of the Opposition and the public in Scotland about national parks. My colleague the hon. Member for Denton and Reddish (Mr. Bennett) mentioned national parks, but, sadly, we do not have any in Scotland, despite the fact that a number of Secretaries of State for the Environment have referred to those in England and Wales as the jewel in the crown.

When we are in government, we shall establish a national park in Scotland. That is in the Labour party's manifesto, and we shall commence with Loch Lomond. We shall do so not merely because that is our view, but because we have consulted widely with the public in Scotland, who want national park status for the Loch Lomond area as a first step.

We have been trying for national park status since 1946, when the Government set up an inquiry to consider national parks in Scotland. Here we are 50 years later and nothing else has happened. The Government asked their body, the Countryside Commission for Scotland, to consider the mountain areas of Scotland and it reported in the late 1980s with the unambiguous view that national parks should be initiated in Scotland. The Government rejected that view.

Since then, the Government have prevaricated to the extent that they set up the Hutchison committee to consider Loch Lomond and the Trossachs. Hutchison did not have the remit to ask for national parks but, within his tight remit, it was obvious that he was looking for a more global solution to the problem of the management of that area.

The Government's response to the Hutchison committee report was disappointing. The day after publication, the headline in *The Herald* read, "Trumpet of disbelief for the voluntary solution". The voluntary aspect is at the core of the issue. Very little is happening as a result of the Government's stricture that everything is voluntary.

Conservationists and environmentalists are telling us that there has been a deterioration in the Loch Lomond area and that we must have an adequate mechanism for managing it not in five or 10 years' time, but now.

The Countryside Commission's report, "The Mountain Areas of Scotland", stated that it would take £2 million for the Loch Lomond area to be granted national park status. I do not think that that is a big sum. I say that confidently, because when the Minister went to the launch of the Hutchison committee report in Drymen, the words came out of his mouth, "This could be £1 million," and apparently he did not think that that amounted to much financially. If £1 million is not very much, £2 million for the proper management and planning structure for Loch Lomond is not very much either.

I have already mentioned the voluntary principle. The Minister knows that we have been trying for years to have byelaws introduced in the Loch Lomond area. The idea has been taken up by the Loch Lomond park authority, and the byelaws have been suggested for three reasons, the first of which is that they would enhance public safety. The Minister knows that two years ago there was a fatal accident on Loch Lomond, and that the need to enhance public safety is paramount.

The second reason for the byelaws would be to reduce disturbance to especially valuable and vulnerable wildlife interests—the Minister knows our obligations under European Community directives in that respect. The third reason would be to reduce disturbance to local residents, especially those living permanently in the area. My postbag contains regular communications from people on the loch complaining to me about the disturbances. The quality of life in that area is most important, yet it is degenerating because of the Government's intransigence and inaction.

The byelaw proposals have had the strong support of the Loch Lomond and Trossachs working party under Sir Peter Hutchison, of the sheriff principal of North Strathclyde, Sheriff Hay, when he examined the report of the fatal accident inquiry in 1994, and of the procurator fiscal service.

Despite that, the Loch Lomond park authority now finds that objections have been made and a delay requested by the Scottish Sports Council. I shall not go into detail about the altercation between the Scottish Sports Council and the Loch Lomond park authority, save to say that the byelaws have been under consideration for years, yet there are now further delays because of the objections that have been raised.

Will the Minister ask the Scottish Sports Council whether the objections are genuine? If they are, can the Sports Council get together with the park authority so that the byelaws can be introduced as quickly as possible, for the sake of public safety, if for no other reason?

Following confirmation in March 1995 of Scottish Office and Scottish Natural Heritage agency funding of £345,000 over three years, the Loch Lomond park authority has recruited a small team of loch rangers, the patrol boat is due this week and the power boat registration scheme is ready to go. The authority will be able to print the byelaws and the accompanying advisory material as soon as notice of confirmation is received. But the Scottish Sports Council has caused a delay. In the interest of public safety, will the Minister contact that body and ensure that there is no further delay?

The delay has been caused by prevarication, and is due to the fundamental voluntary principle that the Government insist on preserving in relation to Loch Lomond. That is getting us nowhere fast.

For the Opposition, this is a long-standing issue, and the plan has massive public support. In September I shall call another meeting to consider progress on Loch Lomond. I shall write to the Minister and ask him to address that meeting and to consider in a positive and constructive way the planning for a way forward for the loch. If he cannot do that, can the Scottish Natural Heritage agency send a representative in connection with an environmental audit and financial planning for Loch Lomond? The situation is extremely urgent, and a management plan is needed.

Sadly, we do not have that today, but the new clause would meet the need completely. If there is to be a negative response from the Government now, please may we have a constructive approach to a management set-up for Loch Lomond and the Trossachs area? By agreeing to the request in the new clause for a national park, we would indeed be looking after the jewels in Scotland's environmental crown.

9.45 pm

Mr. Galbraith: We debated these matters extensively in Committee, and the Bill greatly strengthens the powers and functions of national parks in England and Wales, which has been welcomed on both sides of the House. The Government have been complimented on the changes that they have made.

None the less, Scotland still has no national parks. Although two committees set up to look into that matter produced two reports—the Balfour report for England and Wales and the Ramsay report for Scotland in 1945—the recommendations of the report for England and Wales were implemented, but those for Scotland were not, partly because there was less pressure from Scotland, where the areas concerned are much more vast. In 1952, the Scottish Health Department, which was responsible for that matter, introduced plans for national parks but, again, they fell by the wayside.

In 1970, the Scottish Select Committee asked that plans be brought forward for national parks but those, too, fell by the wayside. In 1988, however, the Scottish Office Minister, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton), asked the Countryside Commission to introduce plans to manage Scotland's mountainous areas. That resulted in the Countryside Commission's 1990 report on Scottish mountain areas, which proposed national parks for the Cairngorms, Loch Lomond, Ben Nevis, Glencoe, the Black Mount and probably Wester Ross. It said nothing about Knoydart, probably because nobody knows where it is. As we do not want people to know where it is, we do not want it to be made into a national park. Perhaps Skye should have been included. Wester Ross probably does not need a national park at this stage, but other areas clearly do and the most pressing of those are Loch Lomond and the Cairngorms, which the Government should deal with.

The plans were not the standard plans proposed for England and Wales, but were to be based on an amalgam of local communities and conservationists, to try to get rid of that conflict. The areas were also to be organised differently. There was to be a core mountain zone, which would be protected from any development and used only for recreation; a countryside management zone, where recreation could be developed close to the roadside; and a community zone, where visitors would be housed. Those useful plans were put out to consultation and agreed by everyone apart from the Government who, once again, introduced the voluntary principle, which has punched huge roads through Glen Feshie.

Even the Government's organisation, Scottish Natural Heritage, no longer believes in the voluntary principle. Point 38 on page 9 of its corporate plan states:

> "The financial consequences of the voluntary principle are substantial and increasing . . . if it is sustained, it seems likely that it will become increasingly unaffordable, and an alternative approach may have to be sought."

Thus Scottish Natural Heritage is telling the Government that their voluntary principle is unsustainable and must be dropped.

In response to a plan for the Cairngorms, in 1992 the Government introduced a world heritage site idea. Perhaps the Minister can tell us what has happened about that. Have the Government applied for that designation yet? If not, why not? A joint board was set up for the Cairngorms, which was a step forward. I recognised in Committee that that was an improvement. People were on that board who never expected to be on it and it was a fine victory for conservation. The problem is that the board had no powers.

Loch Lomond is the area that is under the most pressure and once again the Government propose a joint

[Mr. Galbraith]

committee, which no one, not even Scottish Natural Heritage, wants. Its response to the report of the Loch Lomond and Trossachs working party states:

"SNH appreciates the effort the Park Authority and its staff have made, and it continues to support it in its work. However, we recognise the constraints under which it has acted, and the very real problems it continues to face in trying to achieve the ideal of geographically and functionally integrated management within the present system . . . The failure to achieve a satisfactory level of integration is an indication that the present system"—

which the Government are imposing—

"is inadequate to meet the needs of Loch Lomond.

The Joint Committee . . . would depend on the voluntary delegation of powers and functions by the Local Authorities involved. We are concerned that, on present indications, this may not materialise".

That is the response of SNH, the Government's own body. We might like to ask whether SNH approves of national parks. It is often rumoured that its chairman, Magnus Magnusson, approves of them, although he is not on record as saying so. It might be helpful if he clarified his position at this stage.

I believe that the debate on Scotland's national parks is moving forward and has moved forward still further tonight. The proposal for Scotland's national parks is one whose time has come and the sooner it comes, the better.

The Parliamentary Under-Secretary of State for Scotland (Sir Hector Monro): I am grateful to the hon. Member for Dumbarton (Mr. McFall) for moving the new clause. I am well aware that the hon. Gentleman and the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) are particularly interested in Scotland and its heritage. I am aware of their particular desire for national parks.

I am sad that I do not have much time to answer the debate in detail; I can merely respond in note form. The hon. Member for Dumbarton is not quite fair to the Scottish Office about its efforts to deal with the Loch Lomond project, because a great deal is going on. If it had not been for the Government introducing a change to the Civic Government (Scotland) Act 1982 to enable a change in circumstances relative to byelaws, no such development would have been possible. We have now received recommendations from the local authorities. We are going through the large number of objections—far more than just those from the Scottish Sports Council—as quickly as we can. I hope that we shall be able to do something about them in the not too distant future.

I agree that speed limits for motor boats, jet skis and so on should be considered as soon as possible, but at the same time, we should allow for certain water recreation, as others have requested. There has been no delay, because it is only right that we should consider the consultations carefully, and that is exactly what we are doing.

In response to the hon. Member for Strathkelvin and Bearsden, I should like to consider all the issues associated with the national parks in much greater detail. Of course, he is not really right to say that SNH believes in national parks and not in the voluntary partnership, because, after all, the architect of the Cairngorms partnership was no less than Magnus Magnusson, the chairman of SNH, who is a keen enthusiast for the voluntary system. There is no doubt that that system is settling down extremely well under Mr. David Laird. We are pleased at how the developments are coming along in the Cairngorms. What has been important has been the tremendous co-operation between those who have been appointed to the partnership, who have had a general welcome, and the new local authorities. They are all beginning to work together extremely well towards the objectives that we want to see achieved.

That is what will happen at Loch Lomond and the Trossachs. I do not know why Opposition Members keep on running down that partnership scheme, because they believe, as I do, in giving local authorities as much responsibility as possible. The local authority of the hon. Member for Dumbarton and Stirling authority have an enormous chance to work together on that project to develop just what we want, a voluntary partnership. That will offer the chance of immense development in the Loch Lomond area.

Bearing in mind the fact that the Countryside Commission has recommended that the special areas of Scotland should be subject to special procedures to govern their future, we have offered exactly that in the Cairngorms, Loch Lomond and the Trossachs. I am confident that that will work out well in the future.

Mr. Brian Wilson (Cunninghame, North) *rose—*

Sir Hector Monro: I would have liked to debate this issue at much length, but unfortunately that is not possible tonight. The voluntary partnership is working well and will work well with the new local authorities, so I ask the hon. Member for Dumbarton to withdraw the new clause.

Mr. Wilson: I shall be brief, even though the Minister would not give way to me.

The Minister's response was disgraceful, because it did not begin to address the philosophical question of why Scotland, which gave national parks to the world, should be the only part of Britain that does not benefit from national parks. The truth of the matter is that it is because of the landowning lobby in Scotland and the Government's refusal to interfere in the free market of land and the untrammelled rights of landlords. That is the problem. Until the day when the Scottish Landowners Federation does not have the ear of the Government, Scotland will be denied national parks and Scottish land and Scottish natural heritage will be denied the protection that comes from national parks. Fortunately, the day when such things can be changed is not very far away.

There is wide consensus in favour of national parks and a clear-cut need for them. The fact that the Scottish Office has continued to find every excuse available for avoiding the implementation of national parks in Scotland is a standing disgrace to the Government and also a standing memorial to the fact that they are in the pocket of the landowning lobby in Scotland.

Mrs. Maria Fyfe (Glasgow, Maryhill): I share the annoyance of my hon. Friend the Member for Cunninghame, North (Mr. Wilson) at the Minister's answer because however brief the time may be—we know that it is pressing—I think that at least sympathetic consideration could have been given to something so obviously desirable and long wanted. As we are not going to make any progress tonight, we must hope for better times in future. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 16

GUIDANCE ON OLD MINERAL PLANNING PERMISSIONS

'.—(1) When issuing guidance under paragraph 10 of Schedule 13 the Secretary of State shall have regard to whether a mineral planning authority would reasonably be expected to impose similar restrictions if the permission had been issued following a new application after 21st February 1982;

(2) Where he feels similar restrictions would have been imposed following a new application after 21st February 1982 his assumption shall be that their provisions are reasonable.'.—*[Ms Ruddock.]*

Brought up, and read the First time.

Ms Ruddock: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 75 to 77.

Ms Ruddock: As perhaps befits this time of night, new clause 16 is moved in a spirit of co-operation. The Opposition, like the local authority associations and numerous countryside and conservation organisations, welcomed the Government's promise in the other place to bring forward new provisions to enable mineral planning authorities to review pre-1982 permissions. However, when those proposals came before the Standing Committee, they were a grave disappointment. Once again, the Bill's promise had been blighted, undoubtedly by the exercise of commercial interests in the drafting room.

Schedule 13 establishes a mechanism for the provision of compensation to mineral operators when new conditions are imposed by the mineral planning authorities on old mineral permissions at active sites. Schedule 13 is the problem for the simple reason that the eligibility and compensation arrangements have led to widespread alarm among local authority associations, and especially at the Council for the Protection of Rural England, whose representations and expertise on the matter are well known to the Minister.

The compensation arrangements are a major departure from the tried and tested practice in respect of pre-1948 permissions dealt with under interim development orders. IDOs have avoided unnecessary confrontation with industry and unnecessary compensation payments. Our preference would have been for the Bill to introduce a regime based on IDOs, but given the Government's chosen course, our new clause seeks to protect local communities from suffering from poor and outdated standards in respect of old mineral permissions, or from compensation payments to companies that are often vastly profitable.

Mineral extraction, even to modern environmental standards, imposes considerable unwelcome burdens on local communities. They suffer from dust, dirt, frequent and constant noise, and from heavy lorries with heavy loads which are sometimes driven without due care through narrow streets. Those rural communities especially need and deserve the upgrading of old mineral planning permissions. That is a simple matter of progress and justice, and a recognition that the world has changed.

Reasonableness is supposed to be the yardstick by which the requirements of change are to be imposed in schedule 13. If it is, the Government should accept our new clause.

If the conditions to be imposed on old mineral planning permissions are similar to those currently expected for new planning permissions, they should be deemed reasonable. New clause 16 provides for that. Neither the Minister nor industry should have anything to fear, and I look forward to the Minister's constructive response.

Mr. Clifton-Brown: May I thank my hon. Friend the Minister for his letter, which clearly set out the answers to all the questions raised in Committee? It was extremely helpful, and gave some very useful information.

Does my hon. Friend agree that the starting point for considering compensation should be that, in common with all other forms of development, planning permissions can be revoked or modified only if subject to the payment of compensation? Will he confirm that the industry has been constructive in acknowledging that the environmental standards of operations and of subsequent restoration of sites should continually improve—

It being Ten o'clock, further consideration of the Bill stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the Environment Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Wood.]*

Question agreed to.

As amended (in the Standing Committee), again considered.

Question again proposed, That the clause be read a Second time.

Mr. Clifton-Brown: May I start that paragraph again?

Hon. Members: No.

Mr. Deputy Speaker: Order. Tedious repetition is not acceptable at this time of night.

Mr. Clifton-Brown: It would be greatly amiss if I were tedious, let alone repetitious, so I shall be neither.

Mr. Piers Merchant (Beckenham): My hon. Friend will be expeditious.

Mr. Clifton-Brown: Indeed, I shall be expeditious, as I was trying to be before the Ten o'clock motion was moved.

I should be grateful if the Minister will confirm that the industry has been constructive in acknowledging that the environmental standards of operations and of subsequent restoration of sites should continually improve, and that the industry is already making great strides towards achieving higher environmental standards. As the industry has accepted that it should bear the cost of upgrading planning permissions with regard to "sensory" conditions—those relating to noise and dust—will my hon. Friend confirm that it is the Government's intention that the Government amendments should provide only a backstop to ensure that the industry's fundamental working rights cannot be severely restricted as a result of the new review?

Is it not the case that new clause 16 seeks to nullify compensation safeguards contained in the Bill? Does my hon. Friend agree that, were it to be accepted, it would secure the effective confiscation of assets, retrospectively and without compensation? Will he confirm that the guidance notes to be issued by the Secretary of State will carefully reflect the contents of the Bill, and will not be

[Mr. Clifton-Brown]

allowed effectively to introduce new requirements with which the industry will be required to comply but which have not been considered first by the House?

I am concerned that the guidance notes, of which I have seen a draft copy and which extend to 45 pages, include references to the use of prohibition notices and the circumstances in which they can be used. They are defined in the Town and Country Planning (Minerals) Act 1981. However, the draft notes extend the criteria significantly by introducing new material considerations, and I should like my hon. Friend's assurance that he will bring anything that effectively changes the current legislation back to the House for consideration.

Mr. Tipping: The hon. Member for Cirencester and Tewkesbury (Mr. Clifton-Brown) raised some interesting points about compensation. This aspect of the Bill will prove to be a lawyers' charter. As the hon. Gentleman recognised, the strength of the new clause is that it rules out compensation and removes local authorities from the invidious position in which they would find themselves.

Local authorities clearly want to make environmental improvements, but if they are challenged, they face potential costs which they cannot afford. The new clause is an important way for them to avoid those costs. I support it strongly, because the issue of compensation will prove to be a quagmire.

Dr. John Marek (Wrexham): I shall make a brief contribution in support of my hon. Friend the Member for Sherwood (Mr. Tipping). We could debate new clause 16 for a long time. Suffice it to say that the Government are again on the side of the landlords and the people with assets who want to stuff even more money into their pockets. The hon. Member for Cirencester and Tewkesbury (Mr. Clifton-Brown), who has just spoken, proved that point very well.

Government Members care not a fig about the community. In my constituency of Wrexham and the surrounding area of about 50 miles in each direction, there is more concern about applications for quarrying for various minerals, the dismissal of the community's concerns and desires, and environmental matters than almost any other issue. I think that new clause 16 is very important, and Labour Front-Bench Members were correct to table it.

I wonder whether my hon. Friend the Member for Lewisham, Deptford (Ms Ruddock) will confirm in her winding-up speech that, when the next Labour Government take office—Conservative Members may do themselves in over the next 10 days—she will insist that the Labour Government's environment Bill is the equivalent of new clause 16.

That is what the public of this country demand. They are fed up with Conservative Members pleading for money for their own supporters, without worrying about the environment, people or communities. I look forward to seeing new clause 16 take effect, not as a result of this Bill, but in the next Parliament.

Sir Paul Beresford: Government amendments Nos. 75, 76 and 77 are technical amendments, so I shall concentrate my remarks on new clause 16. The hon. Member for Wrexham (Dr. Marek) is correct when he says that it is an important clause.

As the hon. Member for Lewisham, Deptford (Ms Ruddock) said, the system of regulations under the interim development order approach is working. That is our model in this instance. As she knows, there will be no compensation for conditions which do not restrict working rights. Compensation will arise only if working rights restrictions prejudice to an unreasonable degree either the economic viability of the operation or the asset value of the site. There is little difference from the test that the mineral planning authorities should be, and are, applying to the imposition of conditions on active IDO sites.

Ms Ruddock: I am anxious not to intervene upon the Minister too soon, but I know that he is trying to rush, so he may pass over this point. He referred to "prejudice to an unreasonable degree" and that is on the face of the Bill. Will he define that statement? Otherwise, he must agree with my hon. Friend the Member for Sherwood (Mr. Tipping) that the legislation could be a lawyers' charter.

Sir Paul Beresford: I do not agree with the hon. Lady. The word "unreasonable" is used quite commonly in legislation. As she knows already—it has been pointed out by my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton-Brown)—we are undertaking preliminary consultation on the draft guidance. That guidance makes it clear that we intend that the industry and mineral planning authorities should follow the same principles for updating the pre-1982 sites as were followed for the interim development orders. That will ensure that there is equal treatment between the sites and the operators. It is a fair and equitable approach.

I am a little astonished—but perhaps I am not so astonished upon reflection—at the reaction of the hon. Member for Wrexham. If that is the kind of approach that we are to expect from the Labour party in future, God help industry and the economy in this country. I hope that the hon. Lady will withdraw her new clause.

Ms Ruddock: I must invite the Minister to respond again, as I failed to intervene during his speech. He has not explained to the House—*[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Member for Lewisham, Deptford (Ms Ruddock) has the Floor.

Ms Ruddock: Thank you, Mr. Deputy Speaker. The Minister has not given the House an explanation as to why the legislation is different from the interim development orders. He said that they are working effectively, but he has given no account of why the test of reasonableness in relation to the economic viability of working a site or its asset value should have been placed in the schedule. It is very difficult for us to understand why that proposal has come forward when the Government already acknowledge that they have a perfectly good working arrangement in respect of older mineral planning permission.

I wonder whether the Minister will be kind enough to tell the House why that change is necessary—why that new duty is imposed. He has not said why our new clause is unreasonable. All that our new clause seeks to do is acknowledge that, where the standards that are to be imposed are equivalent to those that would be imposed on a new planning permission sought today, by definition that must be reasonable. Why is it not reasonable?

Mr. Clifton-Brown: Surely the reason why it is in that schedule is that, although the interim development orders

have worked well so far, we have dealt with the easiest cases, and the more difficult cases remain to be resolved. That is why it is necessary to put those later permissions in that schedule.

Ms Ruddock: I do not believe that that remark was at all helpful. The hon. Gentleman has not in any way explained why what is being dealt with at the moment is more difficult than what was dealt with in the past. We must accept that people are sitting on assets that are in the ground, and they have old planning permissions, which are not appropriate to modern standards, modern considerations and the needs of modern societies.

Is the Minister prepared to speak?

Sir Paul Beresford: My hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton-Brown) has touched on it. We are convinced that there is no difference between the IDO and the method that we are moving now. We are consulting industry, mineral planning authorities and environmental groups on draft guidance in relation to putting it into action.

We feel that it would be only fair for compensation to be paid to the industry if there were an effective change in the economic viability of those sites. However, we recognise, as does the industry, the importance of introducing conditions—and the industry is accepting those conditions for the sites—for environmental reasons. I hope that the hon. Lady will consider the matter carefully and will accept that, in those circumstances, it is only fair that compensation should be paid if, beyond that, there is an effect on the economic viability of a specific site.

Ms Ruddock: The Minister may believe that he is being helpful, but I fear that he is not. The economic viability is not an objective measure. It will be for the local authority, the mineral planning authority, to make some judgment about the way in which the new conditions would affect economic viability.

I suggest to the Minister that, if a cash-strapped local authority has to take that into account, it may feel that it is unable to demand that conditions at that site are raised to modern standards, because of fears that it might be subject to challenge under the legislation, as it could be held that there was an economic impact on that company that was unacceptable under the legislation that the Minister proposes.

We believe that very many of those companies are well able to pay for the slight changes—or, in some circumstances, considerable changes—that might result from bringing those permissions up to modern standards. We believe that those companies are better placed to absorb those costs, and to behave responsibly and in an environmentally friendly way, than are local authorities and local communities.

I am afraid that, if the Minister cannot accept what is a very simple new clause, which only defines effectively what is reasonable action and prevents the continuance of ambiguity and worry for local planning au' >rities which would have to make those considerations- -if he intends to sit there and allow local authorities and local communities to bear the brunt of bringing those old planning permissions up to modern standards—we must divide the House.

Question put, That the clause be read a Second time:—

The House divided: Ayes 237, Noes 269.

Division No. 180] **[10.14 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
Maddock, Diana

Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oliner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Tyler, Paul
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Clarke and
Mr. George Mudie.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Marland, Paul
Marlow, Tony
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John

Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. David Willetts.

Question accordingly negatived.

Further consideration of the Bill adjourned.—*[Mr. Andrew Mitchell.]*

Bill, as amended (in the Standing Committee), to be further considered tomorrow.

FAMILY HOMES AND DOMESTIC VIOLENCE BILL *[LORDS]*

Order for Second Reading read.

Motion made, and Question put forthwith, pursuant to Standing Order No. 90(6), That the Bill be read a Second time.

Question agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

ESTIMATES

Resolved,

That this House agrees with the Report [20th June] of the Liaison Committee.—*[Mr. Andrew Mitchell.]*

STATUTORY INSTRUMENTS, &c.

Mr. Deputy Speaker (Mr. Michael Morris): With permission, I shall put together the motions relating to statutory instruments.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.),

Dangerous Drugs

That the draft Misuse of Drugs Act 1971 (Modification) Order 1995, which was laid before this House on 25th May, be approved.

Fees and Charges

That the draft Department of Transport (Fees) (Amendment) Order 1995, which was laid before this House on 6th June, be approved.—*[Mr. Andrew Mitchell.]*

Question agreed to.

PETITIONS

Food Science Laboratory

10.30 pm

Mr. Raymond S. Robertson (Aberdeen, South): I am grateful for this opportunity to present a petition of more than 10,500 names in conjunction with the hon. Member for Aberdeen, North (Mr. Hughes). It has been signed by people of the city of Aberdeen and north-east Scotland who disagree strongly with the decision to relocate the Food Science Laboratory at Torry in my constituency to the Central Science Laboratory at York. The petition states:

Wherefore your petitioners pray that your honourable House do urge the Right Honourable William Waldegrave, M.P., Minister for Agriculture Fisheries and Food to intervene in the proposal to relocate Food Science Laboratory, Torry, 135 Abbey Road, Aberdeen.

And your Petitioners, as in duty bound, will ever pray &c.

To lie upon the Table.

10.31 pm

Mr. Robert Hughes (Aberdeen, North): I too have a petition from Aberdeen in north-east Scotland. It has been signed by 10,500 people to add to that presented already by the hon. Member for Aberdeen, South (Mr. Robertson), making 21,023 people in total. They are deeply concerned at, and protesting against, the possible relocation of the Food Science Laboratory in Torry, Aberdeen to the Central Science Laboratory in York. Those signatures were collected in a short space of time, showing that the scientific facilities and skilled staff will be sorely missed.

Wherefore your petitioners pay that your honourable House do urge the Right Honourable William Waldegrave, M.P., Minister for Agriculture Fisheries and Food to intervene in the proposal to relocate Food Science Laboratory, Torry, 135 Abbey Road, Aberdeen.

And your Petitioners, as in duty bound, will ever pray, &c.

To lie upon the Table.

Paisley Floods

10.32 pm

Mr. Gordon McMaster (Paisley, South): I present a petition on behalf of my constituents who were affected by the floods in December 1994 and whose lives have been devastated since that time. Many of them have not yet been able to return to their homes. The petition

Declares that the floods which affected the South End of Paisley during December 1994, brought misery to hundreds of families and that Her Majesty's Government have so far taken no action to prevent such flooding occurring again.

The Petitioners therefore request that the House of Commons urgently put in place measures to impose powers and duties on national and local bodies to establish adequate flood prevention measures where these are required.

And the Petitioners remain, etc.

To lie upon the Table.

Glaxo-Wellcome Site, Beckenham

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Andrew Mitchell.]*

10.33 pm

Mr. Piers Merchant (Beckenham): I am grateful for this opportunity to raise a matter that is of considerable importance to my constituency, but that also affects other constituencies in the south London region. I am pleased, and appreciate, that my hon. Friends the Members for Chislehurst (Mr. Sims) and for Dartford (Mr. Dunn), who are also affected, are present. I understand that my hon. Friend the Member for Dartford wishes, with your permission, Mr. Deputy Speaker, to add a few words when I finish.

Exactly a week ago, Glaxo announced the closure of the Wellcome research site at Beckenham. A total of 1,550 jobs will be lost at that location. There will be a long-term impact on the local economy and a premier research and development facility will be abandoned. This is obviously a matter of great concern to my constituents and to all connected with the local economy.

The closure will also impact heavily across the entire London borough of Bromley, affecting the constituencies of my hon. Friends the Members for Chislehurst, for Ravensbourne (Sir J. Hunt) and for Orpington (Mr. Horam). It will also be felt elsewhere in the south-east. As an indication of that, I believe that about 400 or just over of the employees at Beckenham live in the Dartford area. My hon. Friend the Minister of State will be interested to know that some 120 of them have ME postcodes and a further 140 have TN postcodes.

Restructuring of the former Wellcome sites was widely expected after the takeover of Wellcome plc by Glaxo. I regret the fact that Wellcome was not able to continue as an independent company and that the Beckenham site was chosen for closure. However, I do not blame Glaxo-Wellcome for rationalising. The management have a responsibility to run their company as efficiently as possible. Glaxo-Wellcome is a great British company, operating in one of Britain's leading industries. It contributes enormously to our economy as a whole; to exports, employment, wealth creation, discovery and healing. I wish it nothing but well. However, I also care deeply about the future of the former Wellcome employees and their site.

I have been in touch with Wellcome and Glaxo-Wellcome about this matter for some months. Last Tuesday, the chief executive of Glaxo-Wellcome, Sir Richard Sykes, invited me to a meeting immediately after the announcement was made. I had a long talk to him and I know that he has agonised over this decision. He also went out of his way to stress that his company will do all that it can to fulfil its social responsibilities and to look after the Wellcome employees it inherited. In a letter to me he said:

"I can assure you that those who are made redundant will be offered generous severance terms, and the company will also provide extensive support by way of counselling, retraining and outplacement through an on-site Resource Centre. We shall, of course, be consulting trade union representatives about the implications of the closure.

My colleagues and I well recognise the scientific contribution and reputation of Beckenham over the past 70 years. We are also very conscious of the impact which the decision to end Wellcome's long-standing presence will have on the local community. We shall be discussing . . . what we can do to help to alleviate this impact."

Even in the few days since then, Glaxo-Wellcome has said that it will commission a full study of the impact of the changes and that it will produce a package of measures to help the local community.

Over the past few months, I have also worked closely with the leader of the London borough of Bromley, Councillor Dennis Barkway. Councillor Barkway was swift to set up a council working party to help tackle the problems in the wake of restructuring. His response, has I believe, been laudable, indeed impeccable.

We would all like this to be a copybook example of how to minimise the impact of a major jobs blow such as this. However, I believe that the time has now come for wider involvement. I am raising this matter because I believe that there needs to be some Government input. I hope that my hon. Friend the Minister will assist by ensuring that her Department, the Employment Service and perhaps also the Department for Education and the Department of Trade and Industry will help with the expertise that they can offer.

I am not holding out a begging bowl. Although unemployment is now above its usual level in my constituency—I mean the level before this announcement—we could hardly make a case for being a deprived area. We see this not as a problem but as an opportunity, looking to the future, not the past. Nevertheless, no community can take so big and sudden a loss of jobs without some shock. I believe that Government expertise is needed in three areas. It is needed, first, to help those made unemployed. The position is not as bad as it looks. Although 1,550 jobs are going, Glaxo has approached the matter in the most sensitive way possible. The jobs will go over three years—not all at once—in gradual stages. Many of the existing employees will be offered transfers to other Glaxo locations. Some will want to take an attractive package of early retirement. Others will, no doubt, accept generous redundancy arrangements to pursue alternative opportunities elsewhere.

Many of the people about whom we are talking are highly qualified, highly skilled professionals. They are unlikely, for the most part, to have a great problem in finding other opportunities. There will, however, remain a hard core of former employees who will lose their jobs and who will have no immediate alternative job on offer. Glaxo has already promised those people help, as have the borough and the South London training and enterprise council, SOLOTEC. Further Employment Service support is, however, essential.

Secondly, there is the impact on the economy. This is more severe because it is likely to be more long-lasting. There will be a loss of 1,550 employees, some 1,300 of them working in research, with an average annual income of about £23,500—well above the national average—which will leave a big hole in local spending power. I am always wary about economic theories and figures so I am particularly wary about predicting how big the hole in local spending power will be. However, it is obvious that the loss of about £29 million per year in wages will have an impact on spending power in the area and will probably have a knock-on impact as well, whatever one believes about the theory of the economic multiplier.

The loss of the employing company itself, which clearly spends a large sum on locally produced services, will have a further impact. Help is needed in overcoming this problem in the short term and in seeking a replacement in the longer term. In other words, my constituency needs, for the sake of the local economy and for a balanced economic structure, a business or businesses to replace Wellcome.

Thirdly—this next point could be linked with the point that I have just made—there is the future of the site itself. Here is a ready-made research and development facility, fully equipped, purpose-built and stand-alone, in spacious, well-laid-out grounds. I do not mean this to sound like an estate agent's brochure, but I know that anyone who visited the site would realise that it was extremely attractive—indeed, a beautiful site. That adds an extra dimension to the very specific services there for research and development.

The site is also very well located. It is 30 minutes from central London and it is just a few miles from Croydon, which is itself a big centre. It has easy access to the M25 and to Gatwick airport. It is also on the edge of London so employees can easily live, as many have chosen to do, in the Kent and Sussex countryside. The site would best be used for its present purpose and I hope that my hon. Friend the Minister will lend her Department's weight to that ideal. I appreciate that there is not exactly a long waiting list for research sites, but I know that an off-the-shelf site is not often ready and available.

Britain's research and development base is vital and it is a vital part of the overall economy of the south-east. It would seem a great waste to allow part of it to slip away, especially when the site has so many advantages and when so many of the facilities are state of the art and very recently constructed. If possible, I hope that the route of reusing the site will be taken. If that proves impossible, I trust that the Department of Employment, the Department of Trade of Industry and others will work with the London borough of Bromley to find an alternative but, I hope, similar use for the site.

One idea worth examining is to transfer the ownership and running of the site, apart from the biotechnology section which is likely to be the last to move, to a separate development company or something similar. Such a company would have a remit to market the site and to make sure that its availability was known and its strengths championed. It would involve Glaxo, which would probably be willing to take part, the council, which is keen on the idea, SOLOTEC and perhaps other elements from Government Departments. Once a future was found, the company could either pass over its ownership to the new operators or could continue to run the infrastructure of the site, which has its own roads, if that were necessary. That would be useful if a number of different operators shared the site in some form of science park.

The loss of jobs in the locality is part of the general outward drift of jobs from central London. It is important to try to stop that process, as it is potentially very damaging to the capital and to the people who live in the capital. The Wellcome site would best serve the area by continuing to be used for employment, rather than for some other purpose.

I hope that Glaxo-Wellcome will help in the endeavour to attract new jobs to the site. It could assist by giving financial incentives to attract a new employer, such as soft loans, guarantees or possibly a rent-free period. I know that all of those avenues will be explored, and the Government could assist in encouraging that process.

The site cannot be developed for major industry because it is located in the middle of a high-quality

[Mr. Piers Merchant]

residential estate, and it would be an affront to the planning process if inappropriate major industry were sited there. We do not want any more retail parks or high-density housing, as they would not fit in well with the existing structure of the area.

The Langley court site is part of the history of Beckenham. Since 1922, its laboratories have been of great service to all mankind and local people are proud of its achievements. It is a part of the community and contributes to the diversity and balance of the area. It has provided employment for seven decades, and has put a lot into the local economy. I strongly encourage a co-operative spirit to overcome the present difficulties, to find a future for the site, to encourage new job creation and to alleviate the personal trauma that inevitably arises when industrial change comes.

10.46 pm

Mr. Bob Dunn (Dartford): I begin by thanking my hon. Friend the Member for Beckenham (Mr. Merchant) for giving me the opportunity to say a few brief words in support of the case that he has put forward so ably tonight. He pointed out that the decision to close the Wellcome research site over the next three years has implications not just for the London borough of Bromley, but for all communities in west Kent, north-west Kent, Surrey and south London.

The histories of the Wellcome Foundation, or Burroughs Wellcome as it is known locally, and north-west Kent over the last 100 years have been one and the same. The contribution that the company has made to the levelling-up of standards in employment, the creation of employment and assistance to the town of Dartford and to other towns in which the company has been based has grown and grown.

Like my hon. Friend, I was somewhat concerned when the anticipated announcement was made a few days ago. The affect of the announcement was that the manufacturing site at Dartford is to be maintained and retained. That is good news, not just for Dartford but for all communities in the area, given the mobility of labour. Alongside the decision to retain the Dartford manufacturing site was the decision to close the Beckenham site.

As my hon. Friend said, more than 400 persons employed at the Beckenham site live at an address with a DA post code, which includes the London borough of Bexley, Dartford and Gravesham. Across that scattering of communities in north Kent and south London, there are implications of retraining, relocation and redundancy for many of my constituents and those of other hon. Members from our region. I know that Glaxo-Wellcome will do all that it can to ensure that the impact of those moves bears down as lightly as possible on the individuals and families affected. In particular, I commend some of the ideas that my hon. Friend put before the House this evening.

I, too, regret the probable loss of the expertise that has been built up over the years at the Beckenham site. To craft up and build over generations a team with real expertise in the pharmaceutical world and to see it broken up i something I regret, and I am sure that most hon. Members would feel the same.

I must also pay tribute to the work of Councillor Kenneth Leadbeater, the leader of the Conservative group on Dartford borough council, who has done so much to assist the formation of policy between town and company and who has made a special journey to be here for this debate tonight.

I am impressed with the way in which the new Glaxo-Wellcome formation has dealt with me, as a Member of Parliament. I too have seen Sir Richard Sykes and I have the opportunity of another meeting in the near future. I want to place on record, however, my great concern about the decision. There are implications for my constituents and I know that the Minister, who is a Kentish Member, will do all that she can to assist those of our constituents who will be affected by the closure of the site.

10.50 pm

The Minister of State, Department of Employment (Miss Ann Widdecombe): I congratulate my hon. Friend the Member for Beckenham (Mr. Merchant) on obtaining this debate, Mr. Deputy Speaker—Sir Geoffrey—and on the way in which he put his case. It would also be right to record that, in addition to my hon. Friend the Member for Dartford (Mr. Dunn), my hon. Friends the Members for Chislehurst (Mr. Sims), for Ribble Valley (Mr. Evans) and for Castle Point (Dr. Spink) have all shown an interest in this important subject. Regrettably, no Opposition Members have shown an interest in this debate.

By responding so quickly to last week's announcement, my hon. Friend the Member for Beckenham is seeking to ensure that the impact of this closure on employees and the local community is addressed and, furthermore, that the maximum amount of opportunities are made available to those affected. I certainly share his concern for the area and for the people involved and I thank him for reminding me of my constituency concerns in this issue. The relocation of an area's major employer is always a matter of regret and concern, not only for its employees, but for associated suppliers, contractors and the local community at large. I hope that those affected by last week's announcement will be reassured by the importance that my hon. Friends have attached to this issue.

The proposed closure of the research and development centre and the whole Beckenham site is part of a broader announcement on rationalisation, which follows the merger of the Glaxo and Wellcome companies after Glaxo's takeover in March. While Glaxo-Wellcome recognises the major scientific contribution made by Wellcome's Beckenham laboratories and the high reputation that they have gained, the company has decided that it must now refocus its research and development activities to remain the world leader in an industry which is changing at an unprecedented rate.

The Beckenham site employs 1,500 people and contains some outstanding skills in leading edge technologies such as biotechnology, for example. It is important that those skills are developed and that full advantage is taken of them. The activities of the research and development centre, which employs some 1,300 staff, will move to the company's brand new, state-of-the-art research centre in Stevenage—I am sure that my hon. Friend the Member for Stevenage (Mr. Wood) will be delighted to welcome them—confirming the company's continuing commitment to research and development in the United Kingdom. It is also maintaining its manufacturing sites in this country.

Glaxo-Wellcome currently expects a significant number of the 1,300 research and development staff to be offered relocation to the Stevenage centre, but cannot

offer any specific numbers at this stage. Therefore, it is still unclear what proportion will be made redundant as a result of the Beckenham site closure, and until offers have been made individuals will not be able to assess their acceptability. We know, however, that the centre will be run down over three years, so the impact on the constituency of my hon. Friend the Member for Beckenham will be phased.

In raising the matter in the House at the earliest opportunity my hon. Friend has highlighted its importance to his constituency. As he said, it is never too early to plan for the consequences of such a closure. Glaxo-Wellcome has already consulted key partners to discuss how support and assistance can be provided to those affected. The company has stated that it recognises that the closure will have an impact on the Beckenham and Bromley communities, and it has already held discussions with Bromley council, the local training and enterprise council and the Employment Service to work out ways of alleviating the effects of the closure.

Only yesterday John Howell, chief executive of SOLOTEC, the local training and enterprise council, met the company chairman of Glaxo-Wellcome and representatives from Bromley council to discuss the support that can be provided to staff who either are not offered, or do not wish to accept, a transfer to the Stevenage site. I am informed that at that meeting a decision was taken to establish a task force with an immediate remit to undertake a detailed audit to identify the skills, current jobs and experience of individual employees. When the detailed information has been collected and assessed, an action plan will be drawn up to address the impact of the closure, taking into account the skills and experience of individuals.

The south London district of the Employment Service has agreed to collaborate formally with SOLOTEC to provide the most effective service possible to Glaxo-Wellcome employees and others affected by the closure. I am sure that by working in partnership and pooling skills, resources and information, the Employment Service can provide an even more efficient response to the situation. I understand that at yesterday's meeting an immediate start was made to specify the support that should be provided. In broad terms, the Employment Service will offer interviews to redundant employees to provide advice and guidance on the options available. Interviews can take place either on company premises or in local Employment Service or TEC offices.

The matters for discussion are likely to be wide ranging, but outcomes could include a reference to SOLOTEC, signposting to other agencies for specialist assistance, and arrangements for a follow-up interview with the same counsellor to monitor progress. The TEC will help individual employees to identify job requirements and to define appropriate training needs, and will discuss ways in which these can be met. The TEC will also advise on the possibilities for self-employment and business start-up.

The wide variety of programmes and services offered by both the TEC and the Employment Service will be available, as appropriate, to Glaxo-Wellcome employees and others affected by the site closure. The aim will be to offer targeted, practical and relevant advice to all who need it. I am well aware that the closure of the Glaxo-Wellcome site in Beckenham could result in the redundancy of some highly skilled individuals and I am confident that the Employment Service and SOLOTEC will work together to ensure that every possible effort is made to provide suitable advice and guidance to those individuals. I also understand that the executive job club in Bromley will enhance its existing provision to address the specific needs of that particular client group. Glaxo-Wellcome has promised support and assistance to its employees throughout this difficult period.

My hon. Friend also asked about the future of the Beckenham site. He will be interested to know that the Government office for London has been in touch with the London First centre, which receives funding from the Department of Trade and Industry to act as the inward investment agency for London. One of the London First centre's priorities is to develop a portfolio of sites which will contribute to the overall marketing of London to potential investors. It works in close collaboration with English Partnerships and the Government office for London in that respect. The London First centre will meet Glaxo in the next few weeks to discuss a range of issues, including what action might be taken over the Beckenham site.

As my hon. Friend may be aware, this is not the first time that a London TEC has had to respond to the closure of one of its major employers. Following the closure of the British Aerospace site in Kingston, the local TEC—AZTEC—was instrumental in drawing together the local authority and other key partners to make recommendations for dealing with the effects of such a closure. I am certain that SOLOTEC, Bromley council and the Employment Service, in conjunction with Glaxo-Wellcome, will respond in an equally positive way.

I emphasise to my hon. Friend that, although any addition to unemployment is deeply unwelcome, in his constituency unemployment has fallen by almost 12 per cent. in the past year—faster than in the London region as a whole.

It is important for us all that Glaxo-Wellcome should continue to thrive in the ever more challenging world of the international pharmaceutical industry. The company has made the commercial judgment that rationalisation of its sites is unavoidable. I am sure that Glaxo-Wellcome will wish to conduct the Beckenham site closure in a professional manner and will continue to be actively involved in alleviating the impact on its employees and the local community. I know that SOLOTEC and the Employment Service will ensure that appropriate counselling, guidance and retraining are made available. I shall keep in touch with developments and ask SOLOTEC and the Employment Service to keep me fully informed. I hope that my hon. Friends the Members for Beckenham, for Chislehurst and for Dartford, and all other hon. Friends with an interest in the subject, will feel free at any time to bring to my attention any further concerns that they may have.

Once again, I congratulate my hon. Friend the Member for Beckenham on securing this debate. The interest of other hon. Members clearly shows the importance that should be attached to it. Moreover, the running commentary that was kept up throughout the debate shows the excitement that it has occasioned.

Question put and agreed to.

Adjourned accordingly at two minutes past Eleven o'clock.

House of Commons

Wednesday 28 June 1995

The House met at Ten o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Shipping Safety (Donaldson Report)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Conway.]*

10.4 am

Mr. James Wallace (Orkney and Shetland): First, I express my gratitude to you, Madam Speaker, for the granting of an Adjournment debate on the important subject of the Government's response to Lord Donaldson's inquiry and his detailed report, "Safer Ships, Cleaner Seas".

My gratitude is tinged with some disappointment, because the debate is being held in private Members' time. On the day of the publication of Lord Donaldson's report, the hon. Member for Stoke-on-Trent, North (Ms Walley) challenged the then Secretary of State for Transport, the right hon. Member for Norfolk, South (Mr. MacGregor) on when it would be possible to have a debate on it. He replied:

"I should be happy to have a debate when everyone has had a chance to digest the voluminous report"—[*Official Report*, 17 May 1994; Vol.243, c.686.]

That was 13 months ago, and today is the first opportunity that the House has had to debate that report. It is regrettable that the debate is not being held in Government time, but I hope that it will whet the appetite and persuade business managers that there is a need for a lengthy and more in-depth study of the important issues involved.

I shall briefly run through the background to the publication of Lord Donaldson's report. Right hon. and hon. Members will recall that, on 5 January 1993, the oil tanker Braer went aground in the south part of Shetland in my constituency. With commendable promptness, the Secretary of State for Transport announced, when the House first met on 11 January 1993, after the Christmas-New Year recess, that an inquiry would to be set up under Lord Donaldson's chairmanship.

That inquiry worked diligently. It took a considerable amount of evidence, and received volumes of it, which it then distilled to produce its report. At the time of its publication, it was widely acclaimed by industry and environmental groups, because it was considered to have done a thorough job on an important issue. It was also seen as a long overdue investigation into shipping safety. Although everyone had reservations about certain recommendations or were disappointed that other recommendations were not included, it is fair to say that the report found widespread acceptance.

The Government published their response to that report on 28 February this year, in a ministerial statement coupled with a detailed, blow-by-blow account of their response to the 103 recommendations that Lord Donaldson and the assessors who sat with him put forward.

Although the report was occasioned by the grounding of the Braer, it considered wider issues to do with shipping safety. It is important that we deal with those general issues, although I hope that the House will understand that, when I deal with some of the specifics, I will consider points of particular concern to my constituents in Shetland and Orkney.

I shall, however, try to avoid offering a checklist of recommendations and responses, as that would be somewhat tedious. In fact, it would be impossible to do that, because the more I discovered in preparing for the debate, the more obvious it was how one could go on indefinitely raising issues connected with the report.

Hon. Members on both sides of the House appreciate that a safer maritime regime has important consequences for the environment. The debate will provide us with an opportunity to consider our continuing concerns, and also to see how the Government are measuring up to the stated goals and aspirations set out in their response to the Donaldson report.

Let me turn to the Government's response, published in February 1995. I shall dwell at length on the importance of a timetable for implementation. I am sure that, when the Minister replies, he will tell the House that the Government's response accepted 86 of the 103 recommendations made by Lord Donaldson. The Government have 13 others under active consideration, so, by quick arithmetical process, one discovers that they rejected only four. By any yardstick, that is not a bad record.

However, we wish to examine the Government's record, not on their principled acceptance of many of the recommendations, but on the extent to which those have been implemented.

If one goes through the recommendations and the Government responses, one finds many references to the need for discussions, the need to submit papers and the need to urge the International Maritime Organisation. It is rarely that a clear commitment is made and something is actually being done.

It starts at the very beginning—a very good place to start—with recommendation 1 on the need to tighten flag state implementation. Everyone would agree that, if that could be done, it would be a key way of improving shipping safety, yet there are numerous countries, signatories to the IMO, whose capacity and willingness to implement rigid safety standards fall far below what one would expect of them.

The recommendation that we find there relating to flag state enforcement recommends the Government to

"encourage the improvement of Flag State performance generally by giving IMO's Sub-Committee on Flag State Implementation its full support."

It then recommends many specific issues.

In their response, the Government accept recommendations 1(a) and (b) and say:

"The UK has also submitted a paper for consideration at the next meeting of IMO's Flag State Implementation Sub-Committee pushing for action against Flag States with poor records."

[Mr. James Wallace]

That may well be all that they can do, but we want to know what happens to those papers once they have been submitted. What progress is made afterwards? I cite that as an example.

Recommendation 53(b), which is not necessarily one of the key recommendations of Lord Donaldson's report, says:

"The UK Government should seek the agreement of the relevant international organisations to co-operative reassessment of the requirements for emergency electrical systems."

That is one of the recommendations that the Government accepted. They said:

"It is clearly vital that emergency electrical systems are reliable and the UK will work through IMO to achieve any necessary improvements in design".

What does "working through" mean? What is the time scale for achieving it?

Recommendation 57 says that the Government

"should press IMO to ensure that all vessels with a large bunker capacity are subject to the same routeing and reporting requirements and recommendations as laden tankers."

That recommendation is accepted in principle. The Government accept that the pollution threat posed to the environment by bunker fuel is such that we need to protect the environment, and we are told:

"The Department of Transport will take forward discussions, both nationally and internationally, involving the shipping industry and environmental groups, in 1995."

There is therefore plenty of commitment to discussion and submission of papers.

Recommendation 89 completes my random series of examples. It says:

"The UK Government should seek powers for the Coastguard Agency to establish sea exclusion zones."

The response is:

"The Government agrees that COASTGUARD ought to have the power to establish sea exclusion zones in emergency situations"

but it

"will require legislation and we are . . . considering how best this might be achieved."

There are a great many good intentions—I am aware of the arguments that the Minister can use to draw attention to the good intentions that exist, so justifying the position—but not much concrete action. We shall be told—as we are regularly told—that action is far more effective when we international agreement is achieved. I accept, as a principle, that that must be right. If we can persuade the whole international community to agree those things, self-evidently the safety regime for shipping worldwide would improve.

However, many of us fear that the International Maritime Organisation sometimes goes at the pace of its most reluctant member. We want a sense of urgency.

I hope that the Government are willing—perhaps the Minister will say so when he replies—to identify occasions when it might be appropriate for the European Union, or the United Kingdom unilaterally, to take action if it feels that the international shipping community is not proceeding with a sense of urgency on matters that are considered important.

An example of what has already been done is the EU directive on the recognition of classification societies. That aspect has been identified by many people as one of the weaknessness in the current position in classification societies; vessels may have been classified too easily. The EU directive will require far more stringent compliance requirements than those required by the IMO. That is a helpful sign that we are prepared to go beyond the minimum international standards. If we can do that in a European context, it is much more effective than doing it purely nationally.

I hope that the Minister will give some sign of what the Government's opinion is about when it would be appropriate for us to go it alone, or go it in partnership with our fellow EU members.

No doubt I shall also be told that all the current discussion and consultation is perfectly reasonable, and that I and my colleagues would be the first to complain if the Government steamed ahead without consultation. Of course consultation has its place, but I want to inject into the debate—not only this morning's debate on the Floor of the House, but the debate generally—a sense of impatience and the need for urgency. We cannot simply sit and wait.

It is now about two and a half years since the Braer went aground. There are important lessons to be learned, many of which Lord Donaldson identified. It is important that we maintain the pressure to ensure that that issue does not go—I was about to say underground—under water until there is another maritime casualty around our shores.

Mr. Mark Robinson (Somerton and Frome): I should not like to think that the impression was being given that nothing is being done, yet that is the impression that I am starting to gain from the hon. Gentleman's speech. If one considers the business plans of the Marine Safety Agency and HM Coastguard, one sees the pillars for many of the actions that are needed to implement those recommendations. Indeed, as I understand it, work is already going on in certain key aspects.

Mr. Wallace: I am grateful for that intervention. I would not wish to give the impression that nothing is being done; some important steps have been taken.

For example, every month we now publish the names of defaulters from the surveys that are done by the Marine Safety Agency at several ports, when it finds ships that do not come up to the mark. That is a helpful, positive development and one hopes that it has some effect. Perhaps the Minister will be able to say whether there is any evidence yet that it is having an effect as a result of the embarrassment factor—and perhaps some commercial downside effect—of those names being published, together with the flag, country and classification society involved.

I would not wish to give the impression that nothing has been done. If one reads the recommendations, one sees many good intentions. However, we should have published a timetable showing when the Government would want those proposals to be translated into action—when the talking must stop and the action must start.

The Government publish a report annually on the state of the environment, in which they set out the progress that has been made on the targets that they set themselves the previous year. It might be helpful if, annually or, better still, six-monthly, the Government were to set out the progress that has been made in trying to meet some of the objectives and to follow up some of the arguments that were made in their response to the Donaldson report.

Mr. Nigel Waterson (Eastbourne): Does the hon. Gentleman accept that the evidence shows that fewer than half the ships that transit the straits of Dover or Scottish waters near his constituency stop at a United Kingdom port? Does that not emphasise the importance of international action, which he appears to denigrate as only a talking shop?

Mr. Wallace: I fully accept that argument, and I recognise that there are international constraints. For example, if there are areas to be avoided, that does not interfere with free passage. I have not been among those who have called for the total closure of the Fair Isle straits, in my constituency. If one cannot navigate a vessel through the Fair Isle straits, I am not sure where one can.

There are areas which should be avoided, but that will not stop the free passage of shipping. I would like to see it put on a mandatory rather than a voluntary basis. If that cannot be done internationally, why not do it unilaterally? As to the straits of Dover, there is perhaps more scope for action if we act as a European union rather than as a nation. I pay tribute to the European Union for bringing forward a series of proposals that are designed to improve shipping safety.

I now turn to some of the specifics.

Mr. Paul Tyler (North Cornwall): Will my hon. Friend extend his analysis of the difference between work that is being undertaken by United Kingdom institutions alone and in conjunction with our European Union partners and the work of international organisations—particularly the International Maritime Organisation—which is much more difficult to see out in the open? It is very easy to see what is being done in the first two contexts, but it is difficult to see what is taking place in international discussions within the IMO, which is an extraordinarily secretive body.

As to my hon. Friend's excellent proposal for a timetable, would it not be appropriate to timetable specifically those recommendations upon which we seek IMO implementation? It would be of enormous benefit to everyone concerned if we could then receive some guidance from the Government about the state of the negotiations.

Mr. Wallace: That is a very helpful suggestion, and it is what I envisaged when I asked for a report which would show what stage certain proposals had reached within the various committees of the IMO. It is important to know the status of the various proposals, and what sort of reception they are receiving from other IMO members. We would then know what was happening, and we would be reassured that proposals were not simply banished to the place on the Albert embankment where they disappear without trace.

After receiving its initial remit, the Donaldson inquiry was asked to examine the question of factory ships. That followed the grounding of the Lunohods and the Borodinskoye Polye in Lerwick harbour in November 1993. They were klondykers engaged in the transshipment of pelagic fish. Lord Donaldson made a series of recommendations calling for action, including legislation, to amend the Sea Fish (Conservation) Act 1967.

Paragraph 17.33 of Lord Donaldson's report states:

"We believe that a revised system must be in place before the winter of 1994-95 . . . The Fisheries Departments should declare straight away that from a specified date, well before next winter"—that is the winter just past—

"they will not consider any application for a transshipment licence unless the Master concerned produces evidence that his vessel is adequately insured and reaches minimum safety standards".

A positive move has been the introduction of regular vessel inspections. Vessels are detained—some have been detained in my constituency—when they do not meet certain safety standards. Another klondyker, the Pionersk, ran aground at the end of October last year.

The Scottish Office Agriculture and Fisheries Department has released a consultation document which seeks to limit the number of klondykers and requires notice of applications for transshipment licences. That move is intended to improve the management of the transshipment arrangement without interrupting the operation of legitimate fishing interests. However, I understand that there are some potential practical difficulties in requiring advance notice when vessels often do not make decisions to come and fish until the last minute.

The Government's response also says that the Department of Transport, the Scottish Office and the Ministry of Agriculture, Fisheries and Food will prepare a consultation paper on options for future action, including a possible linkage between compliance with safety standards and the issuing of licences. The Minister will have the opportunity today to inform the House about the time scale for that consultation paper, and when we can expect to see legislation that might flow from it.

When presenting the Donaldson report to the House, the former Secretary of State said:

"We shall be considering those recommendations urgently so that we can have appropriate measures in place before the klondyker fleet returns".—[*Official Report*, 17 May 1994; Vol. 243, c. 677.]

We are about to see the second return of the klondyker fleet, and there is still no indication that the necessary legislation will be brought before the House. The issue generates considerable concern in my constituency. That concern is not so obvious during the summer months, but we do not want to approach another winter and the return of the klondyker fleet with no idea what legislation will link safety standards to the issue of licences.

Another related matter is the problem of insurance. When the Pionersk ran aground, there were questions about its insurance. I have advised some of my constituents to take the matter up with the solicitors acting for the agents of the Pionersk, because, although it was clear where the liability lay, it was not clear whether my constituents could receive any compensation because there was no insurance. The Lerwick harbour trust and the Shetland islands council have expressed similar concerns.

I welcome the fact that the Government say in their response that they will accept, in principle, Lord Donaldson's recommendation for compulsory liability insurance. We are told that the IMO's legal committee will begin formal consideration of that matter in 1996. Perhaps the Minister will tell us what time scale he anticipates for that consideration.

At the North sea conference earlier this month, we received considerable support from our North sea partners about the idea of compulsory insurance. In the meantime, is it possible to have separate arrangements for uninsured fish factory ships, given that they require a licence, are in our waters and anchor at United Kingdom ports? Is it possible to introduce more stringent insurance

[Mr. Wallace]

requirements for them now, rather than waiting until 1996, when the formal consideration of compulsory insurance begins?

On surveillance, Lord Donaldson's recommendation that there should be worldwide use of automatic transponders to enable vessels to be tracked and interrogated received support from all sides. For the most part, that would allow the early identification of trouble when vehicles stall or are clearly not making adequate progress, and the coastguard and other safety agencies could be alerted at a much earlier stage.

Last July, some Shetland Islands councillors and I met the former Shipping Minister, the noble Lord Mackay of Ardbrecknish, to discuss a number of issues rising out of the Donaldson report. I was very impressed by Lord Mackay's commitment to the various issues, not least that of transponders. He said that, during the summer recess, he planned to visit a number of European capitals to press the case for transponders. However, before the sun set that day, he was a Social Security Minister.

The Government have tried to pursue the issue, and the report suggests that it is gaining some momentum. However, I have read press reports in the last two or three months which suggest that the proposal has been knocked back in the relevant committee of the IMO. Will the Minister explain the present situation with regard to the requirement to fit automatic transponders to vessels?

There is considerable strength of feeling in the Shetlands—and I suspect in other places, such as the Minches and the western approaches—that there should be some kind of radar surveillance pending the proper implementation of transponders. The Government have said that they will operate mobile radar, and they are already doing so on a basis similar to a police speed trap, as Lord Donaldson suggested. A radar was placed in the Fair Isle channel at the turn of the year, and I should be interested to learn what the results have been.

In the absence of transponders, there is a strong view that there should be some form of surveillance in order to spot vehicles quickly when they get into difficulty. That could be achieved at modest cost, not only by radar but also by aerial surveillance. The Government have extended aerial surveillance hours from 500 to 625 per annum on a trial basis. The Shetland Islands council has surveillance spotter planes which fly for up to 400 hours per annum checking on vessels coming in and out of Sullom Voe. I think that we can do more to monitor the activities of vessels while we await the introduction of an automatic and highly scientific means of tracking them.

The surveillance issue raises the fundamental question of what to spot when tracking vessels. There is widespread concern about illegal discharges from vessels. As Lord Donaldson observed, although incidents such as the Braer, Torrey Canyon or Amoco Cadiz attract headlines, day in, day out, week in, week out and year in, year out, routine and often illegal discharges put much more oil into the seas than some headline-grabbing casualties.

The difficulties for enforcement authorities in trying to bring an offending vessel to book are immense. I would be interested to know whether there has ever been a successful prosecution in recent times. My understanding of the MARPOL rules is that, since July 1993, permitted discharges of oil and oily waste have been limited to 30 litres of oil per nautical mile travelled. It would challenge any procurator fiscal or the Crown Prosecution Service to prove in court that that limit had been exceeded.

Mr. Waterson: Will the hon. Gentleman join me in congratulating the Government and all parties in ensuring the swift passage of the Merchant Shipping (Salvage and Pollution) Act 1994, which for the first time applies the same rules to vessels other than tankers, which are often just as guilty—if not more so—of making small but persistent and damaging discharges as they travel around our coasts?

Mr. Wallace: I certainly give credit to the hon. Member for St. Ives (Mr. Harris), whose private Member's Bill enjoyed all-party support and made considerable improvements in that and other respects. Whether the discharge comes from a tanker or any other vessel, the problem is that it cannot be measured. That is why many people agree that we should be looking for a regime of zero discharges of oily wastes in the long term. The North sea ministerial conference earlier this month made a commitment only to research, rather than to action. It would be helpful if the Minister will show a greater sense of urgency in tackling illegal discharges.

Once there are in place more means of spotting vessels that get into trouble, one must have the means of doing something about it. The Government responded to the Donaldson recommendation to use salvage tugs on an experimental basis, which were positioned in Dover and Stornoway. The trial period is about to end, so it might be premature to ask the Minister for conclusions—although it would be interesting to know whether there have been any preliminary findings.

I regret that it has not been possible to place a salvage tug in northern waters. It is a long way from Stornoway to even where the Braer went aground. Although there is tug capacity at both oil terminals in my constituency, neither has tugs capable of the kind of salvage operation of which the tugs at Dover and Stornoway are capable. The North sea conference made a commitment to greater international co-operation in the provision of salvage capacity. I hope that the northern North sea will be identified as qualifying, given the volume of oil tanker traffic there.

The vessels used in the trial were themselves the subject of some controversy, given that they fly under the flag of some obscure state.

Mr. Calum Macdonald (Western Isles): St. Vincent.

Mr. Wallace: That does not strike one as a contender for the most efficient flag state. Given the emergency nature of the work done by those tugs, one cannot help wondering whether language problems—identified time and time again in incidents—would be wholly overcome in an emergency. That matter is of some concern in the shipping industry. I would be interested to know also whether the language problem will be addressed when assessing such arrangements.

There is so much to say. I have not dealt at length with crewing standards, but human error is responsible for around 80 per cent. of accidents at sea. However, all worthwhile measures cost money. Effective port state control costs money, and the Marine Safety Agency must have the resources to undertake important survey work.

The Coastguard Agency must be lifted from the demoralised state indicated by the comments of a number of its employees.

Writing in *Petroleum Review* last October, Mr. C. J. Parker, secretary of the Nautical Institute, concluded his review of the Donaldson report:

"Certainly, commercial operations demand a level of risk and whilst this is inevitable in any competitive industry the aim of regulation, enforcement and inspection must be to eradicate the sub-standard and ensure that dangerous shortcuts do not pay."

There is continuing concern that, if the shipping industry could get away with dangerous short cuts, it would. It is incumbent on the House to make sure that short cuts are not possible, address the issues with a sense of urgency, and remember that the pollution of our sea and marine environment can have damaging effects on employment onshore as well as on people who make their living plying the seas.

It is important to acknowledge the potential cost of not taking some of the measures that Lord Donaldson proposed. I hope that this debate will be one of several to take stock of measures being put in place to ensure that our seas our cleaner and our ships are safer.

10.36 am

Mr. Nigel Waterson (Eastbourne): I am pleased to have the opportunity to take part in this debate, and congratulate the hon. Member for Orkney and Shetland (Mr. Wallace) on securing it and on making a manful effort to do justice to Lord Donaldson's 103 recommendations.

I ought to declare a sort of interest, in that I have for a number of years practised as a shipping lawyer, and have done more than my fair share of investigating why ships ended up on the rocks, ablaze or whatever. I have an even more direct interest, in that I represent a coastal constituency—as do many hon. Members present. It is terrifying to consider the number of ships that pass through the Dover straits every day. In 1993, 150 vessel breakdowns were reported to Dover coastguard, and I suspect that the 1994 figure will not be lower.

The Donaldson report is a magisterial work of enormous scope and importance. I pay tribute also to Lord Donaldson and to his colleagues, John Rendle, CBE and Professor Alasdair McIntyre, who interviewed 250 individuals and organisations. Some 86 of their recommendations have been accepted, and 14 are being actively considered. I pay tribute to the report of the marine accident investigation branch on the more narrow issue of the Braer, which was also a painstaking effort.

As a number of hon. Members want to contribute to the debate, I will touch on only four aspects. As to pollution—an issue on which I intervened on the hon. Member for Orkney and Shetland—we are apt to be mesmerised by enormous casualties such as the Torrey Canyon or the Braer, but it is important to remember that pollution is an everyday event on the coast around Eastbourne and elsewhere. Ships passing back and forth—often not tankers but elderly tramp steamers and other vessels—discharge oil into our waters.

That kind of drip, drip effect of everyday pollution is every bit as damaging as, or perhaps more damaging than, the headline cases. That is why it was important that the private Member's Bill that was introduced by my hon. Friend the Member for St. Ives (Mr. Harris) with all-party and especially Government support became law last year. It allowed us to ratify the international convention on salvage, of which more in a moment, to deal with increased compensation for oil pollution and to cover precisely persistent spills from ships other than oil tankers. That legislation has been welcomed by many environmental groups in and near my constituency.

One of the issues that emerges from the Braer report is the whole question of waste reception facilities. As a matter of course, such ships have oily-water contaminated waste that must be received somewhere rather than being dumped straight into the sea.

I shall now discuss the protection of our coasts by the stationing of tugs, a matter that was touched on by the hon. Member for Orkney and Shetland. I pay tribute to the work of the salvage working group for putting together ideas on which the Donaldson report drew heavily.

Since the Amoco Cadiz disaster off the French coast, the French Government have seen to it that tugs are stationed at Brest and Cherbourg for just such emergencies. The same policy has been followed for a number of years in South Africa. Donaldson recommendation No. 85 touches on how that can be carried out in this country. I am sure that there is an interesting debate in the Department about the combination of public and private sector contributions to deal with that question and the whole issue of franchising, and how it might work in practice.

We have heard about the pilot scheme which, with commendable speed, was put into effect for last winter, with one tug in Dover and the Dover straits and one in Scotland. I have spoken about the number of incidents that are reported in Dover every year. In February, when I last taxed my right hon. Friend the Secretary of State for Transport on that issue, the tug at Dover alone had been involved in dealing with some 22 incidents. I do not know whether the Minister has an up-to-date figure. At that time, my right hon. Friend said that the coastguard agency would be presenting its own recommendations to him in June, this month, about what could be done around our coasts in future winters.

The commercial salvage industry has had a difficult decade or so, and cannot necessarily be relied upon to have large expensive tugs stationed around our coasts. Tugs with the right power—the right bollard pull to use the technical expression—are needed in the right place at the right time. There is no point in having the right tug positioned where it cannot get to an incident in time to keep a large tanker off the rocks.

I congratulate the Government on the fact that the 1989 salvage convention has been incorporated into United Kingdom law. That is important in various ways, but it is most important in the context of this debate, because, for the first time, it envisages a salvage tug being rewarded for its contribution to protecting the environment, as well as simply the protection of property or lives. I hope that that will be an extra incentive to commercial salvors to step in and assist on such occasions.

I hope that the Minister will be able to tell us—if not today, in the fairly near future—how the Government see the stationing of tugs during the coming winter and in winters thereafter.

Finally, I should like to deal with the inspection of ships. In the ordinary way, ships are subject to many different types of inspection by authorities in this or other

[Mr. Nigel Waterson]

countries, by classification societies, by their own flag authorities and by their P+I clubs, which may insist on a condition survey. There will also be SOLAS checks for safety at sea. For tankers, perhaps the most important inspections are those carried out by prospective charterers. One of the most alarming features of those inspections is that a high percentage of tankers is rejected by big companies such as BP and Shell simply because they are not up to scratch.

One can carry out all the actions that I have mentioned and inspect a ship such as the Braer, which was well-found and run by a reputable company as far as I can see, but in that case the master was very much to blame, because his failure to do certain things contributed directly to the tragedy. I was disturbed to see in a newspaper a few days ago that that master is still plying his trade on tankers around the world.

I said in an intervention that it is important to remember that fewer than half the ships transiting the Dover straits or passing through Scottish waters stop at a UK port. That was true not only of the Braer but of the Torrey Canyon. That is why action should be Europe-wide or through the International Maritime Organisation and other international organisations.

I welcome the fact that the Secretary of State has been publishing lists of ships that are not up to standard—the so-called ships of shame. That should continue, but it is only part of the answer.

I again congratulate the hon. Member for Orkney and Shetland on precipitating the debate. I also congratulate the Government on, first, their prompt establishment of the Donaldson inquiry; secondly, on the variety of actions that they have already taken, and thirdly, on their continuing determination, through the IMO and other bodies and by unilateral action if necessary, to make our seas genuinely safer.

10.46 am

Mr. Edward O'Hara (Knowsley, South): I join in the congratulations to the hon. Member for Orkney and Shetland (Mr. Wallace) on achieving a debate on such an important subject. I pay tribute to the hon. Member for Eastbourne (Mr. Waterson) for his expertise in the subject. He made a telling remark towards the end of his speech, when he referred to the master of the Braer. As the hon. Member for Eastbourne said, that was a well found ship, whose master must bear a heavy responsibility for the enormous disaster. Despite that, as the hon. Gentleman also said, that master is still plying his trade around the world.

I should like to speak particularly about the quality of ships' crews. The Donaldson report was instigated following the Braer disaster. The Braer was registered in an offshore tax haven and crewed by low-paid, under-qualified foreign seafarers. Its fate was a tragic demonstration of the threat to the marine environment posed by the substandard crewing of ships that ply our waters.

The British fleet has an enviable record of maritime safety and I hope that that proud record will continue. However, the British merchant fleet is increasingly crewed not by British seafarers, but by low-paid foreign-recruited seafarers. There has been a decline of more than 70 per cent. in the British seafaring population since 1979.

It is easy for a Labour party member to blame shipowners for the policy of recruitment of cheap labour abroad, but I do not entirely blame them. Surely, no business is more openly exposed to foreign competition than the British maritime business. British shipowners are exposed to that foreign competition. They are assisted by section 9 of the Race Relations Act 1976, which discriminates against foreign seafarers on United Kingdom ships, in that it enables shipowners to pay local rates of pay to foreigners who are recruited abroad.

That has an inevitable consequence for the quality of crews on our ships. It happens not only in the deep-sea trade, but in the coastal and ferry trades in UK waters, and in the trade between Britain and Ireland, which especially affects my constituency. I have an interest, in that some of my constituents work or have lost their jobs in that trade.

Low-paid foreign crews are also employed in trade between the UK and the European Community. It is about time that the Government faced up to their responsibility for that position, and gave assistance to British shipowners to enable them to employ the people I know they would wish to employ: good, well-trained British seafarers. That could be done by giving British shipowners relief from national insurance contributions and income tax payments on the British seafarers they employ.

In my remarks so far, I am presuming that British crews are of better quality than some of the crews that are recruited at low cost abroad. That issue relates to the quality of training given to British seafarers. That is another matter in which the Government need to face up to their responsibilities. We have the grants scheme for assistance in the training of seafarers, but the message that I get from seafarers' unions and the Chamber of Shipping is that the amount of money put into that scheme is woefully inadequate. It would certainly be inadequate if the Government faced up to the responsibility to assist British shipowners to recruit more British seafarers.

The number of colleges for training seafarers has declined drastically, from 12 to, I think, four. A maritime nation such as the UK cannot allow the continuation of a grossly inadequate supply of training places for young people wishing to go into maritime trades.

In connection with that, one is considering not only the quality and training of crews on board ships, but the fact that a maritime nation such as Britain needs a goodly supply of people who serve their time at sea with good training, and who then come ashore to pursue maritime-related trades and businesses, many of them concerned with safety at sea. The Government could do a lot more to improve the quality of that supply.

Mr. Waterson: Will the hon. Gentleman join me and the Chamber of Shipping in welcoming both the granting and the extension of roll-over relief for capital gains tax purposes, which was announced by the Treasury earlier this year to encourage more ships to come back to the British flag?

Mr. O'Hara: I noted and approved of that, but it is just a small step down the road that the Government need to tread if they are to redress the drastic decline, not only in the British merchant fleet but in the quality of crews that man that fleet.

The subject of ship work conditions is related to the quality of crews and safety on board ships. Here again, an aspect of Government policy militates against safe working

on British ships. I understand that the Government are the only European Union Government who have not yet implemented the International Labour Organisation convention 147 of 1976 on minimum standards in merchant ships, which relates to work conditions on board, to rest periods, and, obviously, to safety at sea.

The Government may well respond to the Donaldson report, but they lack a coherent strategy for the maritime industry. Various aspects of that industry have been mentioned—the offshore and deep-sea trades, and coastal and ferry ships. If the Government had a coherent strategy, which dealt with various aspects of their policy on safety at sea, we would be far more liable to avoid the spectacle of such disasters as the Braer.

10.56 am

Mr. Mark Robinson (Somerton and Frome): I am delighted to follow the knowledgeable speech of the hon. Member for Knowsley, South (Mr. O'Hara), although I do not quite agree with him that the Government lack a strategy. I hope that the Minister, in his winding-up speech, will tell us the details of that strategy.

I join in the congratulations to the hon. Member for Orkney and Shetland (Mr. Wallace) on securing this debate. It has given us the opportunity to consider the excellent report of Lord Donaldson and—we must not forget—his assessors John Rendle and Professor McIntyre, and to give full recognition of its detail and extent. They have collectively done an excellent job, and made what I hope will be an important contribution to securing a high environmental standard for the seas around our coasts.

After all, the British Isles coastline is one of our most valuable assets. We live by some of the busiest shipping lanes in the world, and the Braer disaster, which has been widely investigated in other parallel inquiries, has highlighted the vulnerability of our shores if we do not take steps to improve the chances of their protection, given that we must recognise that no answer is going to be without fallibility.

I represent a landlocked constituency, but, like those in so many places in the United Kingdom, my constituents can reach the coast—in my case, two coasts—within an hour, and frequently do so. As Lord Donaldson so aptly reminds us, we are not alone in our vulnerability to ecological maritime disaster—the Aegean Sea was wrecked off La Coruna in northern Spain just one month before the Braer disaster.

A strong community of interest therefore exists among nations to try to ensure that we have proper regulation and proper safety standards. Action is required not just by ourselves but internationally, through both the European Commission and wider international agreements that are watched over by the International Maritime Organisation here in London, as has already been pointed out.

The work undertaken by Lord Donaldson and his colleagues deserves to be treated with the utmost seriousness, which is why the Government's response to the inquiry and their 103 numbered recommendations are so welcome. The text is punctuated by the words "accepted" and, to a lesser extent, "accepted in principle" or "under consideration". It is reassuring to know that the text of the response is referred to as a "snapshot" of Government progress and is not meant to be

"the end of the story".

I hope that that lays to rest the fears—they always arise when a report the size of this excellent document is published—that it will sit on Government shelves gathering dust. I believe and hope that the Government's excellent response shows that that is not true. In essence, where no definitive view has been reached, the likelihood is that something more will be forthcoming.

We all know that to produce a report of this complexity and with such detailed recommendations is one thing, but implementation is another. The response is right to point out that shipping is an international business, and for the recommendations to be fully effective, international endorsement and application are required.

I was pleased to see that action is not awaiting the outcome of this report, and I join my hon. Friend the Member for Eastbourne (Mr. Waterson) in applauding the decision to place emergency tugs in difficult areas, including the volatile waters of the Minch, where, to declare a sort of interest, I very nearly lost my life several years ago on MacBrayne's Loch Seaforth, when we had an extremely hair-raising and difficult crossing. I am well aware of the volatility of those waters.

It is essential that Britain sets an example by ratifying international agreements, and I should be interested in the Minister's comments about progress in that regard.

It may seem obvious that safety and the prevention of pollution must go hand in hand, which is why the recommendations on flag state control are so important. It is good to see the wide degree of acceptance in the Government's response to the recommendations in that section. To focus on a safety culture goes to the heart of the matter, and I regard the recommendations on pages 368 and 369 of the report as an important part of that.

I am also pleased to see on page 11 of the Government's response that all six recommendations in that area have been accepted. I would have liked to go into greater detail, but I realise that time is short, so I shall just re-emphasise the importance of moving forward on those recommendations.

The work that is now moving towards implementation will obviously place onerous duties on the Marine Safety Agency and the coastguard. Those are important bodies and, as the business plan of the Marine Safety Agency states:

"it is responsible for the implementation of the Government's strategy for marine safety and prevention of pollution from ships."

Similarly, in its plan, the coastguard, in its key targets for 1995-96, states that it sees one of those targets as

"the maintenance of a national contingency plan."

Those building blocks are essential. It is refreshing to see those key targets spelled out so clearly in the documents, rather than being lost in a mass of verbiage.

The hon. Member for Orkney and Shetland referred, quite rightly, to the need to encourage the International Maritime Organisation to fulfil its responsibilities and not necessarily to bow to the lowest common denominator. That is a little unfair to that United Nations organisation, but I am sure that we would all like to encourage not just progress but urgency in its response.

The International Maritime Organisation is the only specialist UN agency that has its headquarters in the United Kingdom, and, as the host country, we have considerable influence. I hope that my hon. Friend the Minister will give us some assurance that we will play a

[Mr. Mark Robinson]

positive role in trying to push forward the international aspects of the report and its forward-looking recommendations.

Pollution watch is extremely important. it can be carried out by the coastguard or from the air.

Mr. Piers Merchant (Beckenham): I apologise to the House for missing the first part of what was obviously a comprehensive and thorough speech from the hon. Member for Orkney and Shetland (Mr. Wallace).

My hon. Friend just mentioned earth observation by satellite. Will he join me in pressing for the maximum use of that means of observation? It is a very fast-advancing technology and the Donaldson report is a little pessimistic about its use. It has a great role to play, not just in observation and tracking but in enforcement and deterrence, which are important in prevention.

Mr. Robinson: I fully endorse my hon. Friend's comments. I welcome the recommendation in paragraph 16:51 on page 254 of the report, which covers that point and which urges the Department of Transport to liaise with the Ministry of Defence to keep track of modern technological developments. I agree with my hon. Friend that the recommendation is a wee bit lightly phrased, and I would have liked it to be a little bit more hard-edged and hard-nosed. However, I am sure that the point has not escaped my hon. Friend the Minister, and that he will ensure that the necessary follow-up action is undertaken.

I warmly welcome the report and welcome the decisions, actions and recommendations of the Government. I urge the Minister to pursue those recommendations with great expedition.

11.6 am

Mr. Calum Macdonald (Western Isles): I also congratulate the hon. Member for Orkney and Shetland (Mr. Wallace) on securing the debate, and on covering all the issues in such a detailed and comprehensive way. I agree with every point he made, which makes it easier for me to make some quick points, to which I hope that the Minister will refer.

First, I refer to the concept of marine environmental high-risk areas which was put forward by Lord Donaldson in his report. The Government said that they were contemplating further consideration of that concept, and I should be grateful if the Minister could give us an update on the Government's thinking, particularly in terms of negotiations within the EU in order to try to make further progress on that concept. In the Western Isles, we hope that the concept of a high-risk area would be applied not just to small, discrete areas but to larger areas, such as the whole of the Minches, which would be appropriate for an environmental high-risk area.

Secondly, mention should be made of the concept of the recommended deep-water route for tanker traffic west of the Hebrides. It has been a long-standing worry among my constituents that that route is still too close to the shore on the west side of the Western Isles, and that it should be extended further seaward. I reiterate that point.

The hon. Member for Orkney and Shetland referred to radar surveillance. There is monitoring of traffic through the Minches, and the majority of ships' masters who have been questioned by coastguards say that they are following the recommended routes. However, without radar surveillance or transponders, it is impossible to verify that, and the Government must look at introducing that system urgently.

Finally, there has been much concern because the tugs that are now stationed in Dover and Stornoway—or rather, that were stationed there until April—were not British-owned or British-crewed. They were registered in St. Vincent, and Croatian-owned and manned. The Government might have been able to get away with that as part of a trial period, but it is not a long-term sustainable position.

Quite apart from the political considerations, I believe that it transgresses immigration rules to have a Croatian crew manning a tug permanently based within British waters. The Government will have to be mindful of that, and I should be grateful if the Minister would tell us whether they have come to any conclusions about the permanent stationing of tugs.

11.10 am

Ms Joan Walley (Stoke-on-Trent, North): In this debate, as in last week's debate on cycling, there is not enough time—certainly not enough time to deal with all the issues connected with the safety of life at sea and the aftermath of the Donaldson report. I shall try to be brief, because I know the Minister has many points to respond to, but I must join everybody who has congratulated the hon. Member for Orkney and Shetland (Mr. Wallace) on the way in which he and the Shetland Islands council have unrelentingly ensured that we take up time and time again the question of what is to happen after the Donaldson report.

Just as the Shetland Islands council wants to set the highest standards for the oil operations off Shetland and at Sullom Voe, so it is crucial that the Government set and enforce similarly high standards.

The real underlying problem is that the Government's policy of doctrinaire dogmatic deregulation is undermining much of our ability to achieve the objectives set by the Donaldson report,, because so many of its 103 recommendations depend on and take for granted a safety culture within our shipping policy. The absence of that, and the way in which deregulation is starting to erode everything, means that the debate is about more than simply how to implement the shopping list of recommendations. It is also about how we must go back to basics on shipping and examine the important issues behind the recommendations.

Let us remind ourselves, as my hon. Friend the Member for Knowsley, South (Mr. O'Hara) did, that we are talking not only about what happens in Shetland, Orkney and the Western isles but about ship safety throughout United Kingdom waters, all round our coastline—from Dover to Folkestone, from Felixstowe to Humberside, round Scotland, Wales and Northern Ireland, and from Liverpool to Bristol. The report should make sure that we address all the issues connected with ship safety in each of those areas.

Welcome though the report is, we must go back to basics. Yes, I agree with the hon. Member for Orkney and Shetland that we need a timetable, and there is now some sense of urgency about that. But no, at the moment we have no mechanism for dealing with the report. We do not even have an annual shipping debate in the House, and there has been delay after delay in responding to Lord Donaldson's recommendations.

There are major concerns. Indeed, in the past week or so, we have seen how the Government are privatising part of what was the work of the surveyor general's organisation but is now the Marine Safety Agency. If that privatisation goes ahead, where shall we find the expertise and resources that were once within the Department of Transport, with the amalgamation of different agencies within the Department? Where will we find the expertise to make the recommendations to the International Maritime Organisation so that the Donaldson recommendations can be taken up?

I understand that there have been cuts of 14.8 per cent. in the Marine Safety Agency—7.4 per cent. in the marine accident investigation branch and 6.4 per cent. in the coastguard. How then shall we be able to deal with the basics of ship safety and the emergency work that the report called for? How shall we be able to ensure that, on 1 July, the coastguard will have the resources to handle the 2182 kHz frequency distress signals that have now been transferred to it? That might not have been a key recommendation of the report, but it is all part and parcel of the basic safety regime we need, on which all the other recommendations depend.

There are other aspects of the safety work, such as what is happening in Dover. We have already heard how the Dover strait is one of the busiest shipping lanes in the world. It is here off our south coast—but what have the Government done? They have made the extraordinary decision to close RAF Manston and reduce the search and rescue capability in the channel off Dover. How is that compatible with ship safety?

I repeat that all the Donaldson recommendations depend on the safety regime and safety culture that is being undermined. It has been further undermined by the commencement order that the Department of Transport is about to introduce to end the British officer nationality requirement on board British-registered ships. A whole culture is being eroded because of deregulation, and we must take those issues seriously.

There were many paragraphs in the report about the klondykers and the fish battery ships. We were told that the Government would take action to deal with them. In the winter, my colleagues and I went on delegations to the Bulgarian embassy to try to deal with the serious problems that, although they are an understandable result of the massive changes in eastern Europe, are undermining the United Kingdom's ability to uphold standards of shipping safety. Why is there still only a consultation paper? Why have the urgent steps that Donaldson recommended not been taken?

We are concerned not only about accidental spillages but about the wider pollution threat. Lord Donaldson's report dealt with more than accidental spills from shipping; his recommendations covered pollution by chemicals and garbage as well as by oil.

Like the Royal Society for the Protection of Birds, which is most concerned, I want the Minister to tell us when he intends to publish the results of the Government's questionnaire survey of reception facilities in our 350 ports and harbours, which was initiated at the same time as the report by the marine accident investigation branch.

We would also like to know what further action the Government propose to take to encourage greater use of port waste disposal facilities. Do they support the idea that fees for the use of reception facilities in the United Kingdom should be incorporated into standard port dues, as recommended in the report? In view of the responses that the Government have received to their consultation document on port reception facilities, what new statutory duties do they plan to place on port authorities?

As I have said, serious doubts remain. They certainly remain in Shetland Islands council, which says:

"Having studied HMG's response, the overall reaction is one of even greater disappointment because HMG has chosen to ignore most of the pressing matters and intends to take action which is largely symbolic and ineffective at least in the short to medium term on others."

Will the Minister tell us that we shall have the opportunity of an annual debate on shipping to set out the basic objectives, to monitor progress and to take on board all the points raised in this all too short debate, including crew competence, which was so admirably discussed by my hon. Friend the Member for Knowsley, South?

In the past few weeks, we have seen enormous public concern about whether Shell would be allowed to dump the Brent Spar oil rig in the sea. Unless the Government start to take the issue of oil spills seriously as an aspect of shipping policy as a whole, it is not only Opposition Members who will comment on the prevarication and delay that has prevented real action. Our feelings are shared by people the length and breadth of the country.

11.19 am

The Minister for Transport in London (Mr. Steve Norris): I agree with the hon. Member for Stoke-on-Trent, North (Ms Walley) that we do not have enough time for this debate. There is certainly not enough time for me to follow her down the magical paths that she traces. In my experience, she has a wonderful, almost magical, ability to witter on and manage completely to miss the point, unlike the hon. Member for Orkney and Shetland (Mr. Wallace) who is consistently assiduous on behalf of his constituents, and considerate, concerned and fair in the way in which he approaches these issues. He showed those qualities again today.

I am grateful to my hon. Friends the Members for Eastbourne (Mr. Waterson) and for Somerton and Frome (Mr. Robinson), and to the hon. Members for Knowsley, South (Mr. O'Hara) and for Western Isles (Mr. Macdonald) for their contributions. I hope that all hon. Members will forgive me if I am not able to respond to all the points that have been made. I shall endeavour to write to hon. Members about any points that I do not cover.

I turn first to the most important assertion made by the hon. Member for Orkney and Shetland—his concern about the lack of a timetable for the implementation of Lord Donaldson's recommendations in his excellent report. I make clear our commitment to the whole process. Putting to one side the many initiatives that we have already undertaken—they are laid out for all to see in our response—we have undertaken to consult on a number of key issues.

I think that the hon. Gentleman understands that the complexities of these matters and the recognition by Lord Donaldson of the need to develop some of his recommendations mean that we are obliged to consult widely. It is clear that we have to cover the full range of interests concerned and that, as the hon. Gentleman knows, we have to proceed, generally speaking, via the International Maritime Organisation or through other international organisations.

[Mr. Steve Norris]

Almost all our initiatives will have been started by the end of this year; most have already begun. I say to the hon. Gentleman, who is experienced in these matters, that, although we have control over when we submit proposals to organisations such as the IMO, we do not have control over the time they take to deliberate and then to reach a decision.

It is a mark of the quality of Lord Donaldson's recommendations that we have invariably secured the support of other states when we have suggested international action. However, his recommendations cover a wide area, and we have had to establish priorities in taking initiatives forward.

Hon. Members have referred to the role of the Marine Safety Agency and the coastguard in taking forward the Donaldson recommendations. As my hon. Friend the Member for Somerton and Frome noted, targets have been set for both agencies. In both their business plans for this year, there are references to the Donaldson recommendations that are of direct interest to each agency.

Time does not allow me to narrate them. Suffice it to say that copies of the business plans for both agencies are in the Library of the House. Sixteen of the key tasks against which the MSA's performance will be measured relate to taking forward Donaldson's initiatives, and they are spelled out in the business plan.

We have set firm time scales for the actions that are within our control. This month marks the first anniversary of the publication of the detained ships list. My noble friend the Minister for Aviation and Shipping will comment shortly on our first year's experience. There is a consensus that other states have followed our example because they can see that there is real merit in publishing port state detention lists to deter substandard operating.

Our central strategy lies in the four consultation exercises that we promised when the response was published. The consultation exercises cover four areas: the provision of waste reception facilities in UK ports, tackling the problem of substandard and uninsured vessels, the response to pollution incidents, and the funding of port state control and emergency response capabilities.

The first consultation paper, on waste reception facilities, has already been issued. We shall do all that we can to ensure that port waste facilities are adequate and easy to use, and that they are used. We have consulted widely on a number of specific proposals designed to improve the facilities and to encourage their use. We entirely agree that more needs to be done.

There has been a good response to our specific proposals, and a number of positive suggestions have been made which we need to consider carefully during the summer. We expect to reach conclusions on the way forward with waste reception facilities over the next few months, and we shall announce the measures we propose to take as soon as possible.

I say, in parenthesis, that I understand the gentle sense of frustration felt by the hon. Member for Orkney and Shetland about the absence of regular progress reporting on the almost impenetrable international negotiation over such a wide arena. I shall carefully consider that point and discuss it with my noble Friend, because I think that there is merit in the hon. Gentleman's suggestion of a regular six-month round-up and report to the House on where we are. That is in everyone's interests, and I understand how important it will be to the hon. Gentleman and to the House generally.

On substandard and uninsured ships, Lord Donaldson's proposals on port state control are, as he said, the cornerstone of his report. These ideas will be most effective if they are agreed at regional level. The United Kingdom presented proposals on this matter to the Paris MOU on port state control, and the proposals were referred to the working group on harmonisation where they were recently examined in detail.

There was general agreement in principle to many of the proposals, and they are now being developed. We suggested significant improvements to the European Union directive on port state control, which was adopted by the Transport Council last week, so that it could easily be amended to take account of future Donaldson-inspired proposals. Lord Donaldson himself was concerned that the directive might fossilise current Paris MOU practices; we believe that our efforts have avoided this.

The problem of the klondykers and other substandard and uninsured fish factory ships operating in our waters has been a great concern to the House generally, and especially to the hon. Member for Orkney and Shetland. We have addressed the problem in a number of ways. Since last July, the MSA has been carrying out a programme of inspections on klondykers. Those found to be substandard are detained if they are in port or instructed to remedy deficiencies if they are inspected at anchor outside port. That inspection programme will continue.

The Scottish Office is now implementing a new fisheries management regime. The number of fish transshipment licences issued will be limited henceforth, and an advance notice period for applying for them is now required. We hope that that will go some way to limiting the number of substandard klondykers operating in our waters this year, but we know that we also need to deal with the standard of ships that do come. In addition to continuing our inspection programme, we are at the final stage of drafting the consultation paper on ways in which to overcome the problems that klondykers and similar ships pose.

It has been suggested that we are dilatory in seeking action on compulsory insurance, but I do not think that that charge holds water. We were in the lead in establishing the principle of compulsory insurance for oil spills. The diplomatic conference next year should establish compulsory insurance for damage caused by ships carrying hazardous and noxious substances.

We have also pressed the IMO for international action on compulsory insurance for other types of damage, and our proposal has been put on the legal committee's work programme. We are now formulating proposals to require compulsory third-party insurance for ships using our ports or operating within our waters. If we proceed with these proposals, following the consultation exercise, we shall need to press for early international action on compulsory insurance, because a number of vessels pass through our waters on innocent or transit passage, and we must ensure that they are adequately insured. We can achieve that only by international agreement.

I now turn to radar, and to marine environmental high-risk areas. Lord Donaldson saw a limited role for radar monitoring. Although the hon. Member for Orkney and Shetland may not agree, that is what Lord Donaldson concluded.

We have, however, undertaken two radar monitoring exercises at the Fair isle strait, using a mobile radar located at Fitful head, and we have also conducted similar monitoring in the Scilly isles and in the Smalls off the Pembroke coast. All these exercises showed a high level of compliance with established routing restrictions. We shall read the results in conjunction with Lord Donaldson's recommendations on the establishment of marine environmental high-risk areas, and we shall undertake further mobile radar monitoring in the Minches.

Lord Donaldson also recommended the use of salvage tugs to offer assistance to vessels around the United Kingdom coast. As an interim measure, we funded an emergency towing trial involving two tugs covering the Dover strait and the Minch. That trial, as the hon. Member for Orkney and Shetland said, has now finished. It has given us some valuable practical experience of tug operation. The results will be included in the report of the study team which is is to be submitted to Ministers this month. I hope that that is helpful to the hon. Member for Orkney and Shetland.

On transponders, it is right that we do not want ships to be able to continue to operate anonymously off our coast. We have therefore pursued vigorously an agreement on mandatory transponders, and we will maintain our pressure on the IMO. Pending agreement on transponders, we have acted on Lord Donaldson's recommendation that ships should have clearly visible recognition marks, and we presented proposals on that to last month's meeing of the IMO maritime safety committee. Those proposals are new being considered by the appropriate subcommittee.

I want to get across the point that the Government participate fully in international agreements to secure effective compensation. Through the the United Kingdom's membership of the international oil pollution compensation fund, over £41 million has been paid to inhabitants of the Shetland Islands for damage caused by the Braer. My noble Friend—

Mr. Deputy Speaker (Mr. Michael Morris): Order. We now move to the next debate.

Transatlantic Free Trade Area

11.30 am

Sir Roger Moate (Faversham): I should begin by saying how much I appreciate that the debate is to be answered by my hon. Friend the Under-Secretary of State for Trade and Technology. He will not misunderstand if I say that I had rather hoped that we would have my right hon. Friend the Foreign Secretary or my right hon. Friend the President of the Board of Trade. However, as we do not know what position my hon. Friend the Minister may occupy in a week or two's time, we shall listen to, and weigh with even more care, his answers to what I believe is an important debate.

I welcome the opportunity for the House to discuss the idea of a transatlantic free trade area, even though it is a very large concept to explore in a short Adjournment debate on a quiet Wednesday morning. However, it is a chance to put on record and stress the importance of the British Government putting their weight behind an idea which in recent months has gained support from a large number of influential voices in this country and abroad. If we can turn it from an idea into a reality, the prize is very great indeed, not just in terms of trade, goods or services but in terms of foreign policy.

Those powerful voices include the Canadian Trade Minister, who called last year for a North American-Europe free trade area, and the European Commissioner, Sir Leon Brittan, who has strongly supported the idea in a number of speeches, one of which I heard recently. I also recall the United States trade representative Mickey Kantor speaking with approval of the idea some time ago, although I do not have his exact words.

There have been supportive speeches by Henry Kissinger, and by my right hon. Friend the Foreign Secretary in an impressive speech in support of the principle to the Economic Club in Chicago last May. Last October, my right hon. and learned Friend the Secretary of State for Defence put forward similar ideas for a new Atlantic community to promote common interests, including free trade. That is an impressive range of support and I, for one, do not doubt that this is an idea whose time has come.

I will be frank with my hon. Friend the Minister. I fear that the idea is not going to be promoted in all quarters with the zeal that I believe that it deserves. I fear that it may be shunted off into the sidings or, to mix my metaphors, killed with kindness, praised with faint damns and gradually discarded as too difficult, challenging or risky. I believe that the British Government should now make clear their full support and take the initiative with the United States, the other nation states of Europe and, presumably, the European Commission, to put in hand a serious study to see how such an agreement could be negotiated and formalised and how it could or should be structured and monitored.

The name transatlantic free trade area, or TAFTA in the shorthand that is gaining ground, is a title now much used, but it is not one that I especially like. One may ask what is in a name, but there is a great deal in a name if an idea is to command support. The trouble with TAFTA is that it suggests to some people that it could be an exclusive regional trading block concerned mainly with the reduction of tariffs, whereas we know that the modern world is not like that. The main problem is no longer tariff

[Sir Roger Moate]

barriers, but non-tariff barriers. The goal is not simply tariff-free zones, but the single market concept with minimal impediments to free, fair and unsubsidised trade.

If we consider who would be members of TAFTA, we realise that it would include the members of NAFTA, the North American Free Trade Area—Canada, the United States and Mexico—and all members of the European Community. It would presumably extend to the applicant nations of eastern Europe, to the Mediterranean countries and to the members of the European Economic Area, notably Norway. The area would extend from the Pacific coast of America across central Europe, from the Arctic circle to the gulf of Mexico. "Transatlantic" is inadequate to describe a common or free market on a scale of that order.

It is important to ensure that this is not seen as a trading bloc because that would be a non-starter and not necessarily in British interests. It should not be a trade bloc, but a building block to construct freer world trade and complementary to the functions of the World Trade Organisation. It could be argued that a new round of world trade talks would achieve greater results, but how many years did the Uruguay round take to negotiate?

Mr. Stuart Bell (Middlesbrough): Fifteen years.

Sir Roger Moate: I thought that it was seven, but the hon. Member for Middlesbrough (Mr. Bell) says that it took 15 years. I do not detect any great enthusiasm for launching another Uruguay round before the existing round has been implemented. That is not politically realistic. I believe that there is the political will—and I have given evidence of it—in the United States and Europe to forge ahead with a more limited regional negotiation to secure that single market. We should grasp that opportunity.

The problem that TAFTA would be perceived as an exclusive regional bloc must be dealt with and the idea nailed straight away because it is not true. A report from the World Trade Organisation published in *World Trade News* states:

"The rapid growth worldwide of regional economic groupings has not so far impeded the development of freer world trade and has sometimes helped to promote it, according to a report by the World Trade Organisation. There have been no fortress-type regional arrangements among WTO members."

It goes on:

"It is clear that, to a much greater extent than is often acknowledged, regional and multinational integration initiatives are complements rather than alternatives in the pursuit of open trade . . . some regional agreements have enabled members to accept obligations to liberalise faster than required by the Gatt and helped stimulate"

progress at the multilateral level. It is very important to understand that, as we are looking for a system which stimulates freer world trade and is in no way seen as an exclusive local bloc.

In his speech in Chicago, my right hon. Friend the Foreign Secretary suggested that we could be pathfinders in the World Trade Organisation in that role. It is clear that despite the success of the Uruguay round, which is now being implemented by the WTO, there remains an immense range of impediments to trade. The world is littered with financial land mines which need to be cleared.

A commitment by Europe and north America to a programme of dismantling non-tariff barriers could be of benefit to the whole world and not just to those who would be members of such an agreement. However, it cannot be seen to be exclusive because the days have passed when tariff walls could be erected, unless we envisage the whole of GATT and the world trade deals being dismantled. That is possible, but it would be a pretty disastrous sort of world. We must understand that tariff barriers, whether real or threatened, should be not be seen as a real threat.

I have a note from the Library which says that tariffs on manufactured goods after the GATT round should come down on average from 5 to 3 per cent. In other words, being excluded from these zones—even if it were a real threat—is not the serious issue, because non-tariff barriers are a much greater impediment. Tariff walls are now low and cannot seriously be used to threaten others with exclusion as though we were somehow going to raise new tariff barriers around a fortress Europe or a fortress TAFTA. There is no sense in that, so we should not use the threat of exclusion to frighten the horses, whether we are talking about world deals or European free trade arrangements.

We in this country have a powerful interest in a world free of barriers, a world of free, fair and open trade. It is worth reminding people of our nation's exporting success. We are still the fifth largest exporter of goods and services in the world, which is a remarkable achievement. We export more per head than Japan and the United States. Incidentally, we are the largest foreign investor in the United States—our investments there now stand at $85 billion. It is also worth noting that United States investment in the United Kingdom is now greater than its investment in the whole of Asia and the Pacific region.

There should be no doubt about our vested interest in extending the concept of a single market, but it has to be a single market enshrined in international treaties. Those treaties should extend as far and as wide as the nations willing to accept those treaties' commitments.

Let us be frank. When we start pointing the finger at nations which have tariff barriers or non-tariff barriers against us, we should remember that many of the worst distortions are in Europe, on our own doorstep. We have to deal with them. I suggest that the existence of a TAFTA, or whatever we decide to call it in the end, could help us to get a better deal for British industry and the British taxpayer in Europe.

Only this morning, I read of a rescue package for Iberia International Airlines. I do not know whether one can talk of a level playing field for airlines, but that rescue package is a classic example of a non-tariff barrier, or major impediment, to free and fair competition. We are told that Iberia is to receive £700 million. Air France has had a similar subsidy, and those two airlines are not the only ones. Yet British Airways has to succeed without subsidy and, to its credit, it does so—indeed, it triumphs. It has to obey the rules, as do other British airlines, and also to compete with unfair competition and subsidised low fares. That is happening on our doorstep.

I suggest that it would help us to get a fairer market in Europe if, simultaneously, we were negotiating international trade rules which made it ever harder to introduce such subsidies. There is also much to be done in the world of shipping, banking, securities, insurance, films and the mutual recognition of chemicals. It would be greatly in our interest if we could secure agreement across a wide single market.

The biggest distortion of all is the common agricultural policy. It is a mighty system of protectionism and intervention, which costs us £34 billion a year, or £20 a week in tax alone for each British family. Moreover, that does not take into account the additional cost of food imposed on the average family.

Mr. Denis MacShane (Rotherham): Is the hon. Gentleman aware that every cow or beef animal in the United States has $500 worth of subsidy behind it and that there are now more bureaucrats working for the United States Department of Agriculture than there are farmers? When it comes to subsidising agriculture, our friends in America are no slouches compared with the European CAP merchants.

Sir Roger Moate: If I can take that to mean that the hon. Gentleman is as anxious as I am for a disarmament deal, as it were, across the Atlantic and that he is willing to dismantle the bureaucratic structure of the CAP here, he will command widespread support. Until now, I had not detected his enthusiasm for a total dismantling of the CAP which, I had understood, was to him not just subsidy for cows but subsidy for a herd of sacred cows that he was not anxious to see slaughtered.

There is a massive distortion of the market. I should have thought that any new trade negotiations would give impetus to the task that we face in fundamentally reforming the CAP. We know that the CAP will become bankrupt in its present form once the Community is enlarged. If we have concurrent negotiations with other parties while we are trying to reform the CAP, they will act as an additional spur to all of us to get it right at last. We could not enter into such negotiations without a commitment to re-examine protectionist agricultural policies in all the countries involved. We need those negotiations if we are to make sense of an enlarged community and the CAP, so that we can use international trade negotiations to our great advantage. We cannot put up with the present nonsense ad infinitum.

In such a debate, it is fair to cite such examples of distortion which, although we find them irritating, are serious. How can we justify continuing to spend £1 billion a year on subsiding tobacco growing in the European Community when European institutions are spending several millions on discouraging the consumption of tobacco? Such subsidies are falling, but only marginally. The system continues because it is part of the deal. We must somehow find levers to change that kind of institutionalised support.

We spend £800 million to support wine production, much of it undrinkable and not intended to be drunk. We also spend £1.5 billion a year on the fruit and vegetable regime, although not much of it comes back to the British grower. It is an unacceptable waste of money and a distortion of the market. France in particular grows vast quantities of apples, a third of which are destroyed every year. Such systems of support have to be examined. We have made that point so often in the House, but little has been done.

Alongside reform of the CAP, we need parallel negotiations with the United States, the NAFTA countries and others to stimulate us to take action at last. The point is that such support systems distort our home market and our tax system as well as world trade, and they damage us severely.

When I was in Washington recently with a delegation from the British-American parliamentary group, we raised the subject of NAFTA at meeting after meeting with senators and congressmen and with representatives from the state department of national security, among others. Wherever we went, we found that the idea was well received. There was a high level of awareness there of the subject—it was on the agenda. There was an awareness of the speeches that had been made in support of it. I do not think that I am being unfair to anyone when I say that there was no opposition to the idea, but rather a general welcome for it. I emphasise yet again, however, that we are still at the idea stage. We need initiatives from the Government to translate our ideas into reality.

There is much more to the concept than trade, important though that is. I conclude by quoting the Secretary of State for Defence who last October called for a new Atlantic community. He said:

"The European Union, Nato, the US and Canada are all the product of many centuries of European progress and civilisation. An Atlantic Community"—

which is the title that he gave to this important political idea—

"would be a historic and appropriate initiative as we approach a new century and the third millennium."

The question now is, will we go for this great goal or will we play safe and kick it into touch? I fear that we are in danger of doing the latter.

11.49 am

Mr. Denis MacShane (Rotherham): I congratulate the hon. Member for Faversham (Sir R. Moate) on obtaining this debate and on the forceful case that he made. I must add another name to the list of early proponents of the idea—Mr. Lane Kirkland, the president of the American Federation of Labour-Congress of Industrial Organisations, who, in an impressive article in 1992 in the *International Herald Tribune*, underlined the need for what he called a north Atlantic free trade area. Since there is now a patent on the name NAFTA for the Mexican-Canadian-United States regional trading block, the hon. Member for Faversham has come up with TAFTA. We will see whether that sinks into consciousness. Like him, I am not sure whether it has the ring of long-term sustainability.

I support much of what the hon. Member for Faversham said. I was glad of the emphasis that he placed on the need to keep the United States of America and Canada firmly linked to Europe. I noticed the entry of some recently vulcanised members of the Conservative party to the Benches behind him. Doubtless they were coming to pray in aid the concept of a north Atlantic or transatlantic free trade area against the European Union. I find the two wholly complementary.

As we enter the 21st century, we face the great danger that the glue which kept many countries with different cultures and market economies together in the second half of the 20th century—opposition to communism—has dissolved and we must make every effort, through Government policy and especially through ideas, to avoid a new world of warring capitalist blocks.

That is a significant danger and it is why I strongly favour ensuring that the enhanced development of the European Union, in which our country should play a leading part rather than the opt-out role that it has taken

[Mr. Denis MacShane]

in recent years, is clearly linked with a firm relationship with the United States—both in trade and in a military alliance. I do not want Europe to decouple itself from the United States, which would pose a great danger not merely to world trade but to world harmony and, perhaps, world peace.

The right hon. Member for Guildford (Mr. Howell), who is Chairman of the Select Committee on Foreign Affairs, often stresses our need to "Asianise" ourselves and turn away from Europe. Whereas the slogan of the hon. Member for Faversham is, "Westward ho! The sun is bright", the slogan of the right hon. Member for Guildford is, "Eastward ho! There is money to be made." One must not favour any region at the expense of the region in which, for good or ill, this country is anchored—the European continent.

Contrary to the views of many commentators in the press, I want the special relationship between the two English-speaking countries to be enhanced and strengthened. It has been undermined by Government action, especially the gross interference in the election of the present US President. I visit Washington regularly and have many American friends. That interference is still remembered bitterly. If some words of apology or regret could be found in the language of diplomacy, it would be no bad thing for the relationship between London and Washington, or for London's future ability to act as the pivot for exactly the enhanced free trade area that the hon. Member for Faversham described.

We must consider seriously the problems of United States protectionism. I have here a report from Brussels. Not everything that comes out of Brussels is wise or true, but serious protectionist barriers, both direct tariff barriers and non-tariff barriers, exist in US legislation and mitigate against the sort of free trade community that the hon. Member for Faversham advanced. One barrier is the well known state discrimination in banking, which, although it has been somewhat reduced, in essence still means that Lloyds or Barclays cannot open up a branch wherever they want to in the United States, as they now can in Europe.

Airline ownership is another problem. The hon. Member for Faversham referred to British Airways, but under US law foreign companies are limited to just 25 per cent. of the voting stock in any US airline. Another barrier is the countervailing duties imposed on the steel industry, which is of direct interest to my constituents in Rotherham. It is based on the false argument that British Steel is still subsidised by the Government. We can argue about the nature of the British Steel privatisation, but hon. Members on both sides of the House will agree that it is now a wholly private company which receives no Government subsidies and has not done for some years. None the less, the countervailing duties were slapped on arbitrarily to protect the US steel industry.

The Jones Act ensured that all coastal traffic, which in the United States forms an immense part of the shipping market, is limited to US flag-carrying ships. The Cargo Preference Acts of 1904 and 1954 state that 50 per cent. of all US Government-generated cargoes must be carried by US flag carriers. Smaller barriers include the Cuban Democracy Act, which is the most disgraceful interference in our right to trade with Cuba. I do not particularly like the Cuban Government—nor do I like the Chinese Government and many other Governments—but it is not helpful for one country to penalise British firms and investors who trade with and in that country.

The Parliamentary Under-Secretary of State for Trade and Technology (Mr. Ian Taylor): As the first British Minister to visit Cuba for 20 years when I visited the country in September, I can reassure the hon. Gentleman that the British Government never accepted the extra-territorial aspects of American legislation, such as the 1992 legislation to which he referred. Neither would the Government accept any extra-territorial aspects if further legislation, such as that proposed by Senator Helms, were enacted.

Mr. MacShane: I am grateful for that reassurance as, I am sure, are other hon. Members. There is a worry, however, that the United States, particularly with its new Republican majority—there, too, the spirit of Vulcan is reigning in the form of Senator Helms and Speaker Gingrich—is adopting a neo-isolationist, America-first policy. If the US continues down that road and rejects the need to work multilaterally in the World Trade Organisation—or, indeed, if we go down that road and reject the need to work multilaterally in other United Nations agencies, such as the International Labour Organisation—we shall live in a world of sauve qui peut, beggar my neighbour and every country for itself, without the benefits that trade can bring. When discussing the issue, therefore, it is best that we put our cards on the table and say that US protectionism causes substantial problems.

NAFTA has not worked as well as its architects had hoped and has particularly not worked to a similar extent as the integration of much poorer countries in the construction of the European Union. In a globalised and transnationalised economy, one cannot divorce economic relations from civil society, and in particular one cannot divorce economic relations from the obligations and needs that people have as citizens of a country. Therefore, if we are to build a transatlantic free trade area, we must take on board the requirement to build in environmental considerations and social obligations.

I was pleased with a speech that Sir Leon Brittan made only last week in which he urged European and American policy-makers and Government leaders to open world markets for foreign investment. But he stressed that multinational companies, as the principle vectors of foreign investment and of opening trade, must accept that

"a code of conduct for good corporate citizens could be useful in allaying the concerns expressed, particularly in developing countries, about the impact of foreign investment on society and on government policy."

Sir Leon expressed the need to build into an opening of world trade an acceptance of social and environmental responsibilities, and he criticised the opposite stance in the investment debate, in which American multinationals are

"publicly opposing the inclusion in the multilateral investment agreement of existing OECD guidelines for international companies. I believe this is a short-sighted approach."

I very much agree with the European Commissioner. One of the problems of the Clinton Administration is that they have failed to take seriously the need for effective regulation of the activity of the corporations that now control so much of world trade and world investment. Conservative Members may blanch at the thought of a transatlantic social charter being a part of the process, but

I put it to them that, if they are looking for a Single Transatlantic Act that some future Prime Minister might sign that is simply based on free trade, they will get nowhere.

The only reason the Single European Act was signed and worked was because it included a wide vision of what trade and economic relations were about. If Tory Members turn away from that—I understand that that may well be the current Tory philosophy—they will end up with countries withdrawing into their shells. Twenty per cent. of the extreme right and fascist vote in the recent French presidential election was delivered on an anti-European ticket. That is a grave warning of what happens when a free trade area does not take on board the need for jobs and social responsibility, and the need for all citizens of a country to have a stake in that enhanced free trade area.

Mr. Michael Spicer (Worcestershire, South): I have heard the argument before that somehow those who believe in free trade are drawing back into themselves. It seems to me that the exact opposite is the case, as those who believe in free trade also believe in the outside world. Is there not a complete inconsistency in the hon. Gentleman's argument?

Mr. MacShane: I do not accuse the hon. Gentleman of seeking to withdraw into himself, as it were, but if he simply promotes free trade and denies its social and environmental consequences, he will not be able to avoid the pitter-patter of the citizens' feet as they go to vote for Ross Perot, who got 19 per cent. of the vote in the US election, or for Jean-Marie Le Pen and Philippe de Villiers—Sir James Goldsmith's collaborator—who stood in the French presidential election against Europe and to cut France off from that trading bloc.

Mr. Spicer: Will the hon. Gentleman give way?

Mr. MacShane: I will sit down in a minute. The hon. Gentleman can then make his arguments in full.

The tension between globalised capitalism, transnationals and the increasing organisation of international exchange and the desire of all the people we represent to have a stake in that process has not been fully resolved, and that tension will not go away simply by saying, "Free trade at any price." The massive increase in free trade in the past 15 years has brought with it massive increases in unemployment in many leading countries—I am not saying that it is cause and effect, but it accompanied that increase—and increasing inequality.

I assure the hon. Member for Faversham that I support the underlying premise which moved him to introduce the debate today. Aneurin Bevan made a joke about America and Russia 30 years ago, saying that we had the fierce eagle of the United States and the red bear of the Soviet Union and that Britain's job was to keep those two monkeys apart. I do not see the situation quite like that now. On the contrary, we must keep the United States firmly linked with our European partners. To that extent, I fully support what the hon. Member for Faversham argued in his speech. But we must go beyond free trade to include commitments to democracy, human rights and social construction—the three pillars of English-speaking democracy which have united this country and the United States for so many years.

12.6 pm

Mr. Michael Spicer (Worcestershire, South): My support for the idea expressed by my hon. Friend the Member for Faversham (Sir R. Moate) is precisely because it furthers the cause of free trade. I agree with the hon. Member for Rotherham (Mr. MacShane) that the whole concept of free trade is seriously under fire in the world today. I agree also that it is not just the European Union that is becoming more protectionist and trying to fight its corner against free trade—often with potentially disastrous effects, as was the case with the French influence and concept of protectionism during the Uruguay round.

Also, the cause of free trade is growing in the United States. One view of NAFTA is that it is a trade block in the conventional sense, and a protectionist block. I agree with my hon. Friend the Member for Faversham that it is not just a question of tariffs, as there are a multitude of different ways in which free trade can be restricted. In the European Union, the primary method is the use of phoney anti-dumping measures.

In the United States, there is the increasing use of something called managed trade, which is another way of blackmailing countries by saying that, if they will not buy your goods, you will not buy theirs. That is clearly a growing force in the United States vis-a-vis Japan at the moment, and that process comes to fruition this week because of the apparent intent of the US to restrict trade with Japan.

I accept that we have a cross-Atlantic protectionist problem and it has a growing body of theory behind it. The hon. Member for Rotherham used Sir James Goldsmith as an example of somebody who is interested in free trade, but the reverse is true. *[Interruption.]* Perhaps I misunderstood the hon. Gentleman.

Mr. MacShane: He is a protectionist.

Mr. Spicer: Precisely. I shall dwell on some of Sir James Goldsmith's views about protectionism later, if I may. There is a great requirement for a restatement of the case for free trade.

Perhaps I ought to declare an interest, as I have just received the manuscript for my book on this exact subject which is to come out in the next few months. It is called "The Challenge of the East". [HON. MEMBERS: "How much is it?"] There is no price on it yet, as it is just hot off the typewriter. I shall not describe the whole book, as it is rather long, but the point is that the case for comparative advantage must be restated. Even if country A is superior to and competitive with country B on every front, it still pays country A to specialise in the areas where it is particularly good, and to buy in for areas where it is not. As a result, not only do the consumers of both countries benefit from cheaper goods, but, crucially, the producers are deprived of the false protection that goes with building barriers around their businesses.

It is somewhat ironic that the new free-trading nations of the Confucian orient have been highly protectionist for the past 400 or 500 years, Consequently, they went down and down from their age-old positions as trading powers. That is especially true of China, which 500 years ago was the greatest economic power on earth. It collapsed solely because of its protectionist and isolationist policies.

Now, the east is mercantile and free trading and, as a result, achieving growth rates ranging from 8 to 10 per cent. over a consistent period, whereas in the west the

[Mr. Spicer]

cause of protectionism has been gaining ground, with disastrous consequences for its economic performance. It is no fluke that in western countries the growth rate norm is now 2 per cent., compared with the 8 to 10 per cent. in the free-trading east.

Mr. MacShane: I look forward to receiving a review copy of the hon. Gentleman's book. I promise that I will write about it. Does he accept that, although the Asian countries are wonderful exporters, some of them—Korea and Taiwan in particular—have erected an enormous number of barriers against imports, inward investment and participation by foreign investors? It is a one-way mercantilism.

Mr. Spicer: I am sure that the hon. Gentleman is well aware that the greatest growth sector of exports, for instance from the USA, is to the east. It is true also of many European countries, and certainly of Britain, that the real export dynamism is to the east. Therefore, it simply is not true to say that the east is restricting its imports. On the contrary, the east has become the locomotive force of the global economy. Were it not for that, we would have greater unemployment in Britain than we have currently.

I want to make two points about the protectionist argument. Goldsmith says that we have entered a new phase where cheap and readily available capital and cheap labour in other countries is putting them in such a strong trading position that it is impossible for the west to compete without some form of protectionism. There is not enough time to examine that argument, so I simply say that it is not true. Capital is not especially mobile at the moment and it is not moving into eastern countries at a fast rate. Indeed, people are scared of investing capital in the east at the moment. Also, it is not true that cheap labour is still a crucial component of competitiveness.

Mrs. Teresa Gorman (Billericay): Will my hon. Friend give way?

Mr. Spicer: I am afraid that I have run out of time. My hon. Friend must make her own speech later.

Labour costs, as a percentage of overall costs, are coming down rapidly; transportation, capital and other costs are now more important. Therefore, Goldsmith's argument cannot be right. Even if it were, the answer would be that to have free trade there must be flexible exchange rates. There must be room for some adjustment. If costs become fundamentally out of line, there must be some give in the system, and that must come from flexible exchange rates. It is one reason why I and others argue against fixed exchange rates. Going beyond that, the truth is that no one country would pile up reserves of foreign currency and simply sit on them; it would recycle them—as have the Japanese.

My hon. Friend the Member for Faversham has proposed that the Europeans and the Americans should come together in a free trade area that will lead to greater free trade around the world. Provided that that is a stepping stone towards greater global free trade, that must be the right approach. What I find worrying is the possibility of the European Union, with its highly protectionist outlook, combining with NAFTA, which is becoming increasingly protectionist—although not as protectionist as the EU because it has various different perspectives—and carving up the larger protective market. That is precisely the sort of action that my hon. Friend and I do not want.

Part of the thrust of the ideas coming from people such as Sir Leon Brittan involves further protectionism, on a much wider scale—which, in their view, would help the west to face up to eastern competition in a grand way. That is certainly not what I or my hon. Friend have in mind. Therefore, in the context of wider free trade, my hon. Friend's proposal is to be welcomed.

12.15 pm

Mr. Richard Spring (Bury St. Edmunds): I am grateful for the opportunity to say a few words. First, I congratulate my hon. Friend the Member for Faversham (Sir R. Moate) on securing this important debate and on presenting his arguments so coherently.

It has become something of a cliché that, given our history as a trading nation, our ability to increase our standard of living is dependent on our ability to produce goods and services that both the home market and the world actually want. Through that, we are able to provide Britain's public services. Historically, trade is vital to Britain. As has been said, we export more per capita than either the Japanese or the Americans. Indeed, Britain's extraordinary economic recovery is essentially export led, in particular by the manufacturing sector. That is resulting in falling unemployment, which we all welcome. There are many examples of that in my constituency.

It is entirely to the credit of the British Government that the single European market was forged. It comprises 369 million people and its exports as a percentage of gross domestic product run at 32.6 per cent. There are two key differences between that single market and NAFTA, which has a similar-sized population of 378 million. The per capita income in our single market area is just over $17,000. In NAFTA, despite the relatively lower living standards in Mexico, the figure is $19,693. In addition, despite the United States' external trade performance with the east—to which my hon. Friend the Member for Worcestershire, South (Mr. Spicer) referred—NAFTA exports as a percentage of GDP run at 11.8 per cent.—just one third of the level of the European Union. In short, NAFTA has a higher GDP per capita but it has a lower propensity to export.

Therefore, even from our narrow perspective sitting here in Britain, or even looking across the single market, it is obvious that there are considerable trading opportunities in a transatlantic free trade area. I must stress immediately that any tie-up would not be political. Although we have strong cultural and historic ties with our friends across the Atlantic—indeed, we all belong to a democratic family of nations—we envisage an economic tie-up only.

I was especially pleased to read about the comments of Warren Christopher, the US Secretary of State, who spoke favourably about a transatlantic free trade area in a speech that he made in Madrid in June. He said:

"The long-term objective is the integration of the economies of North America and Europe, consistent with the principles of the World Trade Organisation".

But he added that any moves

"must advance our overriding objective of global trade liberalisation, and not disadvantage less developed countries."

He went on to say that trade barriers resulting from differences in product standards and testing should be abolished and aviation agreements between the United States and Europe should be reached to make transatlantic travel easier and cheaper.

I also welcome the comments by my right hon. Friend the Foreign Secretary, who, in a speech in May in Chicago, talked favourably about a link-up between the European single market and NAFTA. When barriers come down and markets increase in size, scope and diversity, the prospect of more jobs, lower prices and greater consumer choice often becomes evident. There is no doubt that if we were to move down that route, as I hope we shall, there would be difficulties.

Those who have spoken in this morning's debate have already alluded to the difficulties of agricultural subsidies and the enormous influence of the US agricultural lobby, particularly for cereals. We know that there have been difficulties in aerospace products and European textiles and ceramics. But despite the problems that arose in the Uruguay round, the long-term objective looks worthy.

Sir Leon Brittan spoke favourably about that development and a uniform investment regime. It is gratifying that, for some months now, officials from the European Union, the American Government and Canada have been looking at the feasibility of a transatlantic free trade area and how it could develop. That could evolve into a regional trading block. There are inherent dangers in that but it is a long way down the pipeline. My hon. Friend the Member for Faversham alluded to that matter remarkably well.

Another possibility would be a block-building approach, to concentrate initially on non-tariff barrier areas where it can be difficult to obtain free trade, such as product testing, public procurement, investment and research and development programmes, which often have the effect of mitigating against the free movement of goods and services. We must look seriously at that possibility because free trade, prosperity and jobs are enormously linked to Britain's ability to find those opportunities abroad.

On the advantages of single markets and the breaking down of barriers, it is estimated by the International Institute for Economics that NAFTA would create some 175,000 new jobs in North America. So job creation, which has been markedly more successful than in the European Union, is mooted by the United States to be further helped by the development of NAFTA.

When considering the undoubted advantages of that, we need to take the matter slowly and carefully. After all, NAFTA was signed only in 1992 and came into force in January 1994. After a 15-year period, its final completion will be on 1 January 2009. There was already a basis to build on because of the relationship that had existed for a number of years between the US and Canada, which have a trade agreement called CUSTA—the Canadian-United States Trade Agreement—which goes back to 1985 and was introduced in 1988. NAFTA's objectives, which are to increase investment, trade, employment and living standards, could be transposed successfully into a transatlantic free trade area. Those objectives are desirable in themselves.

This debate has touched on the ambiguous attitudes that we feel towards the Pacific rim countries. Although we admire them for the extraordinary growth and success that they have enjoyed, we must look at our own societies and realise that difficulties are also implicit in this matter. After all, while the US in general has no free health care service—Canada has an insurance-based system—most of the countries in the European single market have a comprehensive welfare system with expensive employment add-on costs. Essentially, the Pacific rim countries do not have that.

The result has been an exponential growth in the economic living standards and the export directions of those countries because they have pursued regimes of low taxation, very little regulation and minimal welfare provision. They have a long history of mercantile and entrepreneurial traditions, which in the past 20 or 30 years have seen a considerable increase in terms of exporting abroad.

To draw conclusions, it is worth while comparing our performance, either in NAFTA or the single market, with that of the Pacific rim countries. Between 1987 and 1996, it is expected that total growth in the United States will have been 2.5 per cent.; in the European Union 2.4 per cent.; in what has been loosely described as the Asian tigers—Hong Kong, Singapore, Korea and Taiwan—7.5 per cent.; and in China 9.5 per cent. In terms of export volumes, we see a similar discrepancy. Between 1987 and 1996, the total expectation for the US is 9.4 per cent.; for the European Union 5.1 per cent.; and for the Asian tigers a full 13 per cent.

I welcome the fact that, following the Uruguay round, access to the Pacific rim countries is easier. But well into the future, it will be impossible for us on many levels to compete with the low labour costs of countries like China, coupled with extraordinary high individual productivity and now rapidly advancing technological expertise. So we shall be faced with the problem of relatively decreasing competitiveness with the Pacific rim countries, with all the consequences of potential higher unemployment in both North America and Europe.

That is why I welcome the possibility of an extension of the concept of a single market from Europe across the Atlantic to North America. By opening up the markets, we can strengthen our economic performance. We would therefore present ourselves with a further growth in export opportunities and increase our job growth, which will be one of our main problems in the next 15 or 20 years in Europe.

NAFTA, however, has not been without difficulties. We must accept that it is not a panacea that can solve all problems. We should learn from the experience of Mexico, where there were huge inflows of cash into the Mexican stock market, based largely on short-term credit. The current account swelled and ultimately the peso collapsed and there was a run on the financial institutions. There was, at least temporarily, substantial chaos in Mexico. That should be a salutary reminder to us that, in situations where a powerful neighbour is juxtaposed against a weaker economy, despite all the sustenance given to that weaker economy, substantial problems can arise.

May I say in passing that the performance of Britain's economy in the past year has been remarkable, in large measure because of our somewhat unexpected but wholly welcome export performance. There are a number of reasons, one of which is undoubtedly the role that the private sector is playing through more than 100 export promoters, who are linked to the Department of Trade and Industry. They are providing a valuable effort.

[Mr. Richard Spring]

The business link programme, which will have up to 200 outlets by the end of the year, is also important. The huge increase in trade missions from this country will ultimately have the effect of boosting our living standards because of that massive increase in our exports. Conservative Members, and I hope other hon. Members, greatly welcome the DTI's work to sponsor our export efforts.

A combined NAFTA and European Union single market could provide a gigantic marketplace, which would offer further benefits to our country and our export and employment prospects. Given all the benefits that would result, the time is rapidly approaching when we should move in that direction.

12.31 pm

Mrs. Teresa Gorman (Billericay): I, too, congratulate my hon. Friend the Member for Faversham (Sir R. Moate) on introducing the debate. Trade underlies everything in politics, so this is possibly one of the most important debates that we will have in the House for a number of months.

I should like to address the subject from the point of view not of a politician—the details of the trade arrangements have already been described—but of someone who built up her own business. I dealt in the international marketplace, because 60 per cent. of my turnover was exported to the far east, the United States and north America and I had agents distributing goods and services in Mexico, Indonesia, Malaysia, Singapore, the West Indies and many other countries.

I should like first to deal with some of the boring old bogeys that have been raised by the hon. Member for Rotherham (Mr. MacShane). I understand that he is a politician, but I do not know whether he has ever done very much in international trade. His speech was like a re-run of a Nostradamus prediction about the earth falling to pieces in the year dot, dot, dot.

Mr. Spring: Did my hon. Friend notice a certain vibration in the Chamber when the hon. Member for Rotherham was speaking?

Mrs. Gorman: Yes, the earth did move.

The hon. Member for Rotherham raised the old bogey of world capitalism and suggested that there was a gigantic conspiracy against the individual. What total rubbish. People who do business around the world rely on other people as customers. They are there to provide the goods and services that people want, and the more open the market, the more opportunities there are, particularly for poorer people to get their hands on the food, goods and manufactured products that they can afford.

One of the great glories of the old British Commonwealth was our access to cheap food supplies, which fed our population who were then engaged largely in manufacturing industry. That supply helped to improve the population's health, their standard of living and, eventually, the economy of the country. That trade was not one way; in return, we supplied those Commonwealth countries with infrastructure—railways, roads, drains and telecommunications—

Mr. MacShane: And government.

Mrs. Gorman: Yes, absolutely right, even good government services. We are very good at running countries. It would help a lot of countries if we marketed that skill as a service. We kept better order in many parts of the globe, when we were running things, than many countries are able to do now. I even remember a taxi driver in Zimbabwe—

Mr. MacShane: Will the hon. Lady give way?

Mrs. Gorman: No, I will not. That taxi driver wished that the British were back there, helping to run the country, so that he could get on with being a taxi driver instead of worrying all the time that the local mafia would haul him in for some alleged political misconduct.

Another bogey that comes up all the time in such debates is cheap labour. We always hear about the slitty-eyed foreigners who are going to make and sell products, and undermine our market. So deeply is that prejudice imbued in our society that we even hear such comments from members of the royal family.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. The hon. Lady must not refer to the royal family.

Mrs. Gorman: I accept that rebuke, and I withdraw that remark.

There is some idea that foreigners offer cheap labour, which, in turn, undermines our jobs. I must inform hon. Members that the cheapest labour in the world is that of the United States, because it is the most heavily capitalised labour. An individual working for a telecommunications system in the United States or on a machine is backed up by huge investment. That labour is made productive by that level of investment. It is simply not true that a Chinese worker is more productive in terms of the value of the goods and services he produces than a United States worker. American workers are the best paid in the world, and I wish to goodness that we could scupper the oft-repeated argument about cheap labour.

The hon. Member for Rotherham said that people in the far east are manufacturing goods for export to us. If those goods are of high quality and our consumers can buy them more cheaply than other products on the market, our consumers have more money left in their pockets to buy other goods and services. That will include high-quality products produced in the British market, such as videos, pop music and goodness knows what else.

All such services provide jobs for people. McDonald's is as important a business in our economy as someone making pieces of machinery, up to his elbows in grease, in some boring old factory from 9 to 5. We should not discriminate between jobs as though some are good and others are bad. Jobs provide people not only with an income but with their sense of self-respect.

We should emulate the example of NAFTA, which has been operating for just a year, and which represents an effort to reduce barriers between countries, not least because, as our admirable Library tells me, its administrative costs appear to be negligible. Compare that with our own European Union, where the administrative costs of the common agricultural policy account for almost 50 per cent. of its budget. That money does not go to farmers. That is ludicrously expensive. What about other administrative costs?

Furthermore, we have locked ourselves into an international cartel, because the European Community is virtually a closed shop. It wants to stop people from bringing their goods into the Community because it wants

to protect its markets, the farmers of France and Germany and continental manufacturers. It is not interested in inviting products from which we, as citizens and consumers within the European Union, could benefit.

We should do all that we can to encourage our Government to establish arrangements to help our country to be linked with the admirable experiment of NAFTA. I recently read a good speech by Henry Kissinger, who pointed out the natural ties between our country and north America and Canada. No one who has lived through the fishing dispute that is going on between us and the Spanish within the European Union will doubt the closeness of the ties between us and the Canadian people.

Our country should exploit and develop that tie. Our best trading advantage, for which the French, the Germans, the Italians, the Spaniards, the Greeks and all the rest of them would give their eye-teeth, is our language. I assure the hon. Member for Rotherham that people all over the far east, who still use English as their second language, have a natural trust and affection for our markets, particularly for banking their money and for taking out their insurance.

Mr. MacShane: What about Barings?

Mrs. Gorman: They have a great respect for our high-quality skills in engineering and the other services that we provide. It is not true that our country relies on people making widgets and gadgets to sell. The great strength and advantage of our economy is in invisibles—the capital accounts. Companies rooted in Britain with overseas subsidiaries remit profits back to this country—for example, Mobil, Shell, ICI and other big corporations.

We should not seek to enclose ourselves within a number of rather old-fashioned, diminishing economies—the European Community—but should open our market to other countries. We should welcome all opportunities to establish links with them so that we can take advantage of the sensible provisions that they have made to lowers tariffs and barriers.

As a British exporter, I spent the best part of 20 years trying to crack the German and French markets with the products that I manufactured. They always have ways of setting up obstacles, one way or another. However, taking one's goods and services to the new and developing markets is an absolute doddle. They are anxious for one's goods, as long as they are not competing with domestic ones—that sometimes makes it difficult, but it is part of being a tradesperson. One goes to markets where one can sell for the best price; one goes to markets where one can buy at the cheapest price. That is what trade is about.

We should welcome the initiative, we should welcome my hon. Friend's intention to pursue that line, I hope, and we should do all that we can to make our Government realise that, instead of locking ourselves into little old Europe, with its old-fashioned ways, we should get out of that, open our markets and do business throughout the world.

12.39 pm

Mr. Stuart Bell (Middlesbrough): I am grateful for the opportunity to follow the hon. Member for Billericay (Mrs. Gorman). She knows the esteem in which I hold her.

When I entered the House, the Speaker at the time said that I would go far on short speeches. I have not gone that far, but I have noticed that this morning there have been several short speeches that were well made, well presented and a tribute to the House and to the debate that the hon. Member for Faversham (Sir R. Moate) initiated.

The hon. Member for Billericay mentioned the NAFTA agreement, as did the hon. Member for Bury St. Edmunds (Mr. Spring). They will be pleased to know, as I am sure my hon. Friend the Member for Rotherham (Mr. MacShane) will be, because he mentioned it, that there are side agreements to that agreement. One is concerned with the environment, whereby countries are liable to fines and sanctions if there is a repeated pattern of not enforcing environment laws. There is also a liability to penalties for non-enforcement of child labour laws, minimum wage laws and health and safety laws. That will also please my hon. Friend the Member for Rotherham.

The NAFTA agreement, although it is only a year old, as the hon. Member for Billericay said, has about 15 years to run. The hon. Member for Bury St. Edmunds linked the initiation of the NAFTA agreement with the fact that there was a sudden run on short-term credit: $85,000 million flowed into Mexico on a short-term basis and flowed out again, creating a monetary crisis. It is a matter of conjecture whether that was linked to the agreement, but it is a long-term agreement and, in my opinion, it will bring benefits to Canada, Mexico and the United States.

Mr. Michael Spicer: Surely the key is that NAFTA is picking up some of the bad habits of the European Union. Having got a common market going, it is trying to set itself up with a single market and a single currency. That is the real problem with NAFTA.

Mr. Bell: I was proposing to refer later to the hon. Member for Worcestershire, South (Mr. Spicer) and to his book "The Challenge of the East". I look forward to reading it, as I am sure will the Minister, like all the voluminous books that we get about trade, including that by Sir Jimmy Goldsmith.

It is not clear whether the Americans, Canadians and Mexicans see any mirror image of the European Union. Later, I shall briefly mention the various trade blocs that exist, of which the trade bloc that the hon. Member for Worcestershire, South mentioned is but an example.

The hon. Member for Faversham began his speech with a reference to the President of the Board of Trade. Naturally, we are all disappointed that the latter is not here today—possibly, as the hon. Gentleman hinted, because he may be preparing for Government. That would not surprise us.

There is a lovely quote from Lewis Carroll—we love these little debates because we can get Voltaire in and Victor Hugo and even Longfellow. I remember the lines from Lewis Carroll: "I met a man who wasn't there. He wasn't there again today. I wish, I wish he'd go away." Perhaps next week at this time the present Prime Minister will mutter those words as he enters the House to take part in what might be his last Question Time. Anyone who writes a book called "Where There's a Will", arguing for Government intervention, will have my vote any time.

The hon. Member for Faversham referred to an idea whose time has come, which was a phrase from Victor Hugo. That idea is quite old. Douglas Jay was a Member of the House and described his experiences in his autobiography entitled "Change and Fortune". He set up a parliamentary group in the late 1960s, continuing into the 1970s, as a study group to provide an alternative to

[Mr. Bell]

the European Economic Community, to which the hon. Member for Billericay would be well attached. That group was so successful in terms of debate and theory that it continued throughout the 1970s.

Returning to the argument of the hon. Member for Worcestershire, South, the world has been moving towards several trading blocs. There are the European Union, which we all know about, the North American Free Trade Area, which was mentioned, the APEC summit last November—the Asia Pacific Economic Co-operation forum, involving all the nation states of Asia and the Pacific rim—the Association of South-East Asian Nations and the Uruguay round, which the hon. Member for Faversham mentioned.

It was significant that, when Douglas Jay presented to the House his concept of a free trade area, it was a concept relating to industrial goods. The hon. Member for Billericay mentioned that. She said that the world has moved on in the so-called globalised economy—whether or not it is a globalised capitalist economy, as my hon. Friend the Member for Rotherham said—and is now a world of industrial goods and services.

My hon. Friend the Member for Rotherham mentioned Barings from a sedentary position during the speech of the hon. Member for Billericay. We mention Barings simply on the ground that there was a bank which went down to Singapore taking used notes in suitcases, metaphorically, and invested it on the Singapore stock exchange or the Singapore foreign exchange market. It did not come to the north-east of England. It did not say, "Here is £800 million for industrial investment; invest that and give me a return on the investment." It used the money for services—for derivatives—and it was a clear loss to the country. We therefore recognise that services have an important role to play, and we welcome that.

The President of the Board of Trade rightly likes to vaunt the fact that our exports are up—that we are exporting more today than we have done. His latest press release speaks of the exports in the month of March, which achieved a record for total values, reaching new manufacturing export volumes.

We must not forget the other side of the coin. We continue to be in deficit in our trade and we continue to have an imbalanced economy. The deficit on our trade for the month of March—which the President of the Board of Trade did not mention—was £500 million. During the first quarter, the visible deficit has decreased from £3 billion to £2 billion so, although we are right to vaunt our exports, and to say that in the world community of trade, in which we take in one other's washing, we take in more of the other side's washing than we do of our own.

My hon. Friend the Member for Rotherham mentioned an aspect that is worth mentioning—the social dimension of trade. Opposition Members accept the opinion of the hon. Member for Faversham that trade should be sustainable and free.

The hon. Member for Worcestershire, South mentioned managed trade. Opposition Members do believe in a managed, sustainable trade, recognising the value of the general agreement on tariffs and trade and of a rule-based system. However, we believe that developing countries can benefit from better working conditions, providing them with respect, dignity and an appropriate base on which to build a decent standard of living.

We, as a future Labour Government—let us gaze into the crystal ball beyond next week—have no intention of seeking to remove the legitimate trading advantages of developing countries, including their lower labour costs, and we do not intend to impose standards that are out of line with each country's stage of development. Nevertheless, we believe in a broad spectrum of human rights throughout the world and we believe in seeking to establish, through the World Trade Organisation, the basic rights for people in work that every country should be expected to achieve. We believe that those rights include freedom from forced labour and the right of workers to form their own independent trade unions if they choose.

As to a world trade area that encompasses the United States, Canada, Mexico and possibly the European Union, I think that we must be careful not to take too big a step. I know that the hon. Member for Billericay and I do not necessarily agree about all aspects of the European Union. Those of us who have visited the continental countries and who have seen their trade and services and their efforts to combine economic efficiency with social justice—President Chirac of France has just increased the minimum wage and has a policy for the long-term unemployed—appreciate that it is better to develop the Union than to push the metaphorical boat towards the Atlantic seaboard of the United States. I do not want that to distract us from developing all of our trade opportunities.

My hon. Friend the Member for Rotherham used a phrase of Nye Bevan's in referring to the "fierce eagle of the United States". The United States takes an aggressive approach to trade policy and it takes a similar stance in relation to world financial services through the WTO and trade with Japan. In the context of the globalised economy, we must seek to strengthen the trade links that we already have with the European Union and with the rest of the world. Tonight, the President of the Board of Trade and I shall attend a function to discuss Latin American trade. I think that it would be better to view world trade in services and manufacturing as a whole rather than move towards a new free trade area.

12.50 pm

The Parliamentary Under-Secretary of State for Trade and Technology (Mr. Ian Taylor): Before I reply to this excellent debate, I must clarify one point. The last time one of my colleagues stood before the fair bosom of my hon. Friend the Member for Billericay (Mrs. Gorman), he was launching a leadership bid. I assure the House that that is not my intention this afternoon—although in one part of her speech my hon. Friend cried, "We want jobs," which may have been a pre-emptive strike.

She referred also to "little old Europe". I remind my hon. Friend that the European Union of 370 million people may be little by her standards, but it is quite substantial to the rest of us. It has a gross national product of $7,200 billion, and that is also pretty substantial by any standards. Even if we were to denigrate the Union, I must inform my hon. Friend that the United States Under-Secretary for International Trade, Mr. Garten, has commented that the European Union's projected growth rate of 3 per cent. in 1995 will translate into a one-year market size increase of $210 billion. He likened that to finding a new market the size of Taiwan.

That shows how important it is that we get our domestic market right; we must ensure that it is competitive, open and flourishing. Our domestic market is not the United

Kingdom: it is the European Union. British manufacturers understand that and they take the European Union very seriously.

Mrs. Gorman: I do not want my hon. Friend to think for one moment that I intend to lend my physical attributes to any bid that he may make for the Conservative party leadership. Europe constitutes 10 per cent. of the world's population—which means that the other 90 per cent. are elsewhere for us to do business with—and it has only 15 per cent. of the world's gross domestic product. That is what I mean when I say that looking only towards Europe is a small way of viewing the world; we should look to the rest of the globe.

Mr. Taylor: I agree absolutely with my hon. Friend's latter point. The European Union is the home market for British industry and it provides a strong base from which to attack the much more interesting risk-reward markets of the far east, for example. However, we cannot do that without first accepting that our home market and our strong home base is the European Union.

The debate introduced by my hon. Friend the Member for Faversham (Sir. R. Moate) is an excellent example of how we can pick up issues and discuss them in this place. The contributions of my hon. Friends and Labour Members have been very constructive indeed. In winding up for the Opposition, the hon. Member for Middlesbrough (Mr. Bell) referred to the President of the Board of Trade. I assure him that at this very moment the President of the Board of Trade is delivering a speech about trade barrier strategy to an American audience in London, and is therefore behaving excellently in the conduct of British government.

My hon. Friend the Member for Faversham made a passing reference to the social aspects of trade. I caution him on that point. No one in the British Government supports forced child labour anywhere in the world. We can stop the use of child labour by opening up free trade with countries, thus increasing their standards of living and lessening their dependence on child labour. That is one of the reasons why I share the fervour of my right hon. Friend the Secretary of State for Employment in opposing trade and labour issues in the World Trade Organisation, because they are a cloak for protectionism.

My hon. Friend the Member for Faversham said that he would like to see more zeal in respect of free trade. I have only a few minutes in which to display the full zeal with which I would like to encourage free and open trade around the world. However, I assure him that my fellow Department of Trade and Industry Ministers and Foreign Office Ministers and I are anxiously looking for opportunities to break down barriers to international trade and to take the lead in the international community in so doing.

Only a week or two ago, I attended the Organisation of Economic Co-operation and Development conference in Paris where I had individual bilateral talks with Mr. Kantor of the United States and Mr. Hashimoto of Japan—I castigated both of them, which made me extremely popular. Tonight at midnight, Washington time, we shall find out whether what I believe to be the hugely misguided American action will proceed.

That is not to say that the market in Japan cannot be opened up. Without going into detail, it would be unwise to make bilateral efforts at this pitch, particularly as the World Trade Organisation has a very effective disputes procedure. We have invested a lot of confidence in the World Trade Organisation and we do not wish it to be bypassed by unilateral action by the United States or any other country. I hope that there will be a last-minute settlement of that dispute.

My hon. Friend the Member for Faversham mentioned many important issues, and I shall pick up one essential point. Although it may be possible to have a transatlantic free trade area in the long term, we must be very careful about the phraseology in the short term. According to the present World Trade Organisation terminology, an "area" would encompass all trade, including agriculture and textiles—areas where we would create problems rather than find solutions.

That is why Government spokesmen have made several speeches—my hon. Friend mentioned the Foreign Secretary's speech in Chicago; he might have mentioned my speech the previous day in London, but I accept that—in which we have made it very clear that we are trying to engage the United States and Canada in talks in order to create pathfinding roles and remove some of the non-trade barriers that have obstructed trade across the Atlantic.

As a telecommunications Minister, I am well aware of some of the difficulties that may be created in the telecommunications field and in the talks which continue the Uruguay round and the general agreement on tariffs and trade talks, which will be completed in a year. America is a key player in those talks, and it is also a key player in the talks which are due to conclude this week about financial services in the GATT round. I think that Europe and the United States should try to find solutions which are then applicable to the World Trade Organisation. That seems to be the right way forward.

My hon. Friend the Member for Bury St. Edmunds (Mr. Spring) mentioned roles such as procurement, technical standards, accelerated tariff cuts, subsidies, intellectual property, rules of origin and regulatory reform. They are substantial agenda items through which we can build bridges across the Atlantic. There is no doubt that the European Union must develop a close trading relationship with the United States and Canada—and Mexico in the context of the North American Free Trade Area. That relationship is crucial and we must work at it.

European Union-United States visible trade in 1994 totalled £140 billion, so our Community partners, with ourselves, have a vital market stake in north America. Germany's share of trade with the USA is larger than ours, so we have further work to do, but we are the largest investor in the United States and one of the largest trading nations in the world. We export per capita more than the USA and Japan combined, so our trading links across the Atlantic are of crucial interest. We must try to give them a framework, which we could call the pathfinding system.

As my hon. Friend the Member for Worcestershire, South (Mr. Spicer) and other hon. Members said, trade is one element in global understanding. Our crucial link with the Americans is the need to engage them continuously in Europe. The Americans have a propensity to look inwards—much more so than the European Union.

Mr. Deputy Speaker: Order. It is time to move on to the next debate.

Belling Pension Fund

1 pm

Mr. Peter L. Pike (Burnley): I am glad of the opportunity to raise an issue that has been of considerable concern to me for some time—one that I have raised in the Chamber, in written questions and in correspondence with the Minister who is to reply. I have a substantial file on the case, and many of my constituents stand to lose a great deal of money.

You, Mr. Deputy Speaker, kindly advised me that one aspect to which I wanted to refer is sub judice, so I will respect that advice and tread carefully. I had a quick rethink in preparing for this speech, so I hope that you will not have to call me to order.

Many of my constituents stand to lose money that they have rightly earned from pension contributions. As a trustee of two pension funds before entering the House, I have always believed that such a fund, whether it be a parliamentary scheme, the Belling scheme or any other, belongs to its members—part of deferred earnings that are taken into account in the overall employment package and terms and conditions. It is not only sad but wrong if employees do not receive the pension they expect.

Earlier this week, the Radio 4 programme "Money Box" presented in a sensible and balanced way the issues that I want to raise. If the Under-Secretary of State for Social Security did not hear that broadcast, I will be pleased to send him a transcript. In this debate, I want to stress the importance of preventing another Belling fiasco, ensuring that other workers do not encounter similar problems, and ensuring a fair deal for Belling pension fund members.

As the Pensions Bill is likely to reach Report stage and Third Reading next week or the week after, the Government have a final chance to address the issues involved in the Bellings case and to tighten up that Bill. The Goode report published in September 1993 was followed by a White Paper that formed the basis of the Pensions Bill, but it does not provide the protection we want. If the Minister could put his hand on his heart and say that the Bill will, with 100 per cent. certainty, prevent another Belling fiasco, I would be glad. In fact, he cannot give such a guarantee.

There are three ways in which the Government could tighten up the Pensions Bill. One is to ensure that pension funds have at least two employee-nominated trustees, as the Bill provides. However, another clause provides that, in certain circumstances, that requirement can be circumvented if an existing method of appointing trustees exists or is proposed. That is not acceptable. We must insist on two employee-nominated trustees.

Secondly, the regulator needs more power and teeth—all too often lacking in legislation. Thirdly, transactions between a pension fund and the parent company must be tightly controlled. The Bill addresses loans, but in the Belling case, one strange transaction was considered not a loan but an investment. If the Belling trustees and directors could call such a transaction an investment, I am not convinced that the Pensions Bill will prevent something similar happening in future.

Belling came to Burnley in the 1950s. It was one of the new industries that replaced cotton and mining, on which we had been so dependent. Burnley welcomed the company with open arms. It was a nationally known name—a well-respected family firm. Later, the company operated under the name Compound Engineering. Suddenly, on 29 May 1992, the company hit financial difficulties and went into receivership. I remember that day well. It was the last day of the spring bank holiday recess. When I returned from holiday, I learned that an employer of importance in my constituency was in serious difficulties.

That development has created problems for three classes of Belling pension fund members. When the scheme started to be wound up on 12 February 1993, existing pensioners continued to receive their pensions in full. A question arises regarding future increases—whether they will be 3 per cent., 5 per cent., or according to the retail price index—because of certain agreements made prior to the winding up. The point is, the more that existing pensioners receive, the less money remains for deferred pensioners with an interest in the same scheme. A conflict of interest could arise between different categories of pensioners.

The second category of pensioners are those who have reached retirement age since 12 February 1993 and have become eligible for a pension. The question arises of how much money is available for them. At present, they are receiving a reduced pension on account—nothing like the full amount that they expected.

Thirdly, there are employees who expect to receive a pension when they reach retirement at 60 or 65. Within those categories, one must consider also the guaranteed minimum pension, the scheme's change of status in 1988 and pensions acquired by additional voluntary contributions. The issue is far from straightforward. Some members believe that they will receive only the guaranteed pension, which may be a mere 30 per cent. of their previous expectations. Others think that the figure will be 60 per cent. There are different good and worst case forecasts of the money that can be recovered, and of the range of payments that employees will ultimately receive.

In the Minister's most recent letter to me, dated 20 June, he stated:

"I appreciate that both you and Mr. Wignall"—

Mr. Wignall is a representative of the local work force and is pursuing the issue with the strong support of the former workers on that site—

"feel strongly about the position of Belling Pension Fund members. I have already set out in my letter of 10 March, reasons why we feel it would not be appropriate for the Government to extend the exceptional assistance provided to the Maxwell Pension Fund members to the Belling Pension Fund members."

In his letter of 10 March, the Minister stated:

"The sheer scale of the Maxwell crisis and the large number of parties involved, including four different sets of scheme trustees, justified the exceptional action taken by the Government in establishing the Maxwell Pensions Unit and the Maxwell Pensioners Trust and it is not a model we consider suitable for general application."

I say to the Minister, in all honesty and with considerable conviction, that I would not be concerned whether my pension came from the Maxwell pension fund or the Belling pension fund, the parliamentary fund, the Philips pension fund or the British Coal pension fund. I have the same right to expect my full pension wherever it comes from.

It is of no concern to me to be told that other schemes are much bigger, and that, because of that and media involvement and Robert Maxwell, their pensioners should

receive more favourable treatment. If I stand to lose 30 to 70 per cent. of my pension, the loss is the same to me as it would be to anybody else. I am entitled to the same treatment as anybody else.

At no stage have the Government described the exceptional assistance. Some people think that it is a waiving of the payment that should be made by the existing pension fund to restore the guaranteed minimum pension level. I do not know whether the Minister is prepared to outline the exceptional assistance and state the cost to the Government of helping to ensure that the Maxwell people get fair treatment. I stress that I am not in any way opposed to the Maxwell people getting the assistance that they want. I merely say that people in a similar position, whether with Belling or in any other scheme, should get the same help.

I should like to refer to the second Select Committee report of 1991-92 on the operation of the pension fund. Paragraph 4.10.11 states:

"Belling went into receivership in May 1992. It was discovered that in May 1991, £3.5 million had been withdrawn from the pension scheme and paid to a solicitor to secure a refinancing arrangement for the company. The refinancing did not take place, and the money paid is irrecoverable."

As the report is available in the House, I shall not go into the detail of exactly what happened. I have already mentioned the Minister's restriction because of the sub judice rule.

The £3.5 million referred to in the report should be $3.5 million, which translates to £2.1 million. The matter is being pursued. The Law Society made some compensation and issued a press statement, but I shall go no further along that line, because I accept that court cases are pending on the matter. In that context, Mr. Deputy Speaker, I shall relieve the pressure on you right away.

The Select Committee report also states:

"In November 1991, the trustees of the pension scheme purchased one of the company's subsidiaries for £5.5 million, which at the time represented 20 per cent. of the scheme's assets. A significant part of the subsidiary's trade was with the parent company, and a substantial loss is expected on the sale of the investment."

That purchase raises questions about whether Belling was solvent at the time of the purchase and whether the sale should have been declared illegal and null and void. That explains why I say that the Department of Trade and Industry should be concerned about what happened. Should the directors, especially Richard Belling and Michael Stewart, have been allowed to be directors?

I shall give one or two other examples of what happened in the past. In 1989 Michael Stewart, who, as I say, was one of the directors, took a loan of £1 million from the fund without members' knowledge or any declaration in the annual accounts. In September 1990, the same director took a £3 million loan from the fund, without security or legal approval and without the knowledge of the actuary, the third trustee or the members.

The solicitors Barlow, Lyde and Gilbert and counsel told him unequivocally that he was not empowered to take such money from the fund. The directors were repeatedly advised that, to say the least, some of their actions were highly questionable. Time after time they were warned of the dangers.

When I put a question to the Prime Minister on the matter, I said that fraud and abuse was involved in the total concept of the Belling pension fund. That is why the fund is not able to deliver what the pensioners rightly expect. I accept that the directors may have been misguided and believed that they would be able to save the company, but that judgment is generous in the extreme, because I do not think that that was the case.

Clearly, there have been major problems. The money that people were entitled to expect to be in the fund was not there, and people will not receive the pensions and the security to which they are entitled. I do not know what the liquidator's report to the Department of Trade and Industry said, and I appreciate that the Minister may not be able to speak about that, because such reports are not published. People need to know at what stage it was known that the Belling group faced major difficulties and that money from the pension fund was being used to try to keep the group afloat.

For the people employed by the company, those details should have come to light much earlier. Why did not reports by the auditors or by chartered accountants or others ring loud and clear alarm bells and set off flashing lights showing that something was going wrong?

We must be absolutely certain that people in pension funds are sure that, when they retire, they will get the pensions to which they are entitled. I welcome the broad concept of the Pensions Bill, because I know it will bring about tremendous improvements and go a long way towards meeting problems. However, I do not think that it goes far enough. If the Minister was in the same position as the Belling pensioners, he would not be concerned whether his pension was paid from that fund or from the Maxwell fund. Those pensioners want a fair deal, and in their retirement they want what they are entitled to.

1.17 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. James Arbuthnot): I am grateful to the hon. Member for Burnley (Mr. Pike) for raising the matter of the members of the Belling pension fund. To his great credit, the hon. Gentleman has been assiduous in his support in the House, and in correspondence and elsewhere, for the members of that scheme. He asked whether I had heard the "Money Box" programme on the Belling scheme. I did hear it, and I found it extremely interesting. It obviously raises matters of considerable concern.

It must be the case that, the more interest that is taken in pension schemes in future, the more secure they will become. Backing up that security will be the measures in the Pensions Bill, which left Committee yesterday and to which the hon. Gentleman referred.

The hon. Gentleman is eager to see that all possible gaps in legislation are plugged, so that problems with pension funds do not occur in future. He said that he hopes that, in the years ahead—I think I quote him correctly—no hon. Member should need to tell the House that a pension fund is not able to honour its commitments to its pensioners. In an imperfect world, such a hope can never be completely achievable. The hon. Gentleman asked for 100 per cent. certainty that such a hope could be realised, but that is not possible, as I think, in his heart of hearts, the hon. Gentleman would accept. The measures that we are introducing in the Pensions Bill should greatly improve the security of occupational pension schemes.

[Mr. James Arbuthnot]

I intend to speak in detail about some of those measures, but, first, I should deal with the hon. Gentleman's suggestion, which he has made before, that the help that has been given to Maxwell pension scheme members should be extended to the Belling scheme and to other schemes in difficulties.

I should make it plain that it is the Government's view that the Maxwell pension crisis was exceptional. The hon. Gentleman refers to my letters to him, in which I have referred to the scale of the Maxwell crisis.

The large number of parties involved—more than 30,000 Maxwell pension scheme members were under threat—and the complexity of the problems faced—about 50 major legal disputes took place—justified the exceptional action taken at the time to help to unravel and resolve the problems. Because of those exceptional factors, it needed a different mechanism from the ordinary legal procedures that are available to, and which are being pursued by, the independent trustee of the Belling pension scheme.

Mr. Pike: Will the Minister accept that the independent trustee who is pursuing those procedures must, on every occasion, weigh up whether the amount that is recoverable will exceed the recovery cost, because that cost and the legal remedies are extremely expensive?

Mr. Arbuthnot: Of course I accept that the independent trustee will have to bear closely in mind the recovery cost in relation to matters outstanding, but, in this case, the question is whether there should be a different procedure from the legal procedures that are and should be available to pension schemes to recover assets that should not have been taken from them. That is not the case in the Belling scheme, whereas it was in the Maxwell scheme, because of the scale of the crisis and the complexity of the problems involved.

There is another difference. It is also plain that, although the Government were as eager as anyone that the Maxwell pension crisis should be resolved, they did not feel that they should assume responsibilities that rightly belonged to others. That was also the view of the Select Committee on Social Security, and of the Secretary of State for Social Security's adviser on Maxwell matters, who in March this year successfully concluded a major settlement worth more than £275 million to Maxwell schemes. As chairman of the Maxwell Pensioners Trust, Lord Cuckney, as he now deservedly is, raised some £6 million for the support of Maxwell pensioners.

Both those were remarkable achievements. It must be worth noting that the complexities of the March settlement were such that it took the parties involved the best part of an hour each simply to sign the complex series of agreements that were needed.

We have obviously learnt some helpful and useful lessons from the activities of the Maxwell pensions unit, which was set up to help the parties to resolve their problems. That practical experience has fed into the proposals in the Pensions Bill, not least those on compensation, but we do not consider that the setting up of a specific unit for each specific problem as it arises is a model that should be generally applied.

On the Belling pension scheme, I understand that the independent trustee has settled a number of actions, including one against the Law Society, and is continuing to pursue various claims to rebuild the fund in full. I understand also that the Belling pension fund has been able to continue to pay pensions from the scheme's own resources. That too is different from the position of individual Maxwell pension schemes, some of which, in the early days of the problem, were without resources to make any pension payments. Of course I hope that the actions being pursued by the independent trustee of the Belling pension fund will bring further recoveries to that fund, to rebuild its assets.

One of the major results of the Maxwell crisis was the setting up of the pension law review committee, which led directly to the Pensions Bill. Many of the Bill's provisions directly deal with concerns that have been expressed about the operation of the Belling pension scheme.

Four major principles underlie that legislation. They deal with equal pension rights for men and women, the equalisation of state pension age, making personal pensions attractive across a broader age range, and, most important for this debate, restoring the security of occupational pension schemes. Obviously, confidence in the security of those schemes was considerably undermined by the Maxwell affair. We intend to restore that confidence by improving that security.

A number of measures would have proved helpful in preventing the difficulties that have been faced by the Belling scheme. The trustees of the Belling scheme were all company appointments. The Pensions Bill provides that scheme members have a right to select at least one third of their scheme trustees. That is a statutory minimum that schemes are free to build on. We have gone further than the recommendation of the Goode committee, by insisting that that requirement should apply even to schemes with fewer than 50 members. Those member-nominated trustees are an important part of the package of security and of pension reform offered by the Bill.

I am in no doubt that the vast majority of employers who sponsor occupational pension schemes, and of the trustees who operate them, do so with great integrity, but the small minority who do not will know that they have a member-nominated trustee looking over their shoulder. All trustees will be backed up by the Occupational Pensions Regulatory Authority, to which they can turn if there is any hint of trouble.

The hon. Gentleman suggested that it was possible to get around that member-nominated trustee requirement, but it is not. Many members may be happy with their existing pension scheme arrangements, and in those cases, employers may propose to keep those arrangements or to adopt an alternative, but, before they do, they must first gain the approval of active and pensioner members under the statutory consultation procedure. I assure the hon. Gentleman that that procedure will leave members in no doubt of their rights and of the options that are open to them.

It would not be right for the Government to upset arrangements with which everyone is contented, but, for the first time, scheme members will be able to insist that schemes should have at least some trustees whose perspective differs from that of the employer, or that there should be other arrangements that are equally acceptable to members.

In March 1992, legislation came into effect that limited to 5 per cent. the amount that schemes could invest in the sponsoring company. We intend to retain

that limit. In addition, the Pensions Bill provides for sanctions to be taken against trustees who breach the self-investment limit. For serious cases, sanctions include, on conviction on indictment, an unlimited fine, up to two years' imprisonment, or both.

I have referred briefly to the Occupational Pensions Regulatory Authority. An important part of the Bill is the creation of that new regulatory body. We intend that that authority should oversee pension schemes and enforce compliance with statutory provisions. The authority will be able to act quickly on reports and complaints about the management of schemes. It will have powers to conduct wide-ranging investigations, including on-site inspections, irrespective of whether a complaint or report has been made.

The Bill will place scheme actuaries and auditors under a statutory duty to report irregularities discovered to the authority. That will enable it to receive information about schemes with problems at a relatively early stage. That means that it will be able to act far more quickly and incisively than might otherwise have been the case.

The Government firmly believe that the establishment of the regulatory authority, taken together with the comprehensive range of provisions aimed at improving scheme administration and security, will represent a formidable barrier against dishonest or negligent administration of pension schemes.

I have described in some detail some of the measures that we are introducing in the Pensions Bill to provide a strengthened legal and regulatory framework for occupational pension schemes. Those measures will improve the security of members' pensions, but we are also introducing a compensation scheme as a longstop, because, in spite of the robust safeguards in the Bill, there can be no absolute guarantees against a determined criminal.

Because of the limited time available, the measures that I have mentioned today are only a sample of those introduced by the Bill to enhance the security of scheme members. We have great sympathy for the position of Belling pensioners, and I pay tribute to those, including the hon. Gentleman, who are working so hard on their behalf. We can, should and—

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. We must move on to the next debate.

Roofing Contract (Plymouth Dockyard)

1.30 pm

Mr. Sebastian Coe (Falmouth and Camborne): I am delighted that my hon. Friend the Minister for Local Government, Housing and Urban Regeneration will reply to my observations today. I recognise that the issues I wish to raise, particularly those which relate to English Heritage, fall at the door of our right hon. Friend the Secretary of State for National Heritage, but my hon. Friend's Department is a key funder of such projects. My hon. Friend will be relieved, as am I, that, unlike previous exchanges in the House, we are not discussing fishing today.

The title of this debate may appear a little dour and unexciting. It has not emptied the Dining Rooms, but, to my constituency, it is one of the more relevant debates of the year. This is only my second Adjournment debate, and it is my second on a key constituency matter. I am grateful for the opportunity to raise my concerns and to outline the case of Camborne Natural Slate, a company in my constituency, and the re-roofing contract for the Royal William dockyard in Plymouth.

The essence of my case is that Camborne Natural Slate had been asked to tender for a contract, was told that it had been awarded it, and entered into production. At the last minute, the company was informed that English Heritage had intervened and had given the contract, I believe without good justification, to a Welsh company.

Sir Anthony Grant (Cambridgeshire, South-West): Is my hon. Friend aware that Eternit, which is a major supplier of building materials in my constituency, is involved in that project, and is supplying some of the material? It is concerned about the point made by my hon. Friend, and, like me, wishes to offer whole-hearted support for the campaign that he is undertaking. Does my hon. Friend agree that, in this week of all weeks, we have had rather too much interference from some people from Wales?

Mr. Coe: I am, as ever, deeply grateful for my hon. Friend's intervention. I am grateful for his support and for the support of Eternit in his constituency, which has written to me and to the owners of Camborne Natural Slate pledging its support. On my hon. Friend's second point, I have never really thought of myself as St. George in this place.

The supply of slate from Camborne to the Plymouth development corporation is not only vital for the company but has a significant consequence for the mining and process industries in Cornwall. Camborne Natural Slate has demonstrated that, despite the difficulties resulting from the near-disappearance of tin mining in Cornwall, it is possible to retain the Duchy's long history of mining by importing raw materials for value-added processing in the county. That is all the more important given the phoenix-like rise in the fortunes of South Crofty, Cornwall's last working mine, which is also in my constituency.

The case is straightforward. Camborne Natural Slate is a successful finished-slate producing company. In July 1994, its chairman, Dr. Chandra Durve, received a letter from the Philip Desmonde Partnership, writing on behalf of the Plymouth development corporation, asking whether Camborne Natural Slate would like to tender for the contract for the re-roofing of the Royal William dockyard.

The letter states that the natural slate roofing—Brazilian natural slate—which is light grey in colour and which is used by Camborne Natural Slate

"has been selected as suitable amongst a range of alternatives".

Naturally, the company welcomed that approach, and put together its bid.

I have seen a further letter sent to Camborne Natural Slate in September 1994, by Roger Monson on behalf of the development director of the Plymouth development corporation. It said that the corporation had decided

"in consultation with English Heritage . . . to erect five in-situ slate samples for inspection and further inspection".

The letter also specified the date by which the corporation should receive all the samples. All this suggests that, at that stage, English Heritage was satisfied with Camborne Natural Slate.

That is when we arrive at the first contradiction. English Heritage subsequently claimed that it had decided against using Camborne Natural Slate in June 1994. I have a copy of the aforementioned letter, which was dated 26 September 1994. That is odd.

Camborne Natural Slate legally tendered for the contract. It took eight months to draw up the tender list and, although in-depth discussions took place between the Plymouth development corporation and English Heritage about size, colour, texture, quality and all other aspects of the slates on offer, no doubt was ever expressed about the Camborne slate. Indeed, I understand that one source of Welsh slate was rejected by English Heritage at the outset, because of its colour.

Following the submission, in March 1995 Camborne Natural Slate was invited to meet the Plymouth development corporation consultants. It was at that meeting that it was advised that it would be awarded the contract subject to terms. Given the nature of the correspondence and subsequent communications, and due to the nature, scale and timing of the required supply, the company took the not unnatural step of commencing production. It had, after all, been assured that it would be awarded the contract and it wanted to provide a first-rate service. Its decision was based on firm assurances, and it was unaware that it was taking any risks.

English Heritage has recently stated that it does not feel that Camborne Natural Slate's product is suitable for the re-roofing contract. That pronouncement goes against the advice and knowledge of all local experts. English Heritage claims that the slate is the wrong colour and has too smooth a texture. Throughout the bidding process, Camborne Natural Slate made it clear that it was capable of making slates of whatever texture was required, and, indeed, has done so on many other notable historic restorations.

Historically, all slate quarried in the south-west was pale in colour, with green and grey as the predominant shades. Unlike Welsh slate, it would not have been black or shades of black.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): Welsh slate is not black. One type is blue, and the other is purple. While I am on my feet, I feel that I should interfere on behalf of Welsh slate producers. The hon. Gentleman is making a case for importing slate from Brazil, and is arguing against the best product in the world, which is mined in Wales. Is he, as a Conservative Member of Parliament, saying, "Don't buy anything from Wales, even if it is mined locally—import instead"? That is preposterous.

Mr. Coe: I am happy to respond to that, and I shall deal with the issues raised by the hon. Gentleman later in

my observations. The hon. Gentleman represents an area that is not dissimilar in nature to my constituency. He will know that, for those areas to prosper and for their economic foundations to be vibrant, value-added is a key part of any inward investment.

It is absurd to suggest that a slate comes out of the ground and is suddenly nailed to a roof. The hon. Gentleman knows that an awful lot of work goes into it first. Camborne Natural Slate is producing a product 70 per cent. of whose input is of a domestic nature, and 70 per cent. of the income raised remains in the United Kingdom.

Mr. David Harris (St. Ives): May I assure my hon. Friend that he has the total and absolute backing of the whole of west Cornwall for his case, especially in the light of the disgraceful way in which the Welsh Development Agency is doing its utmost to poach jobs and firms from Cornwall. If we lose the order, the economy of the south-west and west Cornwall will be hit again; and goodness knows, it needs all the help it can get.

Mr. Coe: I am grateful for the support of my hon. Friend, who has raised the issue of the processing of regional selective assistance and the various grants. We have both been to see Ministers to discuss the matter, and, as the Member of Parliament for a constituency adjoining that of my hon. Friend, I recognise the profound importance of the outcome to the economy of the south-west.

Mr. David Jamieson (Plymouth, Devonport): Surely the issue is not whether Welsh or Cornish slate should be used. The fact is that English Heritage accepted that the six tenders were all appropriate for the job, and Camborne Natural Slate then put in the best tender—better than the Welsh tender. Surely the decision should now be based purely on price.

Mr. Coe: I am grateful to the hon. Gentleman for making that point. I shall deal with it in my final observations.

It is important to establish the fact that the darker unweathered slates appear at depth. As the Cornish miners of yesteryear had neither the technology nor the need to dig deep, all the slate used was light in colour, akin to the Camborne slates, which are light grey. Studies have found that those are ideally suited to match the traditional grey weathered slates still seen on historic buildings. For reasons of colour and historical authenticity, many local builders deliberately use Camborne slates to patch old roofs.

I have seen a letter from Richard Edwards, senior lecturer at the world-renowned Camborne school of mines in my constituency, which says that the Camborne slates fit in perfectly with the slates of the south-west peninsula. In other words, they are the nearest we can get to the original slates used on the dockyard roof.

I can now deal with the point made by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), because English Heritage's argument that Camborne slates are Brazilian is erroneous. Only the rock is imported. Not only is that raw rock closest in nature to the old Cornish rock, but the slates are hand-finished in Cornwall by Cornish hands—not in Brazil and not in Wales. It is the Cornish heritage, skill and culture that enable the slates to be produced to such a high standard in the county.

English Heritage's objections are even more absurd, because when there was a final test in which sample slates were put on the bakehouse roof of the Royal William dockyard, English Heritage approved the Camborne slate and deemed it more suitable than the Spanish or Welsh samples. From the outset, English Heritage favoured a large slate, because all the evidence in the historical records of the yard show that large slates were used. The Welsh cannot produce those, but Camborne can.

Perhaps the Minister will explain why English Heritage has acted in such a contradictory fashion. Camborne Natural Slate has been severely misled. Indeed, it seems from the evidence that English Heritage also misled Plymouth development corporation, probably causing it unwittingly to delude the company.

Mr. Gary Streeter (Plymouth, Sutton): My hon. Friend mentions Plymouth development corporation, and he will be aware that the project is hugely significant for Plymouth, especially the development of the Royal William dockyard. It is being funded to the tune of £45 million by a Government Department, so does my hon. Friend agree that it is absurd for English Heritage, another organisation funded by the Government, to intervene in such an incompetent manner and mess up the contract? For many of us, that underlines the fact that English Heritage has become too powerful and overbearing, and needs the Government to clip its wings.

Mr. Coe: I am grateful for my hon. Friend's remarks. Only five weeks ago, I enjoyed a morning going around the yard on foot and on the water. Like most people with any knowledge of Plymouth and the south-west, I recognise that the project must be handled at all times with great regard to historical authenticity, and that the public purse is to the fore. Like my hon. Friend, I do not think it unreasonable that, when a publicly funded body is primarily engaged in regenerating an area, contracts should be awarded to locally based companies where possible.

The irrefutable fact of the matter remains. English Heritage was consulted throughout the year-long selection process, and never at any stage expressed an objection to Camborne slates. As I have already explained, the publicly stated reasons for the rejection of the bid—colour, texture, and the need for the slates to be in keeping with the whole—have been shown to be hollow.

There is no evidence that slates from the favoured Welsh quarry are appropriate in colour. The size and colour of the Camborne slates is far closer to the original. In 1828, the specification by the architect Rennie demanded rag slates, which are typically 24 in long or longer, and of various widths. Moreover, the historical evidence suggests that local Cornish slate was used. The slates on which English Heritage insists are smaller and are blue-black rather than grey-green. For the record, they are also significantly more expensive.

I know that Camborne slate is still favoured by the Plymouth development corporation. I received a letter on 30 May from Sir Robert Gerken, its chairman, telling me that the board had decided to accede to English Heritage's insistence that Welsh slate be used, but he added:

"you will be aware that the corporation had been trying, over a considerable period, to get agreement to the Camborne Natural Slate Company's Brazilian import for the job but this was not acceptable to English Heritage where the decision was made at the highest level, namely the Commissioners".

[Mr. Coe]

The Minister can draw his own conclusions on the background to that letter.

The quality of the Camborne slate has never been questioned. The objections now raised by English Heritage are purely aesthetic. Because the use of Welsh slate will be enforced, an additional £250,000 will be added to the costs of a project funded by the taxpayer.

I do not believe that English Heritage made a definitive judgment, let alone a rational judgment, last June or at any time since. Otherwise, logic tells me that the corporation would not have proceeded with the tender, and certainly would not, following the tender, have specified Camborne slate on the applications. I have no doubt that, had the Plymouth development corporation been aware of any reasons why Camborne slate should not have been used, it would have made them clear from the beginning, and would not have allowed tendering from the company to go through to the final contractual stages. Camborne slate has satisfied all the requirements of the tender. It is the preferred choice, and has the full support of the architects. The slates are competitively priced, and the company, just as importantly, is a south-western business.

It does not seem unreasonable that a publicly funded body should, where possible, allocate contracts to firms in the region of the venture. That is what the Plymouth development corporation has attempted to do. If we wish to preserve our traditional industries into the next century, support must be granted to companies such as Camborne Natural Slate. It has, by its own efforts and research, found a way in which to compete effectively with overseas slate producers while retaining 70 per cent. of the revenue in the United Kingdom. That should be applauded, not penalised.

The tender process now seems to have been less than transparent, and I would like my hon. Friend the Minister to look at it again. I know that the final decision rests with his right hon. Friend the Secretary of State for National Heritage. I hope that my right hon. Friend will look carefully at the matter, especially the concerns that I have raised today.

Frankly, I do not believe that the process was carried out to the high standards that are expected of the public sector. This is one of the biggest heritage refurbishments ever embarked on in the south-west. I am sorry to say that it has left an extremely bad taste in the mouths of many of my constituents.

1.50 pm

The Minister for Local Government, Housing and Urban Regeneration (Mr. David Curry): It may reassure the House if I say first that I am here not because there has been an unexpectedly early reshuffle, but because my right hon. and hon. Friends in the Department of National Heritage are detained on urgent business. It would not be right, either, if I suggested that an admirable compromise might lie in using good Yorkshire stone mined in the Yorkshire dales in my constituency. I am here to explain, not to act as a mediator.

I am grateful to my hon. Friend the Member for Falmouth and Camborne (Mr. Coe) for raising the issue; he has expressed clearly the depths of his concern and the concerns of his constituents. I shall explain the background to the involvement of the Department of National Heritage in the case.

As my hon. Friend has said, the buildings at the Royal William yard were built between 1825 and 1833 to the design of John Rennie, the engineer to the Admiralty. I have visited them as part of my regular visits to look at our regeneration programmes in the south-west.

The yard includes an exceptional and extensive range of buildings which have survived the years very much in their original form. The yard is a rare example of its kind and it is of great national importance, which is why the buildings were scheduled as monuments in 1968. That means that their preservation must be fully considered when proposals are made for development or other work that might damage the buildings or their appearance.

Under the Ancient Monuments and Archaeological Areas Act 1979, any such proposal must be the subject of an application for scheduled monument consent to my right hon. Friend the Secretary of State for National Heritage. When he considers such an application, he has to seek the professional advice of English Heritage. The developers themselves may, of course, ask for informal advice from English Heritage on the acceptability of their proposals before they make an application to the Department of National Heritage, to smooth the passage of the application. That is what happened in this case.

The buildings are the subject of a refurbishment programme being carried out by the Plymouth development corporation. The proposals to replace the present roof coverings form part of that work. The roof is almost always a dominant feature of a building, and the retention or replication of its structure, shape, pitch and ornamentation is important.

Discussions between the development corporation and English Heritage about identifying the right roofing materials began in June last year, some months before the Department received the first of the corporation's applications for scheduled monument consent. Throughout the discussions, English Heritage was willing to consider a range of options for the material. As part of the process, it was willing to look at samples from potential suppliers, including Camborne Natural Slate Ltd. The process was not intended to give approval to that use. If it had been, English Heritage could have been deemed to have endorsed all the samples.

I understand that, between November 1994 and January 1995, the development corporation independently sought tenders for the supply of slates without asking English Heritage to endorse the slates proposed or to agree the specification on which tenders were invited. The corporation received three tenders for the work, one of which—the lowest—was from Camborne Natural Slate which, as my hon. Friend has stated, proposed to use rock mined in Brazil and finished in Cornwall. Following the evaluation of the tenders, the development corporation indicated in a number of its applications for scheduled monument consent that it wished to use Camborne slates.

It is at this point that some confusion appears to have arisen, and I am not absolutely certain that I shall be able to dispel it. My hon. Friend has cited statements made by the development corporation or its consultants that may have given Camborne Natural Slate the impression that English Heritage had in some way endorsed the use of its

product. English Heritage, however, maintains categorically that at no time did it give any such endorsement.

It maintains that it consistently made it clear to the corporation that the Camborne slates were unacceptable for use on the buildings by virtue of their colour—which English Heritage considers is too green in tone—and their texture, which is too smooth. It was and is English Heritage's professional opinion that the use of Camborne slates would have a visual effect quite out of keeping with the character of this collection of buildings.

It seems that the lines of communication between the development corporation and English Heritage were not as effective as they might have been. As a result, the impressions gained by the company were not as precise as they should have been.

Mr. Jamieson: Will the Minister give way?

Mr. Curry: I will not give way, because I have very little time left, and I want to reply to my hon. Friend.

Camborne Natural Slate gained the impression that its product was acceptable and that it would be awarded the contract, so it entered into production. But there was no contract, and, in the absence of English Heritage's endorsement of its product and the scheduled monument consent for the works granted by the Secretary of State, there could not be a guarantee that its product would be used.

Having subsequently examined the products available from other potential contractors who had submitted tenders, as well as sample panels and further information provided by Camborne Natural Slate, English Heritage concluded that it could only recommend the use of slates of Welsh origin. [HON. MEMBERS: "Why?"] As a simple Yorkshireman, I do not wish to enter an argument about the colour of Welsh slates. It says here, however, that Welsh slates are greyer and rougher than the Camborne product, and are considered by English Heritage to be more in keeping with the slates that must have been used originally.

My hon. Friend has said that he believes that such slates were not used originally. I cannot arbitrate on this. English Heritage is supposed to be in a position to arbitrate, and it maintains that the possibilities are limited to slates that are Welsh and Cornish in origin. What my hon. Friend has said about the suitability of Camborne slates is based on the assumption that Cornish slates were used originally. It is just as likely that Welsh slates formed the original roof covering. In fact, only Welsh slates are now available in the quantity required.

I understand that Camborne Natural Slate maintains that local slates, not Welsh slates, were the most likely to have been used, and that its product most closely resembles the appearance of local slates. English Heritage rejects that view, as it considers the Camborne product to be greener in tone and smoother in texture than Delabole or other local slate.

Mr. Coe: My hon. Friend has done little to dispel any of the concerns that I and hon. Members on both sides have raised. Will he give me an assurance that either he or a Minister from the Department of National Heritage will look again at this process? Frankly, this company in my constituency has been led into a bizarre process.

Mr. Curry: Leaving my brief entirely behind me, it seems that there has been confusion. I do not know enough about the case to say whether it arose entirely because people got their lines muddled, but my inclination would be to say that that is likely. I do not want to start making suggestions about improper activity or influence. I do not think that such suggestions are true.

There is clearly a case to answer about the way in which the three organisations concerned communicated with each other. As a result, impressions have been given which have led to work that may not have been justified. The company, through the mouth of my hon. Friend the Member for Falmouth and Camborne, has put its case that it was justified in taking the action it did.

I undertake to examine my hon. Friend's point, that my right hon. Friend the Secretary of State for National Heritage will give it his particular attention, and that we will try to respond in detail to the points that have been made. I hope that that will give at least some reassurance to my hon. Friend.

Sunday Observance (Northern Ireland)

1.59 pm

Mr. Seamus Mallon (Newry and Armagh): I listened with great interest to the debate on the colours, sizes and textures of slates. When one debates an Act of Parliament that goes as far back as 1695, was introduced by a Parliament that has been extinct for a couple of centuries and is no longer operative in any part of Ireland except that which is under the jurisdiction of this Parliament, one might be tempted to wonder not only about the texture of the slates but about whether some were slightly loose, if not removed altogether.

I am talking about the retention of the Sunday Observance Act (Ireland) 1695 which was enacted by a Government of Ireland who, as we all know, no longer exist. The Act has been around for three centuries and has caused problems even to this very day. It is impossible to describe the Act except in terms of its own vernacular and terminology. It is informative to realise exactly what is the basis of that law in relation to the operation of district councils. Those were the terms of my application for the debate, which I am pleased to have been able to obtain.

All forms of sport are, in effect, banned on a Sunday in the north of Ireland. For the reason envisaged at the time, one can rely only on the wording of the legislation:

"by reason of tumultuous and disorderly meetings, which have been, and frequently are used on the Lord's-day, commonly called Sunday, under pretence of hurling, commoning, football-playing, cudgels, wrestling, or other sports".

Forgive me for not being able to say what commoning is. I could venture one or two suggestions, but they would probably be wrong. I venture to suggest that I might know what cudgelling is. In the time that I have lived in Northern Ireland, I have never seen it practised—certainly not as a sport.

I have seen hurling played and have played it myself, but hurling as it is now known was invented in about the 1850s. Of course, in the Act it could be a generic term that takes in golf, hockey, what is now known as hurling and anything that involves the malevolent action of hitting a little ball—whatever it is filled with—along the ground with some form of stick. I assume that that is the hurling spoken of. It is banned within the north of Ireland. It is illegal by the Act of a Parliament that no longer exists. The vestiges of the Act were repealed in the rest of Ireland as late as 1962 but, unfortunately, they are still with us.

It is informative to look at the consequences of the sort of malevolent, disorderly, tumultuous meetings that would take place if we were allowed to kick a ball along the road or knock a round sphere with a stick. The Act states:

"no person or persons whatsoever shall play, use, or exercise any hurling, commoning, football-playing, cudgels, wrestling, or any other games, pastimes, or sports on the Lord's-day, or any part thereof"

is guilty.

That means that the Government, who are represented here by the Under-Secretary with responsibility for the environment—the hon. Member for Cambridgeshire, North-east (Mr. Moss)—are by definition guilty of breaking the law when they give financial assistance to leisure centres in the north of Ireland. In the case of Craigavon council, the centres are not open because of the Sunday Observance Act (Ireland) of 1695. It also means that every district council in the north of Ireland that opens its leisure centres is in breach of the law. Central and local government are, in effect, breaking the law in their operations in Northern Ireland. We must add to that the number of people, myself included, who, although no longer involved in hurling, are involved in an activity that I described as part of the generic term of hurling, the tumultuous game of golf on a Sunday. Tumultuous and disorderly golf never is; interesting it can be; good it seldom is—but, under the terms of the legislation, it is illegal.

Of course, one could go on for ever drawing conclusions from the legislation. Every country in the world has its anachronisms. Every country has pieces of legislation that lie there and do not matter. Every country in the world has elements in its constitution or corpus of law that may be as well left lying in the corner rather than risk raising the atavisms that surround removing them. The problem is that this anachronism is being used now.

I quote directly from a letter from the clerk of Craigavon council dated 24 May 1995 sent to each member of the council. It is headed "Sunday Opening of Leisure Centres" and states:

"It was brought to my attention on Monday evening that the provisions of the Sunday Observance Act (Ireland) 1695 were still operative and had never been amended or repealed.

Under Section 3 of the 1695 Act, copy attached, it is unlawful for anyone to take part in any Sport on a Sunday.

I sought the advice of the Borough Solicitor who has verbally confirmed yesterday evening that the Borough Council would be in contravention of the law if it opened the Leisure Centres next Sunday, 28 May, as planned. I am awaiting his written advice and will forward a copy to each Member immediately it is received.

In order to safeguard the council's interests I have instructed the Director of Leisure Services not to open the three Leisure Centres until Council has had an opportunity to consider the legal advice."

As a result, young, middle-aged and elderly people—all sorts of people—in the Craigavon area are denied the use of their leisure centres. What takes place in these leisure centres? Badminton, five-a-side football and indoor bowls. They are hardly of a tumultuous nature, yet that archaic, outdated legislation is quoted by the clerk of the district council when he overrules the decision of his council to open those leisure centres. He did that in the name of legislation that dates back to 1695 and is still operative.

Of course, there have been changes to the law in relation to cinemas, child adoption and the removal of penalties. However, essentially the Sunday observance legislation still applies, and it is illegal, as the clerk of the council says, to take part on a Sunday in the activities that I have described.

Mr. David Trimble (Upper Bann): I thank the hon. Gentleman for giving way, especially as time is short. I want to clarify one point. He referred to the actions of the clerk of Craigavon council in my constituency. Is he suggesting that the clerk acted wrongly in following the legislation which is undoubtedly in force? Is he suggesting that it would have been right for the clerk to disregard the legislation once it had been brought to his attention?

Mr. Mallon: I make no judgment whatsoever about the clerk of Craigavon council—far be it from me to do so. However, to respond in terms of the hon. Gentleman's question, if the clerk in question were right, all other clerks operating leisure centres in the north of Ireland would be wrong under the law. Not only are district councils acting against the law, but so are the central

Government and anyone who switches on a television set on a Sunday. If BBC Northern Ireland decides to show a football match on a Sunday or if UTV decides to beam in the rugby World cup final or semi-final from South Africa, they are most surely breaking the law as well. This incredible situation has been allowed to continue for a long time.

I hope that the Under-Secretary will be in a position to say that the Government recognise that the legislation is an anachronism and nonsense and that it has absolutely no place in the world in which we live. I hope that he will recognise that it has been used down the years for atavistic reasons by people who want to cater for their own specific entrenched point of view rather than the general view that would be adopted by the vast majority of people in the north of Ireland. I hope that that is what the Under-Secretary will tell me. I hope that he does not fudge the issue and make excuses about whether the core of the legislation can be tackled.

Of course, if the legislation affected golf clubs, it would be dealt with, as it would if it affected the racing fraternity of which, I confess, I am a member. I hope that the Government will introduce legislation to enable me to go to a race meeting legally on a Sunday and, when I get there, to place a bet legally. I hope that, when the race is over, I can legally collect my money.

The current legislation, however, affects people in every sector of the north of Ireland, whatever their leisure activity. It is crucial for the young person in a built-up area who has no motor car and whose only facilities are in a leisure centre. Parents know their children are safe and supervised by professional assistants in leisure centres. It is those young people who suffer from the nonsense of the 1695 Act. I hope that the Under-Secretary will refer to them when, as I believe he must, he tells me shortly that the Act is to be repealed in its entirety as it applies to the north of Ireland.

Sooner or later, our legislation must show the plurality of the people in the north of Ireland. Those who want to have a strict Sunday observance regime are entitled to do so, and I would defend their right to it. Those who wish to participate in sport, by active involvement or by watching it, also have their rights.

However, there are two overriding priorities in a society such as the north of Ireland. First, no legislation—especially not that which goes back to 1695—should be such that it can be used or trawled by a small section of the community to promote and further its own entrenched views at the expense of others and, most usually, at the expense of those least able to help themselves. That must surely be a priority for the Minister.

Secondly, we are trying to develop a society in the north of Ireland in which people adopt the attitude that, although something may be different from what we were brought up to believe, we can nevertheless, despite the deep divisions, recognise the views and, indeed, the prejudices of others.

I make no pejorative comments about Craigavon council or its clerk, but I do criticise the 1695 Act. It is unbelievable that such nonsense is still on the statute book. Above all, I would be censorious of a Government who kept that anachronism in place because of their reluctance to take on some of the dyed-in-the-wool attitudes that they know exist in the north of Ireland. Other people suffer for those attitudes, and it is time that those attitudes were challenged.

I suggest that those attitudes are challenged now, because no one reading the legislation could justify it in any shape, form or sense. The time is now right to deal with it once and for all, so that it does not crop up as it cropped up in Craigavon. We do not know what we shall be starting, but we do know that, if the clerk of Craigavon council is right according to the legal advice, all the other district councils in the north of Ireland are wrong. If the clerk of the council is right in Craigavon, the Government and others are breaking the law through their subventions to leisure centres and other recreational and sporting activities.

The choice is whether we have a pluralistic society and are prepared to work for it or whether we are to be hidebound by such nonsense as the Sunday Observance (Ireland) Act 1695, which was passed by a Parliament that is now extinct, which was created three centuries ago and which has helped to perpetuate the entrenched views of one small section of the community. The Government have an obligation to remove any source of authority for this type of legislation and the abuse of it.

2.16 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Malcolm Moss): I congratulate the hon. Member for Newry and Armagh (Mr. Mallon) on his success in securing this debate. I should like to start by putting him out of his misery and uncertainty by telling him that I believe the word "commoning" refers to marbles. He spoke at some length about the plurality of the society in Northern Ireland, and I should have thought that playing marbles was a tradition on both sides of northern Irish society.

I listened carefully to what the hon. Gentleman said about the effect of the Sunday observance regulations on district councils. It is, indeed, a topic that has a long history in Northern Ireland. Debate on legislative restrictions on activities that may be undertaken on Sundays is not unique to Northern Ireland. Recent changes in the law elsewhere in the United Kingdom prompted the Government to publish two consultation papers earlier this year to seek local opinion on Sunday-related issues.

One consultation paper was on Sunday racing, betting and sport. It sought comments on possible changes to the law in Northern Ireland: first, to allow Sunday racing on horse and greyhound tracks and to regularise the legal position of other sports—I emphasise the words "other sports"—already held on Sundays; secondly, to allow betting on Sundays on horse and greyhound tracks and in licensed bookmaking offices; and, thirdly, to provide employment protection measures for workers in the betting industry.

The second consultation paper, on Sunday trading and other changes to the Northern Ireland shops law, sought comments on possible changes to the law in Northern Ireland: first, to allow shops to trade in all goods on Sundays, while restricting most larger shops to six hours trading; secondly, to provide employment protection measures for employees who work on Sundays; and, thirdly, to amend or repeal other provisions in the Shops Act (Northern Ireland) 1946, now considered to be out of date. The proposals are very much in line with recent legislation for England and Wales. District councils have a particular interest in the Sunday trading paper because they are responsible for enforcing the existing shops law—the 1946 Act.

[Mr. Malcolm Moss]

My ministerial colleagues and I are now considering the responses received to both consultation exercises, and announcements on the way forward will be made in due course.

If it is decided to relax the current legislative restrictions on these matters, some action may be necessary to repeal, amend or disapply specific provisions of the Sunday Observance Act (Ireland) 1695. There are already precedents on the statute book for disapplication or restriction of the 1695 Act. The hon. Member for Newry and Armagh mentioned two of them, but I shall go through them again so that we are clear.

The first amendment was the Cinemas (Northern Ireland) Order 1991, which allowed for the Sunday opening of cinemas, to which I think the hon. Gentleman referred. The second was the Adoption (Northern Ireland) Order 1987, to which I think he also referred. The 1946 Act amended substantial portions of the 1695 Act, and allowed the operation of shops on Sundays in accordance with the 1946 Act. The final amendment was the Fisheries Amendment (Northern Ireland) Act 1968, which again made changes to the 1695 Act. The precedent is that the Act has been changed on four occasions.

Rev. Martin Smyth (Belfast, South): I appreciate the fact that the Minister has given way. I understand that the Government have been considering the responses. Is it possible for us to know how many responses were received and how they balanced out? The hon. Member for Newry and Armagh (Mr. Mallon) was talking about leisure centres, and I understand that market forces compel some councils to close them because they are not used on Sundays.

Mr. Moss: Taking the second point first, that is a valid argument. That has, indeed, been the case in some council leisure centres, but I think that the majority would keep them open, given the choice. On the first question, I believe that we had more than 1,000 responses against any changes to Sunday trading and more than 1,000 for a change, so the consultation process brought an even match on either side of the argument.

I turn now to the leisure and sports centres operated by district councils in Northern Ireland. In the 1940s and 1950s there was a debate about whether swings, roundabouts, slides and so forth in local parks should be chained to prevent children playing on them on a Sunday. Then came the provision by local councils of swimming pools, followed some time later by leisure centres, when the whole debate about Sunday opening came to the fore again; indeed, it is still going on, albeit to a more limited extent.

The pros and cons of Sunday opening have been hotly debated in council chambers, with councillors fervently putting across their points of view. I would fully accept that a great many of the arguments against Sunday opening were based entirely on an individual councillor's personal convictions. In other instances, councillors believed that there was nothing wrong with people engaging in leisure activities on Sundays. In a great many other cases, however, I suspect that the decision to open or close the facilities had more to do with party politics than with councillors' personal convictions about the matter.

Mr. Mallon: I thank the Minister for giving way. Lest we do not arrive at the opportunity, will the Minister confirm that, under the 1695 Act, those councils that operate leisure facilities on Sundays are, in the words of the clerk of Craigavon council, "breaking the law"? If that is so, can he give us an assurance that he will totally remove that legislation from the statute book?

Mr. Moss: The 1695 Act covers a number of different Departments in the Northern Ireland Office, and I could not instigate any policy from my Department to change the whole Act, so I cannot give the hon. Gentleman an assurance that we will repeal the entire Act. I am, however, in consultation with the Minister of State, my hon. Friend the Member for Devizes (Mr. Ancram), to seek a way forward with his Department of Education, to find out how we can amend the Act so that sports that take place on Sundays can do so legally.

I have sought proper legal advice on whether leisure centres are breaking the law by opening on a Sunday, and I am advised that they could technically be in breach of the 1695 Act. I am also told that the chances of a successful prosecution, particularly under sections 1 or 3 of the Act, are considered remote.

Mr. Trimble: As the Minister has introduced the subject of the legal advice that he has received, would he be so good as to make that advice available to others, especially to councils that are anxious to remain within the law? As the Minister must appreciate, there is either a breach of the law or there is not. It is meaningless to say that there is a technical breach of the law. It is important, therefore, that all councils should be given the benefit of the advice that the Minister has received. Speaking for Craigavon council, I am sure that it does not wish to do anything unlawful.

Mr. Moss: I hear what the hon. Gentleman says, and I agree that the councils are perhaps in an invidious position, in not knowing where they stand in relation to the law. I am sure that their legal opinion would be the same as that given to me—there is a very remote chance of any prosecution as a result of the 1695 Act. I will agree, however, to forward that legal advice to all councils, not just Craigavon.

Whatever views anyone holds on the question of Sunday observance, I believe that we must recognise that times change. People's attitudes today on any number of issues are not the same as they were 30 or 40 years ago. If that were not the case, we would still be labouring under the 300-year-old Act as regards Sunday activities, which has recently been reported in the press. I am referring, of course, to the Sunday Observance Act (Ireland) 1695. To emphasise the point, perhaps I should quote a few of its provisions.

One passage states:

"no person or persons whatsoever shall publickly cry, shew forth, or expose to sale any wares, merchandizes, fruit, herbs, goods or chattels whatsoever upon the Lord's-day . . . upon pain that every person so offending shall forfeit the same goods so cried, or shewed forth".

We recognise that the language of that Act is out of date and, if I am to proceed from the two consultation documents into legislation, we will have to take on board carefully the requirements of necessary amendments to that Act. I give that undertaking to the hon. Member for Newry and Armagh.

2.28 pm

Sitting suspended.

2.30 pm

On resuming—

It being half past Two o'clock, the motion for the Adjournment of the House lapsed, pursuant to Order [19 December].

PRIVATE BUSINESS

Sheffield Assay Office Bill

Lords amendments agreed to.

Bell's Bridge Order Confirmation Bill

Considered; to be read the Third time.

ROYAL ASSENT

Madam Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts and a Measure:

Commonwealth Development Corporation Act 1995
Home Energy Conservation Act 1995
Proceeds of Crime Act 1995
Carers (Recognition and Services) Act 1995
Road Traffic (New Drivers) Act 1995
Land Registers (Scotland) Act 1995
Activity Centres (Young Persons' Safety) Act 1995
Prisoners (Return to Custody) Act 1995
Health Authorities Act 1995
Jobseekers Act 1995
Malvern Hills Act 1995
Team and Group Ministries Measure 1995

Oral Answers to Questions

SCOTLAND

Scottish Homes

1. **Mr. Michael J. Martin:** To ask the Secretary of State for Scotland the board of Scottish Homes will next meet to discuss the transfer of Scottish Homes property. [29367]

The Secretary of State for Scotland (Mr. Ian Lang): The board of Scottish Homes meets regularly to discuss a range of issues, including the transfer of its housing stock. It will next meet on 17 July 1995.

Mr. Martin: May I inform the Secretary of State that Scottish Homes intends to invite every housing association in my area to tender for the transfer of its property, including an organisation called Gemini which Scottish Homes itself created? The twist in the story is that Mr. Mackinlay intends to get an opinion poll company to find out which housing association is the most popular, and the most popular housing association will then go on to the ballot paper. Does the Secretary of State agree that on that basis his right hon. Friend the Prime Minister would not get on to any ballot paper, as he is not doing too well in the opinion polls?

Mr. Lang: I am grateful to the hon. Gentleman for his close interest in matters affecting the Conservative party. With regard to the Scottish Homes proposals, the hon. Gentleman will agree that there is a considerable advantage in seeking diversification in housing tenure in Scotland, which has not only created more choice and alternatives for occupants but has released substantial resources to be reinvested in housing in Scotland.

Mr. John Marshall: Does my right hon. Friend agree that most tenants will welcome the transfer, but that no tenant in Monklands would welcome the transfer of any home from Scottish Homes to Monklands district council, which is corrupt, incompetent, dishonest and racist?

Mr. Lang: I can reassure my hon. Friend that, so far as the transfer of housing is concerned, 25 succesful ballots have taken place, involving 13,000 homes, in which the tenants have voted by a clear majority to transfer.

Mr. McAllion: Will Scottish Homes properties be transferred in the future under a scheme similar to the one announced yesterday for England and Wales which gives grant assistance to housing association tenants to purchase their own homes? If so, will the Secretary of State explain how that will benefit the two thirds of housing association tenants in Scotland who have state benefit as their principal source of income and the 75 per cent. of tenants who need housing benefit to help pay housing association rents?

Is it not time that the Government listened to the advice given to them yesterday by an archbishop to stop loading the dice in favour of the one form of housing tenure that they prefer and to get back to meeting the real housing need in this country by building housing at affordable rents for the hundreds of thousands of our fellow citizens who are either homeless or trapped on housing waiting lists and for whom the right to buy is about as relevant as the right to stay at the Ritz hotel in London?

Mr. Lang: That reveals the old, atavistic attitudes of the Labour party to housing. There is a huge demand to buy council houses in Scotland. It is a right that we gave to council tenants. We fought the measure through against the sustained opposition of the Labour party—opposition which continues in some district councils. Private ownership in Scotland has now risen to approaching 60 per cent. Some 300,000 tenants have been given the opportunity by a Conservative Government to buy their homes. Clearly, the Labour party is out of touch on housing.

Respite Care

2. **Dr. Godman:** To ask the Secretary of State for Scotland what recent representations he has received anent the provision of respite care for those citizens with learning disabilities and their families. [29368]

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I am not aware of any recent representations regarding the provision of respite care specifically for people with learning disabilities.

Dr. Godman: Will carers and those for whom they care ever get a fair crack of the whip from this Government? Is it likely that the Minister and his equally recalcitrant officials will ever implement the recommendations contained in the report commissioned by the Scottish Office, "Patchwork Quilt"? Is it not necessary for carers and those for whom they care that the recommendations in the report be implemented as soon as possible?

Lord James Douglas-Hamilton: We believe that priority should be given to carers to enable vulnerable people, including those with learning disabilities, to live in the community. We have provided an additional £2.1 million to develop respite services. The guidance that has been issued highlights several objectives, including that respite care must be needs led, of high quality, accessible, strategically planned, flexible and affordable. If the hon. Gentleman believes that we are not following any of the recommendations, perhaps he will kindly let me know where he thinks that we are falling down. We insist on giving the matter high priority and shall continue to do so.

Common Agricultural Policy Advisory Group

3. **Mr. Welsh:** To ask the Secretary of State for Scotland when he was consulted on the membership of the Government's CAP advisory group; and if he agreed to the membership. [29369]

Mr. Lang: The CAP advisory group is not a Government body and has no formal standing within Government. It was created by my right hon. Friend the Minister of Agriculture, Fisheries and Food to advise him personally. In those circumstances, there was no reason for me to comment on the membership of the group.

Mr. Welsh: Given that the CAP advisory group will, in the Government's own words, have a significant impact on the development of policy and new thinking on the issue, why does the group not include even one person who is actively involved in Scottish agriculture? And how

does the Secretary of State explain why the Scottish Office has been represented at only four of the 50 Council of Ministers meetings in Europe, in a minor role, and never on agriculture? Is that not a disgraceful way to treat the Scottish agricultural industry?

Mr. Lang: The hon. Gentleman clearly does not understand the concept of Scotland as a member of the United Kingdom, deriving benefits from its membership of the United Kingdom both in the European Community and at home. Scottish Office officials are fully involved in the CAP advisory group and fully aware of what is going on. They advise Scottish Office Ministers as appropriate. The group has no responsibilities for policy-making, which remains entirely a matter for Ministers.

Housing Transfers

5. **Mr. Kirkwood:** To ask the Secretary of State for Scotland if he will place in the Library copies of the draft contracts and associated agreements seeking to transfer the ownership of all local authority housing stock from Berwickshire district council to Berwickshire housing association; and if he will make a statement. [29372]

Lord James Douglas-Hamilton: I understand that the agreement to transfer Berwickshire district council's housing stock is currently the subject of negotiations between the council and Berwickshire housing association. Consequently, it would not be appropriate to place a copy in the Library.

Mr. Kirkwood: Does the Minister accept that one of Berwickshire district council's principal justifications for the transfer was that it would deny future generations of housing association tenants access to the right to purchase their properties, thereby preserving the district council's stock in the social rented sector? Given that the change in Government policy announced by the Secretary of State for the Environment at the Dispatch Box yesterday potentially frustrates that aim, will the Minister now publish the completed draft contracts that are about to be considered and allow a proper period of public consultation and debate before the Secretary of State for Scotland begins to consider authorising the transfer? Otherwise, the implications for prospective tenants of Berwickshire housing association properties cannot properly be assessed.

Lord James Douglas-Hamilton: We are currently working out with Scottish Homes a scheme to enable housing association tenants to buy their homes on a voluntary basis. The Scottish Federation of Housing Associations will be consulted in due course and it will be for Berwickshire housing association to consider whether it wishes to participate in such a scheme.

The hon. Gentleman asked me to make the documents available in the Library. As Scottish Office Ministers are not a party to the contract, it is not appropriate for them to place the documents in the Library; it is for Berwickshire district council and Berwickshire housing association to consider whether to make the terms of the transfer agreement publicly available.

Mr. Kirkwood: On a point of order, Madam Speaker. Due to the unsatisfactory nature of the answer that I have received from the Minister, I give notice that I shall seek to raise the matter on a motion for the Adjournment of the House.

Under-age Drinking

6. **Mr. Gallie:** To ask the Secretary of State for Scotland what steps he is taking to curb the consumption of alcohol by those under the age of 18 years. [29373]

The Parliamentary Under-Secretary of State for Scotland (Mr. George Kynoch): The Government strengthened the existing law against under-age drinking by the introduction, in 1990, of a statutory embargo on unsupervised sales by those under 18 in off-licence or wholesale premises. Changes have been made to the Licensing (Scotland) Act 1976 to facilitate the prosecution of offences involving the sale of alcohol from off-sales to under-age persons. Much of the work of the Health Education Board for Scotland focuses on the young drinker and several initiatives, bearing particularly on young people, are under way or planned during 1995-96.

Mr. Gallie: I thank my hon. Friend for that reply. While it is an offence for young people to buy alcohol, for others to buy it for them, and for youngsters to procure it in any way, it is not an offence for young people to drink alcohol. Should not my hon. Friend deal with that problem?

Mr. Kynoch: I am aware of the significant representations that my hon. Friend has made on this issue on numerous occasions. He is to be commended for treating this subject so seriously. He is well aware of our view, which is that byelaws can prohibit the consumption of alcohol. Those have been successfully introduced in parts of Dundee, Motherwell and East Kilbride, but we have no plans to introduce a general offence focusing on drinking by young people under the age of 18 in public places.

Mr. Ernie Ross: The Minister is trying to suggest that the Government have been assisting in dealing with that problem. The pilot schemes in Dundee, Motherwell and Ettrick and Lauderdale took place from 1990 to 1993. Subsequently, Dundee district council asked the Secretary of State to allow it to promote byelaws banning the drinking of alcohol throughout the city, but the Scottish Office refused to support it. The council then put specific proposals to allow it to introduce byelaws that would ban youths under the age of 18 from drinking alcohol anywhere in the city, and the Scottish Office still refuses to support it. When will Ministers get off their backsides and do something?

Mr. Kynoch: We believe that byelaws can be introduced to prevent drinking in public places where nuisance is a problem. We recognise that alcohol misuse is one of the eight priority areas for action identified in the 1991 national policy statement, "Health Education in Scotland". A target has been set to achieve by the year 2000 a reduction of more than 20 per cent. over 1986 levels in the proportion of population who exceed the recommended sensible limits—the hon. Gentleman may disagree with these—of 21 units per week for men and 14 units per week for women. We believe that education is the best way forward. Although byelaws can be introduced, it is up to local district councils to decide whether they are appropriate.

Mr. Bill Walker: My hon. Friend will be aware that both I and my hon. Friend the Member for Ayr (Mr. Gallie) have raised this matter on a number of occasions because of the experience in Tayside, to which the hon. Member for Dundee, West (Mr. Ross) referred, that, when

under-age drinkers are banned from one area, they simply go somewhere else. That problem must be resolved. The answers that I received previously were that the Government were studying the matter and keeping it under constant review. Can my hon. Friend assure me that is exactly what is happening?

Mr. Kynoch: My hon. Friend is right to say that, in common with my hon. Friend the Member for Ayr (Mr. Gallie), he has made significant representations on the subject. The Government are always willing to listen to argument, but at present we believe that the impracticality of introducing new legislation overcomes the situation and that the current byelaws are capable of dealing with public nuisance. We are, of course, always willing to discuss the issue and to hear further representation.

Mr. Menzies Campbell: Does the Minister accept that the problem of under-age drinking is an extremely complicated one? Current policy is to prosecute the individual or shop owner who supplies alcohol illegally to people who are under age. What consideration has been given to changing the policy so as to prosecute those under age who knowingly seek to buy alcohol for themselves?

Mr. Kynoch: The hon. and learned Gentleman is absolutely right to say that there is a difficulty and, indeed, we have no current proposals on that.

GP Fundholding

7. **Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland how many general practitioner practices in Grampian are fundholders; what proportion of the total this represents; and what is the average proportion of Scottish practices which are fundholders. [29376]

Lord James Douglas-Hamilton: There are currently 38 practices in Grampian in the GP fundholding scheme out of a total of 89. Approximately 43 per cent. of the practices in Grampian are GP fundholders, covering 62 per cent. of the board's population. There are currently 158 fundholding practices in Scotland out of a total of 1,078. Approximately 15 per cent. of the practices in Scotland are GP fundholders covering 23 per cent. of the population.

Mr. Bruce: I thank the Minister for that reply. Will he take it from me that a number of the practices in my constituency have become fundholders in the past two years much against their will, because they felt that they were under pressure to do to so in order to benefit their patients? What assurances can he give to medical practitioners in Huntly, who have recently been told that the minor surgical operations that they carry out at the Jubilee hospital in Huntly will not be funded in future by the health board, and that if they do not wish to perform those operations they should refer such cases to consultants, which will increase waiting lists and costs in the health service? Is that a sensible way to develop local GP surgical practices?

Lord James Douglas-Hamilton: The health board is simply applying the rules which relate separately to the provision of minor surgery within GP practices by any GP and to certain specific arrangements which apply to GP fundholders on the use of their funds to provide certain surgical procedures. The regulations allow for a limited list of procedures where, subject to strict arrangements, the fundholders can use their fund to facilitate the provision of secondary services within the practice where a particular GP has expertise.

I hope that the GPs involved will continue to work with the health boards and that there will be no question of their withdrawing co-operation, which would be unfortunate. I hope that they will provide a full range of services to their patients in the area. The arrangements are voluntary and it is up to the Gps involved to decide on the extent of their participation in minor surgical work. GP fundholding offers enormous advantages, which are perceived throughout Scotland.

Drug Abuse

8. **Mr. Watson:** To ask the Secretary of State for Scotland if he will make a statement on the resources available in Scotland to deal with drug abuse and its effects. [29377]

Mr. Lang: Responding to drug misuse consumes a substantial amount of resources across a range of services—health, the police, social work, education, the prison service and other statutory and non-statutory agencies. Public expenditure exceeds £40 million every year.

Mr. Watson: The Secretary of State did not say whether he thought that that expenditure was effective. The catalogue of deaths of young people through drug misuse continues to increase, which suggests that it is not.

In an Adjournment debate last week, the Under-Secretary of State told me about operation Eagle, undertaken by Strathclyde police to counter drug abuse, but he did not say that that operation does not represent extra resources for that police force, as it is funded from existing resources.

I accept what the Minister said about the need for a multi-agency approach, but does he accept that young people in Scotland need to be offered some hope? In many cases those involved with drug abuse are those without hope. We do not hear of many trainee chartered accountants or student lawyers dying from drug abuse; rather it is largely those who have nothing to lose. That is the tragedy of Scotland. What hope can the Secretary of State give those young people to get them out of the drug culture?

Mr. Lang: One of the lessons of the extensive studies on those matters carried out by the Select Committee on Scottish Affairs, the drug task force and others is that a simplistic analysis of any kind is probably misleading and dangerous. We all agree that the need for a strategic framework and the interrelation of a range of agencies, using substantial resources, such as I have suggested, and working in a sensible and co-operative way, offer the best way forward. I believe that we have made considerable progress in our approach to these difficult issues, and I hope that we can continue to do so on the basis of agreement across the House.

Mr. Raymond S. Robertson: Does my right hon. Friend agree that resources in that respect should be targeted towards education? Does he agree with the Scottish Select Committee, which said that solvent education should start at primary school, as leaving it until secondary school is often too late?

Mr. Lang: My hon. Friend is absolutely right. That was one of the important recommendations and progress is being made on it. Drug education packages for use in primary and secondary schools to complement the Drugwise 2 materials have been commissioned and will be available shortly.

Mr. McMaster: The Secretary of State will recall that I met his noble friend the Minister of State several weeks ago to urge him to reschedule the drug Temazepam so that it would be a custodial offence to be found in possession of it without a prescription and so that there would be import and export controls on it. Since then, we have heard rumour after rumour, promise after promise, that something will be done to act on that. When will something be done?

Mr. Lang: The misuse of Temazepam is a matter of deep concern to the Government and my right hon. Friend the Lord President of the Council set out in May the immediate steps being taken to reduce its misuse. That is being done by the imposition of safe custody controls on manufacturers and wholesalers under the Misuse of Drugs Act 1971, and by a proposal to ban the prescription of gel-filled capsules by GPs in the national health service. My right hon. Friend has also confirmed that we are carefully considering the recommendation of the advisory council to reschedule Temazepam under the 1971 Act.

Mrs. Fyfe: Has the Secretary of State looked at the survey reported by Greater Glasgow health board last week, which showed that nearly half of fourth-year pupils in Glasgow had tried drugs? Will he take that into consideration, together with the figures given by the Under-Secretary of State, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton), in the debate recently with my hon. Friend the Member for Glasgow, Central (Mr. Watson), when he referred to £24 million given to all the health boards in Scotland for drug-related work and £1.4 million given to the urban programme in Glasgow? Does the Secretary of State agree that, although £1.4 million sounds substantial, it is actually only £2 for every man, woman and child in Glasgow, which is not a lot when we consider the huge amount of work that needs to be done and the worry that exists in so many communities about the scale of the problem?

Mr. Lang: The hon. Lady is right about the £24 million content of the health board budgets in the context of drugs, but I mentioned a figure of £40 million in my original answer as being the resources available throughout a range of programmes. Glasgow has a substantial share of those resources.

The hon. Lady mentioned the urban programme, which has no fewer than 11 specific projects in hand. There is also the Glasgow drug problem service, which is busily engaged in efforts to transfer the activities of injectors to oral substitutes. A great deal of work is going on throughout the range of approaches in Glasgow, and I acknowledge that that is an aspect on which we must continue to focus our attention.

Housing Transfers

9. **Mr. Foulkes:** To ask the Secretary of State for Scotland which councils in Scotland are considering transferring or have transferred the ownership of (a) any or (b) all of their housing stock to housing associations; and if he will make a statement. [29378]

Lord James Douglas-Hamilton: Since 1989, 27 councils in Scotland have received consents to transfer more than 13,000 houses to the private sector, mainly to housing associations. I will have the names of the authorities concerned printed in the *Official Report.*

A further three councils—Berwickshire, Wigtown and Nithsdale—are currently considering transferring all their stock to local housing associations.

Mr. Foulkes: Will the Minister confirm that Wigtown district council, in the Secretary of State's constituency, plans to transfer all its council housing stock to a private housing association, whose chairman is chairman of the council housing committee and whose secretary is the council's housing officer, using public money? Is that not the type of corruption that ought to be investigated, if not by Professor Black, certainly by the district auditor?

Lord James Douglas-Hamilton: As the hon. Gentleman will appreciate, the councils are independent of the Government. Whatever proposals are made will eventually have to come before the Secretary of State for approval, but the first and most important hurdle is for the tenants themselves to vote. If a majority vote against the proposal, that will kill it stone dead. The advantages for tenants, including those in the 13,000 houses mentioned, include a lower rent path, accelerated investment in their housing and increased scope for tenant involvement in housing management. There has also been a greater benefit for the public sector because it has led to reinvestment in additional social housing. As I have said, the matter will come before the Secretary of State in due course and he will look at it with complete objectivity.

Following is the information:

Councils which, since January 1989, have been granted consents under section 12(7) of the Housing (Scotland) Act 1987, to transfer housing to the private sector Angus district council Argyll and Bute district council Banff and Buchan district council Clydebank district council Clydesdale district council Cunninghame district council Dumbarton district council Dundee district council East Lothian district council Edinburgh district council Glasgow district council Hamilton district council Inverclyde district council Kilmarnock district council Kirkcaldy district council Monklands district council Motherwell district council Nithsdale district council North East Fife district council Orkney Islands council Perth and Kinross district council Renfrew district council Ross and Cromarty district council Stirling district council Strathkelvin district council Tweeddale district council West Lothian district council.

State of the Economy

10. **Mr. Galloway:** To ask the Secretary of State for Scotland when he will next meet the Scottish Trades Union Council to discuss the state of the Scottish economy. [29379]

Mr. Kynoch: My right hon. Friend meets representatives of the Scottish TUC from time to time to discuss a range of matters concerning the Scottish economy. The next meeting is being planned for July.

Mr. Galloway: I accept that the Minister's own employment prospects depend entirely on the only kind of elections that Conservative Members enjoy

participating in—those in which all the voters are Conservatives—although even in that election the prospects are a little uncertain. Does he agree, however, that the only election to which hundreds of thousands of Scottish people who are unemployed and under-employed—those who are in part-time, temporary, low-paid, low-tech, low industrial jobs—can look forward with any sense of hope is the election which cannot now be long delayed and which will chase the Minister and his motley crew out of office for good?

Mr. Kynoch: The hon. Gentleman is playing his usual game of spreading doom and gloom and has totally ignored the most recent unemployment figures, which show a further significant decrease to the lowest rate since February 1980. With regard to long-term unemployment, he may be interested to learn that the number of people who have been unemployed for more than one year decreased by 14 per cent. in the year to April.

As for part-time workers, I repeat the answer that I gave several Question Times ago: a recent survey of people who are employed part-time found that only 14 per cent. wished to be employed full-time and that the remainder worked part-time because that is what they wished to do.

Mr. Stewart: My hon. Friend will be aware that the Scottish Trades Union Council is in favour of a statutory minimum wage. Will he ask the council what wage it proposes and why the hon. Member for Hamilton (Mr. Robertson) refuses to give a figure?

Mr. Kynoch: My hon. Friend makes a valid point. Many Scottish and British businesses would like an answer from the hon. Member for Hamilton (Mr. Robertson) and his colleagues on that. Setting a statutory minimum wage would clearly have significant effects on British industry and would probably increase unemployment levels. For an example, one has only to look at France, where there is a statutory minimum wage of about the same level as the TUC favours and where there are significantly fewer young people in work than in the United Kingdom.

Mr. Wallace: Given the Government's pursuit of a low-wage, low-skill economy in Scotland, what message of hope does the Minister have for those graduates who will be coming out of Scotland's universities in the next few weeks? What proportion of them does he expect will find jobs in the next two or three months? Given his right hon. Friend's support for one of the candidates in the Conservative party leadership election, who does he believe has the better prospect of being in a job next month—a graduate of a Scottish university or the present Secretary of State for Scotland?

Mr. Kynoch: The hon. Gentleman, as a good Liberal, may think that that is a good sound bite, and he may well think that he is being helpful, but he neglects to mention the significant successes that we announced recently in relation to inward investment in Scotland, many of which involved improved job prospects for highly qualified people, including graduates. I had the pleasure of announcing the success stories for the year ended March 1995, during which more than 97 inward-investment projects were carried out, creating more than 12,300 new jobs or safeguarding other jobs and resulting in inward investment of £1.1 billion. That is exceedingly good news for the job prospects of all graduates, and particularly those in Scotland.

Mr. Gallie: Does my hon. Friend agree, in response to the remarks of the hon. Member for Glasgow, Hillhead (Mr. Galloway), that he, like me, enjoyed the general elections of 1992, 1987, 1983 and 1979 and will probably enjoy the next general election? Does my hon. Friend agree also that the hon. Member for Hillhead would do better to meet the Engineering Employers Federation, which has found orders up, investment up, optimism up and, at the end of the day, employment up? Would that not be more worth while?

Mr. Kynoch: I could not agree more. My hon. Friend reads the good news, and I join him in welcoming new orders worth £35 million recently announced for British Aerospace in Prestwick for its Jetstream 41 aircraft.

Mr. Chisholm: Does the Minister realise that 153 skilled jobs are soon to go from GEC Marconi Avionics in my constituency? Will the Minister lobby the Ministry of Defence in favour of the GEC Venom helicopter, which would create more jobs in Scotland and throughout the United Kingdom than the other bids, as well as costing less? Will the Minister prioritise the policy of defence diversification? Will he put pressure on the management of that cash-rich company to accept the modest demands of the work force for work sharing, redeployment, retraining and no compulsory redundancy?

Mr. Kynoch: I will ensure that we continue with policies that make certain that British business, and Scottish business in particular, is competitive. Labour policies, to which an earlier question referred, are clearly bad for Scottish business and Scottish competitiveness. If the hon. Gentleman thinks that a minimum wage or the social chapter will help companies in his constituency to win orders, I suggest that he talks to more business men, more thoroughly.

Mr. George Robertson: I fully understand why the junior Minister was asked to answer an important question on the Scottish economy this afternoon—because the Secretary of State for Scotland is spending all his time paddling around in the Westminster bloodbath, leaving open the question of who on earth is running the Scottish Office. Does the Minister not realise how offensive and repellent it is to the people of Scotland, with all the problems that they face today, to see the politicians of the party of government at each others' throats over a Tory premiership that long ago lost any credibility or authority? The people of this country and of Scotland do not want an undignified and unedifying election for a Tory Prime Minister—they want a general election and a new Government as soon as possible.

Mr. Kynoch: The hon. Gentleman made his party political point, but I find it difficult to understand how it addresses the economy of Scotland and the success stories of that economy. As I go around Scotland visiting businesses, I am met with stories of success day in, day out. The hon. Gentleman referred to my right hon. Friend the Secretary of State and asked whether we regard questions about the Scottish economy as important. We regard all questions in Scottish Question Time as important. It may have escaped the hon. Gentleman's attention that we share questions around. I am privileged

to have the opportunity to talk about the good news, as against the hon. Gentleman, who never talks about anything good.

Local Government Finance

11. **Mrs. Adams:** To ask the Secretary of State for Scotland when he next plans to meet the Convention of Scottish Local Authorities to discuss local government finance. [29381]

Mr. Kynoch: My right hon. Friend and I are due to meet representatives of the Convention of Scottish Local Authorities on 24 July, as part of the normal consultation on local government finance matters.

Mrs. Adams: Does the Minister recall that, in April, I tabled a number of questions asking the Scottish Office to investigate the alleged misuse of urban aid money? The reply was that it was not the job of the Scottish Office to audit or to investigate that matter. The following week, the Scottish Office sent a letter to all regional and district local authorities telling them that they were now responsible for the auditing and accounting of urban aid money. Will the Minister say who has been responsible for monitoring and auditing urban aid money for the last 20 years?

Mr. Kynoch: I have not seen the details to which the hon. Lady referred, but if she will contact me later with those details, I will look into the matter and provide a full answer.

Dr. Reid: I do not want to break up the hostile atmosphere, but may I say how much we enjoyed the Minister's two recent visits to my constituency, not least because he set the precedent of being the Conservative Minister who turned up to open factories rather than the reverse? I give him credit for some of the finance that the Government have been prepared to put into Motherwell district council. In the midst of the present hysteria, will he have the courage and integrity to reciprocate by recognising the constructive role that has been played by Motherwell district councillors and by councillors in Lanarkshire and throughout Scotland? Their commitment, energy and dedication are given for very little reward and they are a prime example of what Britain could do with more of—a commitment to public service.

Mr. Kynoch: I am pleased that the hon. Gentleman was able to turn up on the two occasions when I was in his constituency. Sometimes, when I go to open factories and new investment sites, local Members are unable to turn up and share the good news. He is absolutely right to say that much of that good news has been brought about by a partnership. I single out not just district councils which have been involved but Locate in Scotland and local enterprise companies. The local enterprise company in the hon. Gentleman's area, Lanarkshire development agency, has been remarkably successful. I hope that he will join me in giving it credit as well.

Corruption in Local Government

12. **Lady Olga Maitland:** To ask the Secretary of State for Scotland what representations he has received regarding corruption in local government. [29382]

Mr. Lang: From time to time, I receive representations about alleged corrupt practices in local government. Most recently, of course, I received a copy of Professor Black's report on Monklands district council.

Lady Olga Maitland: I thank my right hon. Friend for his reply. In the light of Professor Black's report of malpractice in Monklands and of the fact that Labour has totally failed to take care of its own affairs and put its house in order, what action will my right hon. Friend take to ensure that at long last people in Monklands will renew their faith in local government?

Mr. Lang: I have carefully considered Professor Black's report. On the basis of its contents, I have concluded that, in principle, there is now a case for initiating a statutory inquiry. It will concentrate on the allegations that the council has failed to comply with its statutory obligation under section 7 of the Local Government and Housing Act 1989 to appoint staff on merit. I will announce further details in due course.

Mrs. Liddell: At long last, the Government have decided to do something. For two years, the Opposition have been calling for an inquiry under section 211. It was my distinguished—

Mr. David Shaw: Labour tried to cover it up.

Madam Speaker: Order. The hon. Gentleman will control himself and keep his temper because no one in the House wants it.

Mrs. Liddell: It was my distinguished predecessor, the right hon. John Smith, who first called for an inquiry under section 211. I am shocked that the Government have delayed such an inquiry for this length of time. I recall that, shortly after my by-election, the anniversary of which is this week, I met the hon. Member for Eastwood (Mr. Stewart) who was then the Minister with responsibility for local government. That was before he fell on his pickaxe. He pointedly refused to institute an inquiry into the activities of Monklands district council. My constituents would expect nothing less from the Secretary of State for Scotland than his resignation. *[Interruption.]*

Madam Speaker: Order.

Mrs. Liddell: He was elected to look after the interests—

Mr. David Shaw: This is a statement.

Madam Speaker: Order. I will hear the hon. Lady who, although she has not long been in Parliament, is an experienced politician. I am sure that she will put a question when she has said what she wishes to say.

Mrs. Liddell: I am grateful, Madam Speaker. My constituents are unhappy about the extent to which they have been used as a political football in the House. On their behalf, I ask the Secretary of State for Scotland: will he now resign, because he is failing to look after the interests of all the people of Scotland?

Mr. Lang: Well, I understood that the Labour party wanted me to set up an inquiry under section 211 of the Local Government (Scotland) Act 1973. I asked the hon. Lady during the by-election, when she said that she had evidence and was going to send it to me, to let me have

it so that I could consider it. That arose from the Labour party's earlier inquiry. I also asked the late John Smith to send me the inquiry; neither she nor he did so. As a result of Professor Black's report, however, we have further information that we have considered carefully and that has led me to the conclusion that I have just announced.

Mr. Stewart: Will my right hon. Friend bear in mind the fact that there is nothing terribly unusual about Monklands? Most Labour councils in west Scotland behave exactly in the way that Monklands has behaved. Will he therefore bear in mind the possibility of 211 inquiries into other councils—for example Dumbarton and Renfrew?

Mr. Lang: If my hon. Friend has evidence that he would like to send to me that might justify such a matter, I shall of course consider it. Perhaps one of the things that is different about Monklands district council is that, in February 1994, 81 Labour Members signed an early-day motion

"That this House deplores the actions of certain honourable Members in claiming that there has been impropriety of various kinds by elected members of Monklands District Council".

That seemed to be their conclusion after their earlier inquiry. The circumstances now, however, seem to be different.

Mr. Salmond: Will the Secretary of State not accept that, while no one will take seriously Labour's attempt to abdicate its responsibility for Monklands, there is a question as to why the Secretary of State has taken two years to take the action that he has announced today? Is it the case that it was the policy of past and present Scottish Office Ministers deliberately to allow the Monklands position to fester for political advantage, just as it was the Labour party's policy to try to sweep it under the carpet?

Mr. Lang: That is quite wrong. I have been aware of certain allegations for some time, but I am obliged to consider the position in its statutory context, as I have made repeatedly clear to the House. I am now of the opinion that it is appropriate to initiate an inquiry of the sort that I have announced.

Mr. Bill Walker: Does my right hon. Friend agree that there are many requests—*[Interruption.]*

Madam Speaker: Order. We will have one debate at a time in this House.

Mr. Walker: Does my right hon. Friend agree that, year after year, there are many requests for inquiries into different local authorities, and that he and his staff can consider only the evidence that they have, before they can make a decision on whether there is adequate evidence? Was it not the absent evidence, especially the evidence collected by the Labour party, that could have brought forward this inquiry if it had been made available?

Mr. Lang: My hon. Friend is right. I repeatedly asked for such evidence to be forwarded to me. However, I now have Professor Black's report to deal with instead.

Mr. George Robertson: Let me first welcome the belated announcement by the Secretary of State that he will now have that statutory inquiry into Monklands district council, for which, as my hon. Friends have said, I, the late John Smith and many others have been calling for some time. May I regret that it was slipped in here today in the answer to a question, although that is the usual sleekit way that we expect these things to be announced from the Tory party today? Will he not admit, however, that he has now been stung into doing this inquiry, which he should have instructed at least two years ago, by the decisive and determined action taken by the Leader of the Opposition and the Scottish Labour party last week?

While the Secretary of State for Scotland was interested only in scoring party political points about the fears, apprehensions and worries of the people of Monklands, it was left to the Labour party to call for Professor Black's independent inquiry. In contrast to the dilly-dallying of the Secretary of State and the Scottish Office, we took clear and decisive action on it within 24 hours. While the Tory party plays at politics, the Labour party takes action.

Mr. Lang: A few minutes ago, the hon. Gentleman was complaining because I was not answering a question; now he is complaining because I have answered a question. On 4 March 1993, the Labour party's inquiry into Monklands concluded:

"The Committee has carried out its remit with integrity and sensitivity and would anticipate that the recommendations form part of a concerted effort to restore credibility and to renew confidence in the local Party in Monklands . . . There will be a continuing interest from the Scottish Executive to ensure the smooth and effective operation of the Party in Monklands".

That was its view on 4 March 1993. Its view seems to have changed a little since then. It is a great pity that it did not send me the evidence that I have repeatedly asked for in the compilation of that report. If it had, we could have had the inquiry a long time ago.

Taxation

13. **Mr. Raymond S. Robertson:** To ask the Secretary of State for Scotland what proportion of the total grant of Government expenditure in Scotland was raised by taxation in Scotland in the last year for which figures are available. [29383]

Mr. Kynoch: In 1992-93, it is estimated that taxes raised in Scotland—excluding North sea oil revenues—accounted for some 72 per cent. of total general Government expenditure, excluding privatisation proceeds, in Scotland. Even if all oil revenues were allocated to Scotland in that year, the percentage would increase only to 77 per cent.

Mr. Robertson: Can my hon. Friend confirm that, to keep services at their current levels, an independent Scotland would face a budget deficit of anything between £6 billion and £8 billion? Can he confirm that that would mean £6 billion to £8 billion of tax increases or of spending cuts?

Mr. Kynoch: My hon. Friend is absolutely right. The policies of the Scottish National party would cause significant problems for Scotland and for Scottish business. My hon. Friend may have seen in today's newspapers that not only are the nationalist policies damaging for Scotland, but, according to the leader of the Institute of Directors, devolution is also damaging and would force firms out of Scotland.

Mr. Graham: The Minister will be aware that in Inverclyde we recently faced a terrible blow in that one

enterprise zone site is no longer applicable. The folk of Inverclyde are desperate to see a new site on which we can build factories. Will the Minister ensure that some of the money paid into the coffers in taxes by the people of Scotland is put to good use to rectify that problem created by the Government?

Mr. Kynoch: Perhaps the hon. Gentleman has not been listening to all the success stories that we have had throughout Scotland. Enterprise zones are not always the answer to problems. They take a long time to set up and have a limited life. What is important is that we have given sufficient powers to Scottish Enterprise and the local enterprise network to work in partnership with local authorities to try to ensure that local businesses thrive and have every chance of expanding.

Mr. Forman: In view of the figures given by my hon. Friend in his original answer, and bearing in mind the unusually high public expenditure per head in Scotland when compared with the rest of the United Kingdom, is it not clear to anybody in this Parliament of the United Kingdom that the Scottish people are relatively undertaxed and over-represented within the United Kingdom context?

Mr. Kynoch: My hon. Friend interprets the situation in one way, but another interpretation is that the situation is like that because we justify it. However, my hon. Friend is right to say that, should a devolved Parliament with tax-raising powers be introduced in Scotland, it is almost inevitable that a significant increase in taxation would occur in Scotland. What the Labour party has failed to say is where that tax would be raised. Income tax increases of 3p in the pound would raise only £150 million per 1p against the £3 billion of extra public expenditure that is spent by the Scottish Office compared with the United Kingdom average.

Mr. Trimble: Is it not unrealistic to compare taxation and expenditure while we are all in the state of the United Kingdom? Is not the principle that individuals, whether resident in Scotland, Merseyside or wherever, who are paying the same tax rates as others, are entitled to the same levels of benefit and public services so long as the principle of parity is maintained? Is it not also the case that, if the principle of parity is departed from through having different tax rates in part of the kingdom, it calls into question the other side of the coin of parity?

Mr. Kynoch: The hon. Gentleman makes a point about differences in taxation. It is clear that, should a tax-raising Parliament be introduced in Scotland, it could well be the slippery slope towards separation within the United Kingdom. That is why the SNP has stated clearly that it supports the Labour party's devolution proposals.

Mr. McFall: Is not the crucial question how the Government spend that money? Official figures show that, on a conservative estimate, local government reorganisation alone has cost more than £250 million—an unwanted cost in what is now a Tory-free area. According to official figures, the poll tax in Scotland alone cost more than £1.5 billion. Then we had the scandal of Health Care International—a scandal that will follow the Secretary of State to his political grave—which cost £45 million. Is not the conclusion to be drawn from that brief, random sample that Scotland cannot afford to be governed by the Tories at any cost, irrespective of whether that means Redwood or deadwood?

Mr. Kynoch: As usual, the hon. Gentleman misquotes the figures. Each of those figures is erroneous, although I shall not go into detail about them now, other than to point out that, if he had listened to the Public Accounts Committee hearing on HCI, he would know that the real figure is about £15 million. Clearly, what is of interest is trying to ensure that we get the best possible services in Scotland and the best possible chance for business to succeed there. I believe that the Government's policies have delivered, and are delivering, just that.

Teaching Posts

14. **Mr. McKelvey:** To ask the Secretary of State for Scotland what is the estimate for the number of teaching posts that will be lost as a result of the recent education funding settlement. [29384]

Lord James Douglas-Hamilton: The settlement announced by my right hon. Friend the Secretary of State in December last year was a tight but realistic one for local authorities. It is for authorities to determine their spending on education and other programmes in the light of the resources available to them.

Mr. McKelvey: The Minister has not answered the question. I asked how many teachers would be unemployed. He knows that there are unemployed teachers in the Lothians, in Central region, in the Orkneys and in the Borders. Why is the settlement considered tight but adequate when the pupil-teacher ratio is different in different schools? Local authority schools have a ratio of 15 pupils per teacher and grant-aided schools nine pupils per teacher. In the independent schools, the ratio is 10:1. Why do the Government not aim for a mean figure so that the children of Scotland have equal opportunities for education and the same number of pupils per teacher?

Lord James Douglas-Hamilton: The settlement provided for Government-supported expenditure to rise by £103 million—an increase of 1.72 per cent. It is for local authorities to choose their priorities within their budgets, and any job losses must be seen against a background of growth in Scottish local authority manpower. In the year to June 1994, the staffing levels of authorities in Scotland increased by more than 2,000—nearly 1 per cent.—and there was an increase of no less than 9 per cent. in central service staff. In the same period, English authorities reduced staff by 1 per cent.

Mr. Stephen: Can my hon. Friend confirm a figure given to me by the Library—that Government spending on education per head of population in Scotland is 31 per cent. higher than similar spending in England? Is that not a solid commitment by the taxpayer to the education of Scottish children, and is it not one of the many benefits that the people of Scotland enjoy by virtue of their membership of the United Kingdom?

Lord James Douglas-Hamilton: My hon. Friend makes a valid point. In fact, the figure is even more substantial. Spending is 33 per cent. higher per capita in Scotland than south of the border. *[Interruption.]* However much hon. Members may complain, that is substantial funding. But of course local authorities have the discretion to choose their own priorities. In our view, it would be wrong to take powers away from local democracy in that respect.

Mr. Worthington: Last week, St. Andrew's college in my constituency had its teaching courses graded as highly

satisfactory by the Scottish Higher Education Funding Council, but at the same time the same body was telling it to produce plans whereby it would lose one third of its teaching force by 1998. That is a result of the Government's settlement for higher education and for education in general. Are the Government not ashamed that they are requiring colleges to lose one third of their staff?

Lord James Douglas-Hamilton: The matter is under consideration by the SHEFC. The council is assisting the college by appointing an external consultant to work with the college management on the preparation of its plan, and I understand that there have been meetings on the subject recently. When the SHEFC has received the college's proposals and has considered the plan, it will be in a position to make a considered statement. We are not yet at that stage.

Higher Education

15. **Mr. Harry Greenway:** To ask the Secretary of State for Scotland how many people are currently on higher education courses in Scotland; what was the figure in May 1979; what those figures were as a fraction of the population of the relevant age; and if he will make a statement. [29385]

Mr. Lang: There were 132,509 people on full-time higher education courses in Scotland in 1993-94 and 68,322 in 1978-79. The age participation index for the earliest available year, 1980-81, was 17.3 per cent. compared with 38.3 per cent. in 1993-94. These figures show the extent to which the Government have increased overall numbers of students, and participation, in higher education in Scotland.

Mr. Greenway: Will my right hon. Friend accept my strong congratulations on those excellent figures? The people of Scotland will surely know that this Government have brought real educational opportunities to the young people of Scotland in a way that the Labour party never has.

Mr. Lang: My hon. Friend is absolutely right. An increase from just under 70,000 when the Government came to power to 132,500 now is a remarkable commitment by the Government to higher education in Scotland.

Mr. Maclennan: In view of the increased numbers in higher education in Scotland, why are the Secretary of State and his colleagues so cool about the possibility of developing a university of the highlands, an idea that is backed by the development agencies, by the local authorities and by all the Members of Parliament in the area?

Mr. Lang: The hon. Gentleman will know of the considerable expansion of the universities which has already taken place in Scotland. I have, of course, taken a close interest in the development of academic opportunities for those in the highlands. I compliment all those involved in the extension of distance learning techniques and other activities to bring advantages to that area. At the moment, we do not see a case for a university of the highlands as such.

Mr. Ian Bruce: My right hon. Friend will know that the Government have beaten their own targets in terms of increasing the proportion of people going into higher education. Would he consider moving money from that budget into training people in technician and apprentice work? We seem constantly to be putting money into graduates who sometimes do not get jobs, although we do not have enough people with good, practical technical skills.

Mr. Lang: My hon. Friend is right and makes a telling point. This is a matter to which the Government have given considerable attention. My hon. Friend will have studied the recent competitiveness White Paper and its predecessor a year ago, which show that the focus of our attention is on improving skills in precisely the area that he identifies.

Food Hygiene

16. **Mrs. Liddell:** To ask the Secretary of State for Scotland what advice is being given to environmental health officers in respect of the possible organised infringement of food hygiene regulations. [29387]

Mr. Kynoch: Advice on the enforcement of food hygiene regulations is contained in the codes of practice made under section 40 of the Food Safety Act 1990. Further advice is issued on an ad hoc basis when necessary.

Mrs. Liddell: The Minister will be aware of the fact that in my constituency, a shopkeeper was recently fined £1,000 for selling food that was 10 years out of date. Will he join me in congratulating the environmental health officers of Monklands district council on their efficiency in tracking down this appalling situation? In view of the seriousness of the offence and the possible danger to many vulnerable members of the community, such as the elderly and the very young, from eating contaminated food, will the Minister instruct his Department to give extra assistance to food hygiene inspectors so that any organised infringement can be tracked down?

Mr. Kynoch: I was aware of the hon. Lady's problems with food labelling in her constituency. She is right to say that it was within the remit of the environmental health officers to deal with the matter. We are confident that they have sufficient powers under existing legislation to deal with such cases.

NHS Management

17. **Mr. Galbraith:** To ask the Secretary of State for Scotland what plans he has for the management of the national health service. [29388]

Lord James Douglas-Hamilton: The NHS reforms in Scotland provide improved health and patient care and will continue to do so.

Mr. Galbraith: Is the Government's plan eventually to privatise all NHS trusts, either by management buy-outs or by takeovers by companies such as BUPA and AMI, in terms of which Stonehaven hospital is the first classic example? Will that development be linked to private health insurance, giving us a fully private health care system? When will the Government come clean about their true plans?

Lord James Douglas-Hamilton: I can tell the hon. Gentleman that services will continue to be provided free

at the point of delivery, whoever provides them and, of course, we are interested in the highest possible standards of service.

The hon. Gentleman will be interested to see that no less a person than the adviser to the last Labour Secretary of State for Health has written in the *Fabian Review:*

"There is now overwhelming evidence that GP fundholders are able to get a better deal for their patients . . . It makes sense to build on what has been achieved and induce more GPs to join the system."

That is confirmation that what the Government are doing is entirely on the right tracks from one of the hon. Gentleman's party colleagues.

Poverty

18. **Mr. David Marshall:** To ask the Secretary of State for Scotland what is his estimate of the number of people in Scotland living in poverty; what plans he has to reduce this figure; and if he will make a statement. [29389]

Lord James Douglas-Hamilton: Statistics on patterns of household disposable income are provided in "Households Below Average Income 1979 to 1991/92", published in July last year. The best response to low household income is to sustain economic recovery and to assist those in greatest need. The Government's policies address both these aspects.

Mr. Marshall: Is the Minister not thoroughly ashamed of his cop-out in answering that question? Does he not realise that many crime and drug problems stem from poverty? Many young people have no hope and no future. Many old people have no decent and dignified retirement. Does he not know that people are dying as a result of poverty in health, housing, jobs and finance? When is he going to do something positive, such as making the Millennium Commission spend some of its millions on projects to tackle poverty instead of on making multi-millionaires out of Tory Members?

Lord James Douglas-Hamilton: The hon. Gentleman should have told the House that unemployment in his Shettleston constituency has fallen by 21 per cent. He has forgotten to mention that more than £85 million pounds is being given in urban aid to areas of housing deprivation in Scotland and, of course, that the vast majority of people in Scotland are far better off. Average income rose 36 per cent. between 1979 and 1991 and is up for all family types. I would advise the hon. Gentleman to look at the whole position. Scotland is doing extremely well in many respects.

European Summit (Cannes)

3.31 pm

The Prime Minister (Mr. John Major): With permission, Madam Speaker, I shall make a statement on the meeting of the European Council in Cannes, which I attended with my right hon. Friend the Foreign Secretary, my right hon. and learned Friend the Chancellor of the Exchequer and my hon. Friend the Minister of State responsible for Europe, the hon. Member for Boothferry (Mr. Davis).

The Council rightly gave priority to the need to promote growth and employment. It called for flexible job markets and rigorous budgetary policies to keep inflation and deficits down. These are the policies that we have been advocating for years.

We need to create a Europe of enterprise. Seventy per cent. of the jobs in the European Union are in small companies, and I welcome the Council's focus on the need to free these businesses from red tape. We have promoted work in Europe on deregulation designed to stimulate employment and innovation, and the Council has now called for specific proposals from the Commission this year.

At the summit, the Heads of Government discussed a single currency. As I have made clear to the House, I believe that a single currency carries significant economic, political and constitutional implications. That is why at Maastricht I fought for our right to keep the pound.

At the summit, other Heads of Government showed a growing awareness of the difficulties of the plan for economic and monetary union. It was agreed that there can be no question of any member states moving to stage 3 in 1997. I am equally clear that there is not the remotest prospect of all 15 states meeting the convergence criteria by 1999, although it is probable that a small number will do so.

At this Council, for the first time, it was acknowledged that a move to a single currency by some member states and not others would have serious practical and economic consequences for the future operations of the Union. Finance Ministers have now been asked to look at this problem and report further.

A number of questions need to be addressed. What would a move to a single currency mean for those who did not participate? Would those bound into monetary union benefit, or would those remaining outside the union gain advantage? What are the implications for the single market? What would be the impact on resource transfers?

Many questions arise as we approach stage 3. I have long believed that it is vitally necessary to examine these problems in detail, and it should lead to a much more realistic and informed debate.

Any decision to move to a single currency will be the most far-reaching structural change for the whole European Union—vital, of course, for those that participate in it, but it will be equally vital for those who choose not to participate in it. At the very least, it will change the union profoundly, perhaps in ways that are unexpected.

I believe that it is essential for this country to participate fully in that debate. Here, above all, we must make our practical views count and stand up for our interests in Europe, yet our ability to influence the debate on a single currency now, when it matters, would be destroyed if we exercised our opt-out now. We would forfeit our influence over the most crucial current issue affecting Europe's future. That would not be in our interests. We should seek to influence the debate before we finally decide our position.

Agreement was reached on Europol and the customs information system, which will reinforce the fight against cross-border crime and drug trafficking. Agreement on Europol had been held up because some member states insisted that the European Court of Justice must have jurisdiction. I would not agree to give the European Court a role in such a sensitive area involving our police and criminal intelligence activities. After a prolonged debate, the question of possible European Court of Justice involvement in the dispute settlement procedure for Europol was set to one side, while, in the meantime, the convention was agreed.

The European Council will examine the dispute settlement procedure again in June 1996, but I have made it emphatically clear that I do not anticipate that the United Kingdom will take a different position then. As a result, the European Court of Justice will not be the arbiter in any case relating to Europol which involves the United Kingdom Government or arises in the courts of the United Kingdom.

The United Kingdom has also led the fight to combat fraud in the Community. The last European Council at Essen agreed the plan of action that we proposed. The Cannes Council confirmed agreement on a regulation and convention providing tools for the task, and at Madrid in December, we shall review the action that member states are taking to crack down on fraud.

The European Council took stock of the earlier preparations for next year's intergovernmental conference. It agreed that the preparatory study group should consider how the European Union could better respond to its citizens' expectations. At the heart of this, of course, is the need for effective and rigorous application of subsidiarity.

In 1990, the Commission proposed 185 pieces of primary legislation. In the first half of this year, it has proposed not 185 but 11. At Cannes, the Commission was instructed to complete its two-year review of subsidiarity applied to existing legislation in time for consideration at Madrid this December.

The prospect of further enlargement was highlighted by the meeting yesterday between the 15 members of the European Union and the Heads of Government of 11 prospective member states. These 11 will benefit from the programmes agreed for help to central and eastern Europe and the Mediterranean.

The Council decided that the next European development fund would provide 13.3 billion ecu, or about £11 billion, to the African, Caribbean and Pacific countries. The United Kingdom also provides high-quality bilateral aid to many of these countries. I intend to ensure that multilateral contributions do not swallow up our bilateral aid.

Our contribution to the eighth EDF—worth 1.63 billion ecu, or about £1.35 billion, over five years from the year 2000—will be very substantial, but we are taking a smaller share than under the seventh European

development fund and, as a result, placing less pressure on our direct bilateral programme to countries with whom we have a long relationship.

On the former Yugoslavia, the new European Union mediator, Mr. Bildt, reported on his first visit to the region. We asked him to concentrate urgently on ways to reopen talks with all the parties on the basis of the contact group plan, and to continue efforts to secure recognition of Bosnia by the Federal Republic of Yugoslavia.

During the Council, my right hon. Friend the Foreign Secretary and I met the Irish Prime Minister and Deputy Prime Minister for bilateral talks. We commissioned a joint report on how the paramilitaries could decommission weapons and explosives. The Taoiseach and I will discuss this report in due course.

We can take considerable satisfaction in this summit. On economic issues, in the fight against cross-border crime, on Community fraud, in the emphasis on enlargement, in the sensible balance reached in the allocation of external funds, and in the support given to Mr. Bildt's diplomatic efforts over Bosnia, the Council has followed courses which the United Kingdom advocated. On other areas of vital national interest, we have influenced the debate while retaining our own rights of decision.

I would not pretend that these results were invariably easy to achieve. But, as this Council again showed, the debate within Europe has evolved significantly in our direction over recent years. I am confident that we can carry this evolution a great deal further by robust advocacy, by patient negotiations, and by standing by our belief in a commonsense Europe.

I have made it clear that I believe that the way forward for Europe is as a Europe of nation states built upon co-operation. Key decisions affecting this nation must be taken here in this House. My guiding principle is to do what I believe is in our national interest—to argue for Britain's interests in Europe, and to build a Europe which carries the trust of the British people. That I will continue to do.

I should like to add one further point. My right hon. Friend the Foreign Secretary has devoted 43 years to unbroken public service—[HON. MEMBERS: "Hear, hear."]—as a diplomat, a politician and a Minister. This was the 16th European Council that he has attended as Foreign Secretary. His huge contribution to foreign policy co-ordination among European Governments was recognised at the summit in a moving tribute by his colleagues. His contribution to our relations outside Europe has been equally important.

At this summit, as throughout the past five and a half years, his deep knowledge and calm authority have earned great credit for this country. My right hon. Friend has justly earned respect on both sides of the House, and I believe that this country owes him her thanks.

Mr. Tony Blair (Sedgefield): I thank the Prime Minister for his statement. I am delighted to join in the tribute to his right hon. Friend. Whatever our political differences, I believe that he has always represented this country with honour and ability. That will be respected on both sides of the House.

I obviously agree entirely with what the Prime Minister said about Northern Ireland. I shall deal with some of the main issues that he raised in relation to the summit.

On Bosnia, we welcome the support that was given to the rapid reaction force. The communiqué said that the task was to help UNPROFOR both act and react. Will the Prime Minister amplify what that means? Is the force there for protection primarily, or will it be used in a more active way—for example, in preventing the bombardment of the safe areas?

While we welcome again the renewed commitment to Sarajevo, which was shelled again this morning, can we have the assurance repeated that no deals were done with the Bosnians in exchange for the release of hostages, and that we continue to reserve every means at our disposal to enforce the United Nations mandate?

On enlargement of the European Union to the countries of central and eastern Europe, there will be support for the broad principles that were outlined. We welcome the participation of the 11 potential future members of the European Union in the summit. Is not one of the main barriers to enlargement the common agricultural policy? Is it not time for a far more fundamental reform of the CAP, which has become an unreasonable burden on European consumers?

While we agree with the aim expressed in the presidency conclusions, which call for a comprehensive nuclear test ban treaty by the end of 1996, can the Prime Minister explain how, for example, the French decision to resume nuclear testing is consistent with that aim?

We support the strong statement that was made on tackling racism across Europe, and on crime and fraud. On jobs, we welcome the clear emphasis on measures to help the long-term unemployed. But how can the Prime Minister agree with his European partners that more needs to be done, when his Government and Cabinet are initiating a massive 30 per cent. cut in spending on the long-term unemployed and their programmes? Is not that a serious—[HON. MEMBERS: "Where will the money come from?"] Conservative Members ask where the money will come from. We have heard the former Secretary of State for Wales's opinion. He says that there is £5 billion-worth of waste just waiting to be gathered up. We could have a programme for the long-term unemployed, finance the royal yacht and have enough left over for a new prime ministerial spaceship to help him in his bilaterals with the planet Portillo.

On monetary union, how can the Prime Minister reconcile his position today with what has been said recently? The President of the Board of Trade has said that a single market needs a single currency; the Chief Secretary to the Treasury says that he does not want a single currency, period; the Chancellor of the Exchequer says that it is not a threat to the nation state; the Employment Secretary says that it is. Does the Prime Minister know that, this morning, the President of the Board of Trade has said that a referendum is inconsistent with parliamentary sovereignty, although the Foreign Secretary days earlier said that there was a case for one?

The Prime Minister, who once said that he supported the principle of a single currency and was opposed to referendums, now says that he wants to keep his options open on both. Is it not the case that there are now at least nine different positions on record stated by members of the Cabinet, and that the Prime Minister is responsible for three of them? I notice that the Employment Secretary and the President of the Board of Trade are not here—they are probably putting in the telephone lines.

[Mr. Tony Blair]

If the divisions are so deep and irreconcilable that the Conservatives cannot govern themselves, why on earth should they be trusted to govern the country? Did not the Foreign Secretary get it right in Cannes during the summit, when he said that those divisions were damaging Britain?

Does the Prime Minister—who at least is behaving with some semblance of honour and integrity throughout this—know what was happening while he was trying to represent Britain abroad? The friends of the Employment Secretary and the friends of the President of the Board of Trade were twisting the knife, striking deals and briefing the papers in a way that would have made Mr. Francis Urquhart blush. That is what happened while the Prime Minister was in Cannes.

Has not the last week exposed the real Conservative party, in all its deceit and squalor? It is an ungovernable party that is unfit to govern, and the sooner that this country is rid of the Conservatives—all of them—the better for Britain.

The Prime Minister: That was all very entertaining—all that "twisting the knife" stuff. I can tell the right hon. Gentleman that I am remarkably unbloodied, and I will stay that way. As far as the European summit was concerned, I can assure the right hon. Gentleman that that was not on the agenda and was not discussed.

Let me deal with the earlier points the right hon. Gentleman made, when he touched loosely on the statement that I made. The right hon. Gentleman graciously supported my remarks about my right hon. Friend the Foreign Secretary, and I am grateful to him for that. I am also grateful for his continued support for our proposals in Northern Ireland.

As far as Bosnia is concerned, I can first give the right hon. Gentleman a complete assurance that no deals will be done with the Bosnian Serbs, and that assurance stands now and for the future. As for helping UNPROFOR to act and to react, the intention is to give greater protection, and to give UN commanders more choice and options as to what action they may deem necessary in the interests of the safety of their men who are on duty there in the service of the UN.

On the subject of enlargement, it was encouraging to see the 11 potential new members at the summit. I agree with the right hon. Gentleman about the need for further movement on the common agricultural policy; indeed, I have been saying just that for some years.

It is clear that, as the European Union enlarges, the CAP in its present form will be unsustainable, for cost and other reasons, and will necessarily need to be significantly re-examined and reformed as part of the enlargement process. We have been advocating that for some time. There is no doubt about the need for further reform, and I assure the right hon. Gentleman that that has long been our view.

On the point about a comprehensive nuclear test ban treaty, the French President can best speak for himself. However, he told the summit that he proposed to end his series of tests in, I think, May of next year, so that he would be in a position to sign the test ban treaty later in the year, together with the other potential signatories.

In answer to the right hon. Gentleman's remarks about employment and jobs, we have done a great deal more than many other country, which is why our unemployment has fallen by 600,000 from its peak—a better record than any of our European partners. It is why, I think perhaps with the solitary exception of Holland, we have the lowest unemployment rate anywhere in the European Union.

The right hon. Gentleman referred to expenditure on creating jobs. A significant part of creating jobs is not just expenditure, but removing from employers costs that inhibit them from taking on workers because it is no longer cost-effective to do so. That is the position that we have taken for a number of years—and it is significantly because of that that unemployment has fallen so much. That position is now accepted by our European Union partners, and was fully agreed to during our discussions.

The right hon. Gentleman referred at some length to economic and monetary union, and what he described as differences and confusion. I hope that he can clear up some of his confusion. The deputy Labour leader, who sits beside the right hon. Gentleman, said, "Yes, we are against a single currency." The right hon. Member for Copeland (Dr. Cunningham) has said, "Personally, I am in favour of a single currency."

Labour MEPs have voted in favour of a single currency, and within the time limits and timetables that have been set. The hon. Member for Livingston (Mr. Cook) has said in the past that setting such timetables would be irresponsible. Last week, Labour's spokesman on monetary affairs in Europe wrote:

> "A single currency is crucial to consolidating the single European market . . . Britain can no longer forge an independent monetary policy."

I do not know whether the right hon. Member for Sedgefield agrees with that, or whether it is the latest illustration of one of his MEPs being infantile.

Mr. David Howell (Guildford): On the matter of a single currency, will my right hon. Friend confirm that, whereas previously it was argued that countries that stayed outside the single currency zone would somehow be weakened, disadvantaged and marginalised, it is now being argued that those countries that stay outside will be too competitive and too strong and will have an unfair advantage, and that barriers must be raised against them? Will my right hon. Friend also confirm that he utterly rejects that ridiculous argument, and that any attempt to divide Europe by raising barriers against non-participating countries would be highly divisive, and indeed illegal?

The Prime Minister: My right hon. Friend is right to draw attention to the changing nature of the debate. No specific proposals have yet been made by those most likely to go into a single currency about what inhibitions they might wish to place on those who remain outside to ensure that they do not gain a competitive advantage. We can be clear about the direction in which the debate is moving—and, as my right hon. Friend said, that is unlikely to be acceptable to many countries that do not enter a single currency.

Mr. Paddy Ashdown (Yeovil): The Prime Minister was right to say that his right hon. Friend the Foreign Secretary enjoys a wide circle of respect, on both sides of the House and way beyond it. His retirement marks the end of a long and distinguished career in the service of this House and this country.

The Prime Minister's statement shows that he did the best job he could to represent Britain's interests as he saw them, given the impossible position in which his own party has put him. Is it not absolutely clear that a Government who are so divided on Europe cannot represent Britain's best interests in Europe? Is it not also absolutely clear that the Prime Minister must come off the fence on the issues of a single currency, political co-operation and the granting of a referendum, to give the people of this country a chance to have their say? So long as he ducks that, he or any of his successors will be a lame duck Prime Minister presiding over a broken-backed Government, incapable of representing this country in Europe or anywhere else.

The Prime Minister: I am grateful to the right hon. Gentleman for his generous remarks about my right hon. Friend the Foreign Secretary, which are well deserved and will be echoed in many quarters.

On representing this country in Europe, as I told the House just a few moments ago, the conclusions reached at the European summit by all the participants were conclusions which, as the right hon. Gentleman well knows, I have been advocating from this Dispatch Box for the past five years. So the suggestion that we are unable to represent Britain's interest in Europe is utterly rejected, not just by me but by those Heads of Government in Europe who now take the position that we have advocated for a very long time.

What they would not have accepted, of course, is the proposition that is so often advanced by the right hon. Gentleman. Were he to go to Europe, he would find himself taking part in the debate on the basis of what most people in Europe thought in 1992 rather than what they think today in 1995.

Dame Jill Knight (Birmingham, Edgbaston): May I suggest to my right hon. Friend that many people outside this House will commend his firm stand, leading to a universal acceptance by Ministers from the European Community that Britain could not, would not, shall not and cannot ever give over the jurisdiction of our courts to the European Court of Human Rights in Strasbourg? *[Interruption.]* May I suggest that many people outside care very much about the right to make decisions in our own courts?

The Prime Minister: As my hon. Friend says, I think that there are some areas in which it would not be acceptable to the House for rulings to be made outside the United Kingdom by the European Court of Justice. It was precisely for that reason that I declined to accept European Court of Justice rulings in the very sensitive intelligence area that will be covered by Europol.

There are some areas in which, in the interests of dispute management and dispute settlement, the European Court of Justice has had a long involvement in our affairs for the past 25 years or so. As my hon. Friend says, there are some areas that would not be acceptable to the House. This weekend, we touched on one of those areas, and I made our position clear.

Sir Peter Hordern (Horsham): Was there not a proposal that a council of wise men be formed to consider the consequences of those countries that had not signed up to a single currency? Was there not also a proposal to extend the powers of the European court? Will my right hon. Friend confirm that those countries that may decide to form a single currency knew very well what they were doing when they signed the Maastricht treaty, and that there can be no consequences for the single market proposals as a result of any arrangement that they may come to?

The Prime Minister: They were certainly aware of what they were about when they committed themselves—I think, unwisely—to firmly entering on a particular timetable. It would be unacceptable to many people in the European Union if they were now to see an impact on the single market, which was separately agreed, as a result of the decisions they took in the Maastricht treaty on a single currency. I agree with my right hon. Friend about that. A large number of member states across the European Union will do so as well.

There was, at one stage in the summit, a suggestion that some wise men should gather together—a small number of wise men—*[Interruption.]*—nominated by Heads of Government, to consider the implications of a single currency on those nations that did not join. The debate advanced, and it was suggested that a wise man be appointed. I was not in favour of that, and the idea did not proceed. It was decided that we would return the matter to the wise men who sit regularly on the ECOFIN Council.

Mr. Peter Shore (Bethnal Green and Stepney): On a single currency, the communiqué makes it clear that the leaders of the European Council express their firm resolve to get through the transition period towards a single currency by 1 January 1999 at the latest. They further went on to say that there must be strict observance of the convergence criteria in the Maastricht treaty.

Given the fact that one of those criteria is that members should also be members of the exchange rate mechanism for a period of two years before the decision is made, and within a 2.5 per cent. band of parity, is it not clear that the Prime Minister will have to make that decision, if he is going to keep his options open, by 1 January 1997? Is it not time that he started thinking about what debate should take place in the House in preparation for that decision?

The Prime Minister: I have already said to the House on occasions in the past that I do not anticipate the United Kingdom rejoining the exchange rate mechanism in this Parliament, and I reiterate that point for the right hon. Gentleman.

The convergence criteria are, of course, important criteria, which were actually put in the Maastricht treaty at the request of the United Kingdom, because they are sensible economic guidelines. Quite apart from the fact that they are likely to lead to a convergence of inflation and growth performance, they are sensible economic guidelines on their own.

What the right hon. Gentleman left out of his question when he referred to 1 January 1999 and the communiqué was that it actually refers to that date and also refers to the protocol—our protocol, the United Kingdom protocol, which gives us an option not to join.

As for joining the exchange rate mechanism at 2.5 per cent. bands, there are, of course, no 2.5 per cent. narrow bands at the moment in the exchange rate mechanism for any nation in Europe. There are much wider bands at the moment, and nobody is talking about narrowing the bands. That is one of the reasons, but by no means the only reason, why I have expressed some doubt on a

[The Prime Minister]

number of occasions about whether that date, 1 January 1999, is a date that will be met. I should say that the date is there, but the date is always subject to the convergence criteria.

There is no possibility whatsoever that very large numbers of the European Union members will meet those convergence criteria. Some members, a minority of member states, will do so, but by no means all of them. Then the European Union will have to face the fundamental decision of what is the impact on the Union as a whole, its operation and effectiveness in the future—the whole flavour of the Union—if a small group of countries go ahead and create a dividing line between those within a single currency and those beyond. We have been arguing for further detailed discussions in order to examine that, and they were finally agreed to at the summit.

Mr. Thomas McAvoy (Glasgow, Rutherglen): The Prime Minister claims that he wishes that Britain were at the heart of Europe. Is he aware that the President of the European Parliament has stated that affairs in Europe were in paralysis at Cannes, because of the state of the Tory party in Great Britain? Is he not ashamed that his machinations and the machinations of his party have damaged our country's interests?

The Prime Minister: No, I do not think that the hon. Gentleman is entirely right. There was a time some 10 or 12 years ago when many people felt that the development of the European Union was in what was then known as Euro-sclerosis. I do not accept that quote from the President of the European Parliament, nor have I seen it. Even if he did say that, I do not agree with it, and it is wrong.

Mr. William Cash (Stafford): In view of the fact that my right hon. Friend did not answer the question put to him by the right hon. Member for Bethnal Green and Stepney (Mr. Shore) with respect to the firm resolve that is confirmed in the conclusions, signed by Government, on behalf of the Union, would my right hon. Friend agree that the firm resolve that is contained in the statement is completely and utterly in line with his refusal to allow the Danes to have their way in the referendum they held a few years ago, and, furthermore, the U-turn that my right hon. Friend made with respect to majority voting last year?

The Prime Minister: With great respect, my hon. Friend is talking through the back of his head.

Dr. Tony Wright (Cannock and Burntwood): You have lost that vote.

Mr. Dennis Skinner (Bolsover) *rose—*

The Prime Minister: I must invite the hon. Member for Bolsover to calm down. I know that he offered to help at Cowley street recently and was rebuffed, and I hope that he is not too hurt.

The treaty I signed had a protocol to which I referred in reply to the right hon. Member for Bethnal Green and Stepney (Mr. Shore), which meant that this country was not bound to enter into a single currency and that we would make our own decision at the same time.

As far as a refusal to accept the result of the Danish referendum is concerned, I have to say to my hon. Friend that I have never heard such claptrap in my life. It was the Danish Government who wished to make further arrangements following the Danish referendum to see how they should proceed, and the United Kingdom had the presidency of the European Union at that time and assisted the Danish Government in the policy directive that they, the Danish Government, wanted. There is no question whatsoever, now or in the past, of the British Government seeking to put pressure on the Danish Government to do something that the Danish Government did not wish to do.

If my hon. Friend reads again the answer that I gave to the right hon. Member for Bethnal Green and Stepney, he will see that I did respond to his question.

Mr. Calum Macdonald (Western Isles): The Prime Minister referred to pressure being brought to bear on the Government of Serbia to recognise Bosnia. Does he mean by that that they would be asked to recognise the Government of Bosnia-Herzegovina, which is what is normally meant by recognition? If he does not mean that, what is this Bosnia that they will be asked to recognise?

The Prime Minister: We recognise states, not Governments. I am sure that that is what the hon. Gentleman meant, but of course there is a clear distinction between the two. We are talking about Bosnia within the framework set out by the contact group.

Mr. Hugh Dykes (Harrow, East): Does my right hon. Friend agree that, in the longer-term future, the European Union needs to be dominated not by the successful deutschmark but by its own new unified European currency? Bearing in mind the fact that most of the other member states subject to convergence, who are proud of their history and their national sovereignty, very much want to join that single currency, should we not have the same self-confidence and seek to do the same thing?

The Prime Minister: I do not wish to see the European Union dominated at any stage, in any way, by any nation. That is undesirable. It is a collection of nation states within the European Union.

I find, on many occasions, when I attend the European Union summit, that there is a tendency among a number of the larger states expressly to ensure that they take account of the wishes and activities of the smaller states which have a smaller voting power, precisely to avoid that general question of domination. Were that to change in any way, I believe that it would do structural damage to the broad relationship that at present exists throughout the European Union. It is for that reason that I have always believed that we need to approach these matters with consensus as far as is possible.

Mr. David Trimble (Upper Bann): The Prime Minister referred to his meeting with John Bruton, the Taoiseach of the Irish Republic, for the purpose of discussing the surrender and the destruction of terrorist weapons. Can he confirm the reports in the Dublin press this morning that, during that meeting, Mr. Bruton urged on him the early release of prisoners convicted of terrorist offences, and can the Prime Minister tell us what response he made on that point?

The Prime Minister: No, there was no discussion about early release of prisoners. The position that the Irish

Government have held for a long time has been known about that matter. As I have said in the past, that is a matter for the British judicial system and for no one else.

Mr. William Powell (Corby): Is my right hon. Friend aware that the generous and handsome tribute that he paid to my right hon. Friend the Foreign Secretary was widely applauded by Conservative Members? Further, would my right hon. Friend be prepared to accept that the task that my right hon. Friend the Foreign Secretary has faced in the past four and a half years has been made easier because he has worked in partnership with my right hon. Friend?

The Prime Minister: I am extremely grateful to my hon. Friend for his generous words about our right hon. Friend. I can certainly confirm that I have greatly enjoyed the working relationship that I have had with my right hon. Friend the Foreign Secretary, and I very much hope that his decision to retire has nothing to do with his working relationship with me.

Mr. Skinner: Does the Prime Minister think that it is a good idea to go travelling round the world every other week? Last week it was Nova Scotia; this week it was Cannes. He has left the house empty, and the door unlocked. Does he, in hindsight, agree with the lines of the song,

"It's very nice to go travelling,
But it's oh so nice to come home"?

The Prime Minister: It is always a very great pleasure to come home, Madam Speaker. One has the inevitable delights, not only of being in this country, but of being able to answer questions from the hon. Gentleman about the summit that one has just attended.

Mr. Michael Jopling (Westmorland and Lonsdale): Following the Prime Minister's great success in securing an opt-out from the social chapter, does he recall that Mr. Delors said that that would make Britain a paradise for inward investment in Europe? Is he aware that 40 per cent. of United States investment in Europe comes to Britain, and that that is more than its investment in France, Germany and Italy combined? Did any of the Prime Minister's colleagues in Cannes admit that they wished that they had been sufficiently on the ball to get the same deal for their countries?

The Prime Minister: I am most grateful to my right hon. Friend. He quotes the former President of the Commission accurately; that is indeed what Mr. Delors said, and I agree entirely with his sentiments on that occasion. There is a remarkable amount of inward investment into the United Kingdom, partly because we are not part of the social chapter, and for other reasons as well. That investment goes notably to Scotland, Wales and parts of the north-east and north-west.

A number of our European Union partners are keen to see the United Kingdom join the social chapter. One of the reasons why they are so keen to see that happen is that it would destroy some of the competitive advantage that this country enjoys at present by not having additional social costs imposed on our employers at the cost of jobs for our work force. The fact that unemployment in this country has fallen more rapidly than elsewhere is not unconnected to the fact that we are not a member of the social chapter.

Mr. Barry Sheerman (Huddersfield): Will the Prime Minister inform the House what progress the summit made in dealing with the item about combating racism and xenophobia? I think that he will agree that that is a very important item. Is it not about time that Conservative Members started dealing with the rampant xenophobia that became even more apparent while the Prime Minister was away?

The Prime Minister: As to the European summit, the hon. Gentleman will see that there is a paragraph about racism and xenophobia that was mentioned a number of times. The Foreign Ministers discussed it, and it was also discussed in Heads of Government. We are seeking to monitor precisely what occurs.

The general problem is evident in a number of European countries and it is a problem that I take extremely seriously in this country. I do not think that we should ignore it or brush it to one side. I do not do that, and I assure the hon. Gentleman, on the basis of our discussions in the past day or so, that neither do my European partners.

Mr. Iain Duncan Smith (Chingford): Is my right hon. Friend aware that many hon. Members on both sides of the House feel very relieved that the Heads of Government have recognised that 1997 at last is not going to go ahead—[*Laughter.*] Does he also agree that his previous answer with regard to the single currency makes it quite clear that we did not believe that we would join the single currency in 1999? Is that now the clear position of Her Majesty's Government as a result of his previous answer?

Mr. Skinner: The end of the world is nigh.

The Prime Minister: As I have said to the House on a number of occasions, I am very dubious about whether any of our European partners will be in a position to go ahead in 1999. The right hon. Member for Sedgefield (Mr. Blair) referred to the present requirement that member states should join the exchange rate mechanism two years before on narrow bands if they are to proceed in 1999. I think that there is an element of doubt about the rigidity of that particular element of the convergence criteria, so I do not think that it would prove to be an absolute bar.

However, I reiterate my very strong doubts about whether a significant number of nation states will be ready and prepared to go ahead in 1999. I cannot be absolutely certain that that will be the case; if it is, the House will have to make its own decision on the basis of the protocol that I signed at Maastricht.

Mr. Alex Salmond (Banff and Buchan): On the question of a single currency, during preparations for the Council meeting, did any member of the Prime Minister's Cabinet express reservations, doubts, opposition or scepticism about the tactics that he was pursuing—or were they all right behind him as usual?

The Prime Minister: The hon. Gentleman will be extremely pleased to know that they agreed entirely with my tactics.

Mr. Tim Renton (Mid-Sussex): May I congratulate my right hon. Friend and the Foreign Secretary on the success of the summit? I note with pleasure the totality of his remarks about the single currency. However, has he

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noticed that in his absence there have been some scary remarks about the abolition of the pound—a sound bite if ever there was?

Given the brilliant option that my right hon. Friend secured for sterling at Maastricht, can he tell the House whether any European leader at Cannes suggested to him the early abolition of the pound or any ill consequences for Britain if we decided not to join a single currency?

The Prime Minister: No. I can confirm that no pressure in respect of either of those points was directed at me by my European partners at the Cannes summit or at any previous summit. People are now examining with great care the detailed implications of proceeding. I welcome that debate because, even for people who have looked at the matter carefully, many of the operational matters that will necessarily follow are not yet clear and require careful examination.

Mr. Malcolm Wicks (Croydon, North-West): Given the Prime Minister's assurance that no deal was done with the Karadzic Serbs about UN hostages, how does he square that with United Nations sources in Bosnia that confirmed that a deal was done? Is it purely a coincidence that, despite the slaughter of Bosnian citizens, including children, there have been no further air strikes, even though NATO asked for them? Will he absolutely confirm to the House that no deal was done by any Government, the United Nations or any United Nations official that there would be no air strikes if the hostages were released?

The Prime Minister: Yes, I can give the hon. Gentleman an assurance on both points. No deal was done of which I, my right hon. Friend the Foreign Secretary or any other heads of Government to whom I have spoken are aware, to secure the release of the hostages. Nor has any undertaking been given by member Governments or commanders on the ground about future air strikes.

Mr. Wicks: Not by the UN?

The Prime Minister: No. No deal was given. As I indicated earlier and on previous occasions, we have not entered into those deals. I do not know what has been said or what the hon. Gentleman heard, but his comments do not remotely accord with the information that I have.

Sir Patrick Cormack (Staffordshire, South): Does my right hon. Friend accept that almost everyone who wants Britain to continue to play a constructive part in the European union of nation states will want our country to be led by a skilful, tough and experienced negotiator? Is he aware that most people believe that we have such a person at the moment?

The Prime Minister: I am extremely grateful to my hon. Friend, who has put his point most generously. I look forward to carrying out that task.

Mr. Geoffrey Hoon (Ashfield): Does the Prime Minister agree with the Foreign Secretary that the right hon. Member for Wokingham (Mr. Redwood) has damaged the effectiveness of Britain?

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): I did not say anything of the kind.

The Prime Minister: The hon. Gentleman may have heard the sotto voce interruption, almost for the first time in his many years in the House, by my right hon. Friend. If I heard him right, he said no such thing. "What rubbish," he said. At least, I think that is what he said.

Mr. Ray Whitney (Wycombe): Does my right hon. Friend agree that the progress made at the summit on job creation, more subsidiarity and better clarification of all the issues involved in the introduction of a single currency demonstrates once again the crucial importance to Britain of continuing to be involved in a positive and constructive way with our 14 partners in the European Union?

The Prime Minister: Yes, I do agree. It is often quoted at me that I have said that the United Kingdom should be at the heart of Europe, and I believe that we should. Unless we are at the heart of Europe advocating what we believe is right for Europe, we will not have influence in Europe. That does not mean that we must accept everything that our European partners say, do or think, and every direction in which they wish to go. By being at the heart of Europe, we can influence the direction of the European Union, and I intend that we should do that.

Mr. Clive Soley (Hammersmith): The Prime Minister said that some problems relating to a single currency will be referred to the Finance Council for further consideration. Will not Finance Ministers have to consider that matter in the context of the Maastricht treaty, which calls for a single currency—albeit with a British opt-out? Is it not a fact that the British Government's "Shall we, shan't we?" policy has not helped the Prime Minister or his party, and cannot possibly help Britain?

The Prime Minister: When my right hon. Friend and his partners in ECOFIN look at it, it will not be within the confines of the treaty but against its backcloth. But the treaty says nothing at all about the problems that are about to be examined. I shall not list them all again, because I set out some of them in answering questions and in my statement. Those matters require to be examined in detail.

The Maastricht treaty set out the objectives, subject, of course, to the convergence criteria and other matters, but it is essential that these issues are examined. When they are, the reality of what occurs from that examination will have to be taken into account by all the Heads of Government. The aspiration, the wish, for a single currency, has always been based upon the right economic criteria. That was the reason for the convergence criteria. My right hon. Friend and his colleagues will be examining many matters that will be absolutely material to that.

Mr. John Wilkinson (Ruislip-Northwood): At the Cannes summit, the European Heads of Government agreed to the disbursement of no less than 24.7 billion ecu to the countries of eastern Europe, the Mediterranean, the Caribbean, Africa and the Pacific. For the Mediterranean, the amount was 10 per cent. less than previously anticipated. None the less, there is more in real terms. Does my right hon. Friend think that such vast expenditure on countries that are fairly far from home are in the best interests of the British people? Are they in accordance with our party's principles of trying to reduce public expenditure in real terms?

The Prime Minister: Aid has always been part of our public expenditure pattern. As I showed in my statement,

the British contribution to what is now known as EDF8 is 24 to 25 per cent. below the British contribution to EDF7. That is because we do not want to ransack our bilateral aid programme, first, for many countries which are very poor and to which the majority of our aid is directed, and secondly, for those with which we have a long historical relationship and an obligation. We do not wish to move too many of the funds away from that.

I think that I would defend, in this country's interests, help to the countries of eastern Europe. We have removed the military iron curtain from across the middle of Europe, and I would not wish to replace it with an economic iron curtain. For that reason, it is in our security interests as well as our economic interests to try to help those countries that are emerging from 50 years of isolation and communism into the sort of free-market system that my hon. Friend and I are in the House to protect.

Dr. Tony Wright (Cannock and Burntwood): May I offer the Prime Minister honest congratulations on the dignity of his conduct through the Cannes summit? It contrasted vividly with the shabby antics of many of those he left behind.

I should like to ask about the single currency. Accepting the argument that there is real merit and demerit in Europe moving towards a single currency and the argument about the nature of the opt-out, can the right hon. Gentleman conceive of circumstances in which a core of countries in Europe might move towards a single currency and in which it might be in the British national interest to stand outside? What are those circumstances?

The Prime Minister: Yes, I can conceive of circumstances in which that might occur. Self-evidently, there are both obvious merits and obvious demerits in a single currency, and they have been examined and discussed many times in the past. I shall not weary the House by listing them now.

As I said to the hon. Member for Hammersmith (Mr. Soley), at the moment many of the implications are unknown. The circumstances in which the decision to move to a single currency will come before the European nations and the House are unknown. There are a great many matters in what would be the single most important economic decision that has been taken by European Governments collectively and individually this century. A huge number of matters are simply not possible to know at this moment.

I believe that it is in the British national interest not to commit ourselves to a move of this nature at what, in reality, may prove to be an unknown, uncertain time, in what will certainly be unknown and uncertain conditions. It is doubly the case when at the moment we have not examined what the implications of that move would be, either for those who made the move or for those who decided not to take it.

I want the British view, the British opinion, the pragmatic common sense that emanates from this country, its officials and successive Governments, to be in the debate as Europe moves towards a single currency, so that we may influence that debate. That is very important. But when it comes to the time to make the decision, it should be made rationally on the basis only of what it would mean for this country in every way—politically, economically, constitutionally—and of what the circumstances might be in the short term and the long term if we moved forward.

I know that the hon. Gentleman's right hon. Friend the Member for Sedgefield and others have had some amusement at the fact that I will not commit this country at this stage. I understand why people find it politically expedient to invite me to do so, but I say again to the House that it is in the British and the European interest for us to play a full part in the lead-up to this debate, and that it is in the British interest to make the decision when the circumstances are known. I will not commit us to a decision in advance.

Mr. James Couchman (Gillingham): Will my right hon. Friend confirm that, at the forthcoming intergovernmental conference, he will not accept any significant constitutional changes that would impact on this House?

The Prime Minister: I can confirm that to my hon. Friend, and I will tell the House why I am perfectly prepared to say that at this stage.

The implications of the Maastricht treaty are taking a long time to settle down. They have not settled down across Europe. It is not just in this country that there is concern about many of the changes that were made in the Maastricht treaty, and they need to settle down. It would not be in the interests of the European Union itself to try to push for significant changes in the intergovernmental conference in 1996-97.

I am certain that it would not be in the interests of this country to accept significant constitutional changes in 1996-97, and I have said so at this early stage to my European colleagues—not in a tone of aggression, but simply so that they are aware of the way in which we view the forthcoming intergovernmental conference, of the way in which we will negotiate in it, and of what we will not accept if other countries advance dramatic plans for change.

It is too early and it would not be in our interests, or in the interests of the European Union as a whole for this to make a dramatic move forward. I have made no secret of the fact that I will not accept such a move.

Mr. Nigel Spearing (Newham, South): On ex-Yugoslavia, did the Prime Minister take the opportunity to point out to his colleagues that, unfortunately, the preamble to the updated treaty of Rome does not incorporate the objectives of the UN charter? Indeed, it forces communities and states to engage in perpetual economic warfare, so risking fanning the flames of aggressive nationalism that that charter seeks to suppress.

Does the Prime Minister not agree with the people who oppose the community treaties on constitutional and international grounds that they are founded on a treaty that, in the middle of the 20th century, put into practice an agreement on iron and steel among six member states which was totally unsuited to achieving the necessary co-operation, harmony and peace between nations in the whole of Europe in the 21st century?

The Prime Minister: Of course, as the hon. Gentleman knows, all the western European countries and all 185 or 186 members of the United Nations are bound by the obligations they entered into when they signed the UN charter. On the European Union and matters political and military, that is dealt with only under the third pillar by intergovernmental agreement, so there is no implication

[The Prime Minister]

for those elements of policy as a result of the agreements that were signed—like the iron and steel agreements of so many years ago, before we joined the European Community as it then was; any policies that have been formulated since; or any treaties that have been signed since.

Mr. Michael Alison (Selby): Recalling the recent VE day celebrations, does my right hon. Friend agree that an even greater victory in Europe, which is even more worth celebrating, has been the friendship and co-operation of erstwhile enemies, as exemplified in the latest Council meeting in Cannes, to which he contributed so singularly by his negotiating skill and his friendly partnership? Will he continue to keep Britain at the heart of these benign and peaceful negotiating processes?

The Prime Minister: I agree with my right hon. Friend and he put his point in a crisp and worthwhile manner. When one looks at some of the concerns and worries that people have about the European Union it is often forgotten that, quite apart from the economic changes that it has wrought—many of which are to our benefit and some of which are not liked by some people—and overarching them in many ways is the reality that the European Union, as formed, has extinguished forever any possibility whatsoever that the great nations of western Europe would ever again go to war on opposite sides. In a century that has twice seen a world war and the massacre of millions commence in western and central Europe, I believe that that is a gift beyond price. In many ways, the worries and concerns about economic and other matters pale beside that very great achievement.

Several hon. Members *rose—*

Madam Speaker: Thank you. That question period is over.

Whistleblower Protection

4.30 pm

Dr. Tony Wright (Cannock and Burntwood): I beg to move,

That leave be given to bring in a Bill to protect individuals who make certain disclosures of information in the public interest; to allow such individuals to bring action in respect of victimisation; to invalidate any insurance taken out against such action; and for connected purposes.

But for the Prime Minister's statement, the introduction of this Bill would have followed Scottish questions, which would have been appropriate. The inquiry into the Piper Alpha oil platform explosion off the coast of Scotland in 1988, in which 167 people died, contained the following statement:

"Workers did not want to put their continued employment in jeopardy through raising a safety issue that might embarrass management."

What is striking is the regularity of such remarks in inquiry reports following all the major disasters and frauds of recent times.

The Herald of Free Enterprise catastrophe in 1987, in which 193 people died, could have been prevented if employee concerns about the safety of the bow doors had been taken seriously. The collapse of the Bank of Credit and Commerce International in 1991 as a result of massive fraud might have been avoided if there had not been a management culture that made employees fearful of speaking up and if the lone internal auditor who did raise concerns had not been made redundant.

The systematic misdiagnosis of bone tumour cases at Birmingham's Royal Orthopaedic hospital over several years could have been prevented if it had been easier for consultants to speak up about their doubts and have them properly investigated. The death of four children in the Lyme bay canoeing disaster might never have happened if the warning letters sent by two instructors to the chief executive of the centre a year earlier had been heeded and acted upon.

Those are the headline cases, with major inquiries and reports, and they make a compelling pattern. What they tell us is that if employees, who know more about what is going on inside organisations than anyone else, are prevented through fear and insecurity from speaking out when they find examples of fraud, abuse, illegality, danger or misconduct, the public interest is not adequately protected.

That is the view taken recently by the Nolan committee, in its recommendations on the civil service and on quangos. It is also the view of the Audit Commission, which has identified information from staff as by far the single most important factor in exposing fraud and corruption in the national health service. It also found that a third of the NHS staff whom it interviewed would take no action in the face of impropriety because of fears of losing their job if they rocked the boat.

The Government have now inserted a whistleblowing clause into the current Pensions Bill in the wake of the Maxwell fraud, to put a duty upon auditors and actuaries to speak up about malpractice to the regulatory authority. So there is a public interest in whistleblowing, yet there is no effective protection for whistleblowers. The names of Chris Chapman, Graham Pink and Helen Zeitlin testify

to the consequences that have befallen the brave people who have tried to raise concerns about the national health service.

In my constituency, there is a nurse who from time to time puts information about the local health service under my door in the dead of night because she, or he, does not feel secure enough to do that any other way. It cannot be right for employees of any organisation to feel that they cannot raise issues openly, just as it cannot be right to impose gagging clauses in contracts to prevent people from speaking out.

In order to understand why protection for whistleblowers is so necessary, I ask the House to consider some of the many cases dealt with by the excellent independent charity Public Concern at Work whose assistance, along with that of the Campaign for Freedom of Information, has been indispensable in preparing the Bill. Here were people who knew that the public interest required them to raise issues, but who feared, and in many cases suffered, the consequences of doing that.

There were the fairground workers who believed that the rides were unsafe; there was the charity worker who believed that money was being misappropriated; then there was the HGV driver told to ignore the tachograph; the care worker worried about abuse in the nursing home; and the defence industry worker made redundant for drawing attention to the misspending of £500,000 of public money. Finally, there was the insurance company branch manager who came to the House yesterday to tell his own story. He was harassed, bullied and made ill, then made redundant, for revealing that regulatory rules were being breached. It is such people who would be helped by the Bill.

The duty of confidentiality is the normal rule in employment relationships, and so it should be. There is nothing in the Bill to offer protection to disgruntled employees who make unsubstantiated malicious allegations. That should be made clear. So should the normal obligation on employees to raise concerns through the proper internal channels in the first instance. The Bill is emphatically not a whingers or malcontents charter.

However, the Bill would protect people who need protection—those who raise important issues in good faith without desire for reward, believing them to be genuine, and who have already raised their concerns internally, unless there are compelling reasons for not doing so. Those are the public interest whistleblowers, and the public interest must protect them from dismissal, reprisals and discrimination. The Bill will protect them, but it will protect the rest of us, too.

The courts have long recognised the need to balance the duty of confidence against the wider public interest. The legal maxim that there is no confidence in iniquity was coined in 1856. But that recognition has not provided protection for those who need it. The cloak of confidence has been used to conceal things that ought not to be concealed, and to strike fear, and sometimes worse, into those who would dare to lift that cloak in the public interest.

As well as protecting people who are currently unprotected, the Bill would send a positive message to all organisations and employers. There must be proper systems through which concerns can be raised, for that would bring benefits for all. It is in no one's interests to have malpractice undiscovered and abuses unattended to. We need a new culture of openness and responsibility. We need to attack abuses, not to punish those who try to bring them to light. And we must not wait until there is another scandal or disaster.

I believe that the Bill to protect whistleblowers has wide support in the House. I know that it has wide support outside. I commend it to the House.

Question put and agreed to.

Bill ordered to be brought in by Dr. Tony Wright, Mr. Derek Fatchett, Mr. Giles Radice, Sir Patrick Cormack, Mr. Frank Field, Mr. Malcolm Bruce, Mr. Richard Shepherd, Mr. Cynog Dafis, Mr. Mark Fisher, Mr. Alan Howarth, Mr. Jeff Rooker and Ms Tessa Jowell.

Whistleblower Protection

Dr. Tony Wright accordingly presented a Bill to protect individuals who make certain disclosures of information in the public interest; to allow such individuals to bring action in respect of victimisation; to invalidate any insurance taken out against such action; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 14 July and to be printed. [Bill 152.]

Orders of the Day

Environment Bill *[Lords]*

As amended (in the Standing Committee), further considered.

New clause 18

ENVIRONMENTAL TARGETS FOR SEPA

'.—(1) The Secretary of State may—

(a) establish environmental targets for the purpose of protecting or enhancing the environment or securing the favourable conservation status of any flora or fauna,

(b) by serving a notice on SEPA, specify any environmental target for it to achieve and the date for its achievement.

(2) The Secretary of State shall publish each notice served on SEPA under subsection (1)(b) above in such a manner as he considers appropriate for bringing it to the attention of persons interested or likely to be affected by it.

(3) Where the Secretary of State has established environmental targets he may review those targets if—

(a) five years or more have elapsed since the service of the notice under subsection (2) of this section; or

(b) SEPA, after consultation with such persons as it considers appropriate, requests a review;

and the Secretary of State shall not exercise his power to establish targets by varying the existing targets except in consequence of such a review.

(4) It shall be the duty of the Secretary of State and of SEPA to exercise the powers conferred on him or it under any relevant enactment in such a manner as ensures, so far as is practicable by the exercise of those powers to do so, that the environmental targets specified in a notice under subsection (1)(b) above are achieved at all times.'.—*[Mr. Galbraith.]*

Brought up, and read the First time.

4.39 pm

Mr. Sam Galbraith (Strathkelvin and Bearsden): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss also amendment No. 260, in clause 30, page 26, line 33, leave out second 'to' and insert 'only to those strategic'.

Mr. Galbraith: I welcome the brief appearance here by the Under-Secretary of State for Scotland, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton). He and I spent a most enjoyable time considering the previous environment Bill from the Scottish Office—the Natural Heritage (Scotland) Bill. The Minister will be interested to know that the definition of sustainability that we discussed then at great length was debated at great length during the Committee stage of this Bill. We are no further forward and we have not resolved the matter. This time, we have not dipped into Wittgenstein's "Tractatus Logico-Philosophicus" or any of the erudite matters that we dealt with last time.

The new clause is yet another attempt to try to beef up the functions of the Scottish Environment Protection Agency. One of the things that we cannot understand is why the Government have set up simply a pollution control agency and not an environmental protection agency. Although SEPA is known as an environmental protection agency, it is, in fact, only a pollution control agency, unlike the Environment Agency, which will handle many functions.

The Environment Agency will have a duty to protect and enhance the environment. No such duty is laid on SEPA. The Secretary of State will only issue guidelines to which the agency will have regard. That produces a problem in that we shall have two agencies—Scottish Natural Heritage, which will be responsible for protecting and enhancing the environment, the natural heritage and flora and fauna, and seeking to enhance enjoyment in the countryside, and the Scottish Environment Protection Agency. Although there many be some cross-fertilisation between the two, they will never link in the centre, leaving a channel in which the environment is improperly protected. The new clause is intended to deal with that problem and that is why we would like to set up environmental quality audits and other procedures.

The Minister will probably have certain arguments in his brief and I ask him not to go through them again. First, I hope that he does not tell me that the new clause is unworkable. If that is written in his brief, I hope that he will get his civil servants to change it for him. The new clause is not unworkable. The words used are already used in the Control of Pollution Act 1974. If we have already used the words in that Act, we can use them here. The Minister should bear it in mind that the new clause uses the words

"so far as is practicable".

It would be wrong of the Minister to tell us that the new clause was unworkable.

Secondly, I ask the Minister not to say that we are dealing with the matter the wrong way round. If that argument is in his brief, he should not read it out. We are not dealing with the matter the wrong way round. The Minister may suggest that the matter can be handled by guidelines. I have read the draft guidelines and I believe that they are hardly worth the paper they are written on. There is all the usual stuff about acting efficiently and effectively and to the highest possible standards, as if we would set up an agency that acted to the lowest possible standards. We do not believe that guidelines are a sufficient basis, although, if we saw some really strong guidelines, we might change our mind.

Thirdly, I ask the Minister not to say that my proposals overlap with Scottish Natural Heritage. They most manifestly do not. Scottish Natural Heritage has powers and SEPA will have powers, but the two do not overlap. I shall give some examples. SEPA will have powers in relation to water abstraction and water drainage, but really only in terms of pollution control. It will not have powers in relation to water extraction and drainage in terms of the effect on wildlife habitats. That is a function of Scottish Natural Heritage and not of SEPA. SEPA cannot use its powers to prevent extraction or drainage except in the case of, for example, a site of special scientific interest.

The same is the case for eutrophication and acidification. They can be considered by SEPA, but only in relation to pollution control and not in relation to conservation and enhancement of the environment. When Scottish Natural Heritage considers them, it can do so only in relation to sites of special scientific interest. It has no powers of control over those matters.

Although, by the year 2003, the Government will have implemented a 60 per cent. reduction in sulphur emissions, a Scottish Natural Heritage report has shown that 20 per cent. of Scottish sites of special scientific interest will still be at risk from acidification. It also

estimates that 50 SSSI lochs are suffering from acidification. They include Loch Doon, Merrick Kells lochs and the Cairngorm lochs.

4.45 pm

Furthermore, water quality problems in sites of special scientific interest are often more attributable to diffuse resources than point source pollution. SNH has suggested that there are a minimum of 28 SSSI waters that need improvements to reverse the decline in nature conservation. They include: Montrose basin, Angus; Rescobie and Balgavies lochs, Angus; Castle loch, Annandale and Eskdale; Mill loch, Annandale and Eskdale; Eden estuary, Fife; Loch of Skene, Gordon; Ythan estuary, Gordon; Loch Spynie, Moray; Cran loch, Nairn; Loch of Harray, Orkney; Loch Leven, Perth and Kinross; Carlingwark loch, Stewartry; Milton loch, Stewartry; and Lake of Menteith, Stirling. For the benefit of *Hansard*, I shall provide a list afterwards.

The point that I am trying to make is that the conservation problems of acidification and eutrophication cannot be dealt with by SNH. It has no powers over pollution control. It can deal only with pollution that occurs in sites of special scientific interest. The problem with the body that has the powers to handle pollution control, SEPA, is that it only has to have regard to the environment and has no duty to protect and enhance it. Though the two bodies may mingle, they are not locked together and there is a channel in the middle where the environment is improperly protected. For that reason, I put forward the new clause and hope that the Government will accept it.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I shall make a brief intervention. I concur [illegible] argument of the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith), but I want to try to focus the Minister's attention on a slightly different issue.

There is concern that the powers that the Bill confers on a Secretary of State could be used in an untoward way if the power to issue guidance, and for the agency to be required to pay attention to that guidance, started to be used intrusively in a way that affected the operational decisions of and stance taken by the agency. There is legitimate concern that, if that happened, the agency would have no discretion or mind of its own and would not be able to tackle its work in its own way because of possible interference from on high through the powers that the Secretary of State is given by the Bill.

Amendment No. 260 would clarify the position by inserting the word "strategic". People understand and fully accept that, if the Government have decided to go down the route of creating the agency, the Secretary of State is properly entitled to have a strategic overview and to set the terms and objectives of the targets that have to be achieved by the agency. However, the Government should not thereafter interfere operationally on a day-to-day basis in a way that would become intrusive. I hope that the Minister will accept that.

The Bill has caused a great deal of concern to people with whom I have talked about the intrusive way in which the Secretary of State's powers might be used. It would be extremely useful if the Minister could say exactly how he envisages the Secretary of State using his powers and what are the proper ways for him to set objectives and targets and give guidance. In so doing, I hope that the Minister will be able to give some reassurance to those who have raised such questions with me.

To all intents and purposes, the guidance notes mirror the requirement that will be placed on the Government to use the negative or affirmative resolution procedure with statutory instruments, so I do not understand why the Government did not accept the same method for setting targets for the agency. If they adopted the statutory instrument procedure to set strategic targets, it would to some extent console those who have expressed concern because they would have an absolutely transparent method of checking whether the Secretary of State's powers were being used sensibly and strategically or to interfere in operations.

I hope that the Government accept that there is a real problem and that the Minister will be able to say something that will give some comfort to those who share my concerns and who made representations to me when the Bill was in Committee.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I do, indeed, recall the debate on sustainability. I think that the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) questioned my use of the phrase "sustainable development". I shall adopt not the arguments that he thought I would adopt, but some different ones.

The Scottish Environment Protection Agency's functions are different from those of a pollution control agency. For example, it will have more functions in relation to air quality and waste strategy. It will not, of course, have the National Rivers Authority's wider responsibilities for water resources because Scotland's geography and the pressures on Scotland's aquatic environment do not warrant the same approach as in England and Wales.

I do not for a moment accept that SEPA is powerless in relation to acidification. Under part I of the Environmental Protection Act 1990, which provides for integrated pollution control, BATNEEC—best available technology not entailing excessive cost—may take account of the effects of the prescribed processes on the local natural environment, including any upland areas with soil sensitive to acidification.

Most of what the hon. Member for Strathkelvin and Bearsden is seeking to achieve can be achieved through existing legislation or through provisions already included in the Bill. For example, my right hon. Friend the Secretary of State has powers under section 3(4) of the Environmental Protection Act 1990 to establish any environmental medium-quality objectives or quality standards in relation to any substances that may be released into that or any other medium from any process.

My right hon. Friend the Secretary of State also has specific powers in relation to water under section 30C of the Control of Pollution Act 1974, and he will acquire further powers through the provisions in the Bill. In particular, the provisions in clause 56, which relate to contaminated land, will allow him to issue guidance to authorities on the identification of contaminated land and the standards to which that land is to be remediated. Similarly, under clause 79, my right hon. Friend will have a duty to prepare and publish a national air quality strategy, which must include statements on standards

[Lord James Douglas-Hamilton]

relating to the quality of air and objectives for the restriction of the levels at which particular substances are present in the air.

In addition, clause 30 gives general powers requiring my right hon. Friend the Secretary of State to give guidance with respect to aims and objectives. Those objectives would include the sort of environmental targets that are probably envisaged by the hon. Gentleman, although targets to secure the favourable conservation status of any flora and fauna appear to be more a matter for Scottish Natural Heritage than for SEPA.

There is, of course, a practical objection to the new clause, which is that it might lead to an unbalanced approach if SEPA is expected to achieve overall targets requiring joint action. An example is urban air quality. In the case of fuel emissions from vehicles, the main responsibility would lie with local authorities. SEPA would have powers to limit only industrial emissions, which, by themselves, could achieve such a target only if disproportionate restrictions were placed on industry. The consequences would be a heavy extra burden on local industries that are already tightly regulated, yet the new clause envisages environmental quality targets that SEPA must achieve by itself. Joint co-operation would be required between local authorities and SEPA.

Amendment No. 260, to which the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) spoke, requires my right hon. Friend the Secretary of State to issue guidance to SEPA under clause 30 in respect of its strategic aims and objectives. I have some sympathy with that, but the amendment is unnecessary. We certainly intend that the guidance will be of a general and strategic nature. I am sure that that is clear for the draft guidance that we have issued under clause 30. We would not want to issue guidance to SEPA on individual cases—for example, specific applications for an integrated pollution control authorisation.

The amendment would add little to the present clause and is open to more practical objections, as it leaves unclear what is or is not an aim or objective of a strategic nature. The guidance will, of course, be subject to statutory consultation and parliamentary scrutiny. If it is believed that the guidance that we plan to issue is too specific, I am sure that that will come to light during either of those stages. On that basis, I hope that the hon. Members will not press the new clause and the amendment.

Mr. Galbraith: I thank the Under-Secretary of State for his reply and I am grateful that he did not go through all the arguments that I suggested. He obviously dropped them from his brief. He tried to slip in one argument that is unworkable, however—something to do with air pollution control, emissions from cars and so forth, saying that the change would be too costly. I think that that was the general train of his argument.

The Under-Secretary forgets that the Government insisted on keeping provisions for a cost-benefit analysis on the face of the Bill—it was the subject of one of our big debates—which deals with his argument about cost. Although he tried to slip in the unworkability argument, therefore, it is not true.

The Under-Secretary also took us around the panoply of powers open to the Secretary of State when dealing with the matter. The trouble is that those powers relate to pollution control. As an aside, I must point out that waste regulation is a part of pollution control. It was suggested that SEPA is now more than a pollution control agency, because it has powers over waste regulation, but that is not the argument. SEPA does not have powers over the environment. That is the problem and it is a problem that the Government did not address.

When the Under-Secretary took us around the panoply of the Secretary of State's powers, he did not give us much information on his right hon. Friend's views on environmental targets. Under certain parts of the Bill, the Secretary of State will have powers to produce guidelines about having regard to the environment and its enhancement, but the Bill does not give SEPA a duty to protect and enhance the environment. I have seen the draft guidelines and they are so weak as to be worthless for the environment.

Clearly, the Government are not going to take great strides forward, but this is not an issue on which we should divide the House now. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 28

WATER ABSTRACTION LICENCES

'.—(1) It shall be the duty of the Agency to review any licence (and the conditions (if any) to which the licences are subject) which is referred to as a licence of right in section 33 of the Water Resources Act 1963, or Schedule 26 of the Water Act 1989, if such a licence has not been reviewed since the Water Act 1989;

(2) the licences as given in subsection (1) above shall be reviewed in pursuance of the Agency's duties under section 7 of this Act. If a licence so reviewed is considered to be inconsistent with the Agency's duties under section 7 of this Act, the Agency may make proposals for revoking or varying that licence;

(3) the review period specified under subsection (2) above shall be a period not more than five years from the time the Agency is set up.—*[Mr. Matthew Taylor.]*

Brought up, and read the First time.

Mr. Matthew Taylor (Truro): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss also the following amendments: No. 259, in clause 33, page 28, line 44, at end add

'; and to have special regard to controlling the abstraction of water from rivers, watercourses and inland water.'.

No. 246, in schedule 22, page 309, line 18, at the end insert—

'(6A) A drought permit which—

(a) authorises the taking of water from a source from which water is supplied to a site of special scientific interest; or

(b) suspends or modifies—

(i) a restriction as respects the taking of water from a source from which water is supplied to a site of special scientific interest; or

(ii) an obligation to discharge compensation water into a site of special scientific interest or into any river or stream which forms part of, or from which water is supplied to, a site of special scientific interest

shall not be issued without the consent of the Nature Conservancy Council for England (English Nature) with respect to SSSIs in England or the Countryside Council for Wales with respect to SSSIs in Wales.'.

Mr. Taylor: The new clause would require the Environment Agency to carry out a systematic review of all water extraction licences, to give it an opportunity to remedy those that are damaging the environment. As a result of licences granted by way of right under the Water Resources Act 1963, there are many cases of over-extraction. Those licences were not granted with any consideration for the environmental impact. As a result, the licence system has caused great environmental damage.

According to the Royal Society for the Protection of Birds, for example, species and habitats in more than 100 sites of special scientific interest in 40 rivers are suffering as a result of over-extraction. It also creates difficulties in reallocating water between users, as the balance between demand and supply becomes more difficult.

The Environment Agency is given the duties to further nature conservation and to regulate abstraction licences, many of which have been granted with no consideration for their environmental impact. The difficulty is that conflict between the two duties is inevitable. Therefore, the amendment recommends that the agency be required to review all abstraction licences formally within five years of their being set up while taking into account its environmental duties. If the review shows that a licence is causing environmental damage, the licence will be revoked or varied.

The Government may argue that such an approach would cut across the system set up by the National Rivers Authority which requires the authority to inspect 2,000 highly critical licences and about 13,000 critical licences every year. But the system set up by the NRA is for abstraction enforcement, or to ensure that licence holders are not operating outside the conditions of the licence that has been granted. The amendment seeks to review the conditions and the form that the abstraction licence takes. That is a different matter, and relates to the environmental problems that I have described.

5 pm

The NRA has reviewed just 207 out of a possible 48,000 licences in the five years of its existence, so it has not even touched on the problem. We need a more systematic approach to reviewing the environmental impact of abstraction licences, and the new clause gives the agency a duty to take such an approach.

Amendment No. 247 simply aims to ensure that statutory conservation agencies are consulted on drought orders. Drought permits allow water to be taken from water bodies that may supply sites of special scientific interest. That can be damaging, and the amendment seeks to ensure that English Nature and the Countryside Council for Wales are consulted, and consent to, the granting of drought permits which may cause damage to SSSIs.

SSSIs are identified only because they are of national importance—not individually, but collectively. In other words, it is not question of being able to spare one or two sites. They are all of importance, and to damage them in such a way without consulting English Nature or the CCW would be wrong. The bodies have expert knowledge of the SSSI involved and the importance of water to them. That knowledge is vital in ensuring that drought permits do not cause serious and permanent damage to such sites. The amendments are not far reaching and I hope that the Minister will accept them, given his stated commitment to the importance of SSSIs.

Mrs. Helen Jackson (Sheffield, Hillsborough): Much later today—I hope that we will get around to it before we are too tired—we will be talking about the new duties placed on the Environment Agency in terms of the conservation of water. I believe that the new clause is a helpful element of the duties, because the more that is known about the water industry, the more it becomes obvious that conservation must take place at every level in the water cycle. That applies whether we are talking about water from rivers, water leaking from pipes or water used for drinking and for gardens.

The new clause is a helpful way of giving the agency a systematic approach to its review of abstraction licences. There were serious problems in the River Darent about which considerable concern was expressed in Parliament, and at least 40 sites were identified by the NRA as having no flows. The new clause goes some way towards emphasising the precautionary principle that we have been stressing during debates on the Bill. It provides a means of checking abstraction licences regularly, and it may well be an operational system that the agency would welcome.

Mr. Kirkwood: I wish to speak to amendment No. 259, which stands in my name. I wish also to concur with the arguments made by my hon. Friend the Member for Truro (Mr. Taylor) and the hon. Member for Sheffield, Hillsborough (Mrs. Jackson), who spoke in support of the new clause.

The Minister will recognise that the problem does not just exist south of the border and that it is also a Scottish problem. I hope that, when he responds to the debate on this group, he will address some remarks to the problem that faces Scotland. Clause 33 sets out the general duties of the Scottish Environment Protection Agency with respect to water. Clause 33(1)(b) states that it shall be the duty of SEPA

"to conserve so far as practicable the water resources of Scotland."

What is that supposed to mean?

The Minister may say that amendment No. 259 is unnecessary because the legal powers contained in those words enable, for example, the River Tweed purification board—or its successor as the regional board of the agency—to take a firm stance on water abstraction in the Tweed valley basin. If the right hon. Gentleman is able to give that assurance, I shall be content.

As somebody who, in a previous incarnation, was merely a simple provincial solicitor north of the border, I do not believe that the words in clause 33 would give me the confidence to expect that the successor body to the River Tweed purification board—whose members have carried out excellent work—will have the power to control abstraction to the extent that it would like.

To that extent, amendment No. 259 would strengthen the Bill, and it would not cost the Government anything to allow it. Were the amendment to be made, it would give comfort to many people who are concerned with important water abstraction matters north of the border. The amendment would assure them that the powers

[Mr. Kirkwood]

available for the SEPA regional boards will flow from the agency, in order to control some of the problems in the future.

Mr. Alex Carlile (Montgomery): The excellent new clause moved by my hon. Friend the Member for Truro (Mr. Taylor) deals with the conditions applicable to water abstraction licences, and gives us an opportunity to deal with the specific legal anomaly which has caused difficulty to a number of people around the country and upon which I had an Adjournment debate some time ago.

The current state of the law is thus: if an abstraction licence is applied for as a result of a wholly negligent survey, as long as the abstractor abstracts the water on land that he owns, he is not liable to compensate any neighbour for any damage caused to any land or buildings affected as a result of the abstraction. A number of my constituents in a little hamlet called Fron near Welshpool have had the unhappy experience of seeing their houses crack and their gardens collapse and, in one field, a hole the size of two double-decker buses appear. Unfortunately, the abstraction was carried out on land owned by the water plc concerned. A study of both case and statutory law shows that the people affected would have great difficulty obtaining compensation through the courts and, at the very least, would therefore require a precedent to be overturned in the House of Lords. That cannot be right.

Surely we should not be giving water plcs a protection that was intended for publicly owned undertakings and that was created 80 or 90 years ago. Surely it is a matter of common sense and fair government that, if someone's garden is destroyed or house damaged as a result of water abstraction, that person should be compensated for his uninsured losses, at the very least.

The new clause provides the potential for imposing on every water abstraction licence the condition that, if damage is caused to land or buildings as a result of negligence, compensation should be payable.

The Minister for the Environment and Countryside (Mr. Robert Atkins): As the hon. Member for Truro (Mr. Taylor) is aware, the National Rivers Authority inspects annually more than a third of all abstraction licences as a matter of routine. In addition, a number of studies are being, or have been, carried out into potentially damaging abstractions and the number of licences involved. The NRA's approach to reviewing licences is based on a technical methodology that has been developed to screen and prioritise those licences in most urgent need of review. We consider that that approach is cost-effective and puts limited resources to the best use in solving environmental problems caused by licences of right.

Mr. Matthew Taylor: It is important that the Minister makes the point that the general review to which he referred relates only to the enforcement of conditions. The second review, over five years, related to only 200 or so of the 48,000 licences. That suggests that the main cost-effectiveness of the NRA's approach lies in the fact that it hardly ever carries out the necessary checks.

Mr. Atkins: Alternatively, it could be that, when the NRA checks, it finds that there are not many licences to worry about.

The new clause would be counter-productive, as it would draw resources away from those areas that are known to be at risk in order to review all licences of right, although the bulk of those are likely to remain unaffected as a result of such a review. In addition, any proposals to revoke or vary licences as suggested in the new clause would have significant compensation implications for the agency. The five-year review represents an uncosted programme that it may be impossible to deliver within acceptable budgets.

Amendment No. 246 would make it a condition that the NCC in England and the Countryside Council for Wales must give their consent before a drought permit can be issued that either abstracts from or suspends restrictions or compensatory discharge obligations from a source of water that may have a direct effect on an SSSI. That would be unnecessary, as the NRA already has environmental duties in respect of SSSIs under section 17 of the Water Resources Act 1991. Those duties should adequately safeguard the interests of the NCC and the Countryside Council for Wales and have regard to actions taken in an emergency, which could include drought conditions.

As regards amendment No. 259, our broad objective in the Bill is to transfer to SEPA the current powers of the river purification authorities to control abstractions of water used for irrigation for commercial agriculture and horticulture in areas of Scotland where it can be shown that water resources are at risk from pollution or depletion from over-abstraction.

The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) asked a question about clause 33(1)(b), which re-enacts an existing duty on river purification authorities. As such, it would not extend SEPA powers in relation to water abstraction.

My right hon. Friend the Secretary of State for Scotland announced on 1 November his intention to bring forward legislation to introduce enhanced, but still selective, abstraction controls in Scotland. New legislation will be brought forward in the light of progress with the European Commission's action programme on groundwater, on which proposals are nearing completion, to ensure compatibility. I trust that that answers the hon. Gentleman and that he will not press his new clause.

Mr. Matthew Taylor: The problem with the Minister's comments is his suggestion that the programme in which the NRA is already involved means that the worst cases are identified. The NRA's general reviews relate only to the enforcement of conditions. The number of reviews that it undertakes relating to the problems that may arise within those conditions—because the environmental effects were not originally taken into account—is so small that it cannot possibly identify all the problem cases.

My hon. and learned Friend the Member for Montgomery (Mr. Carlile) referred to problems in his constituency that have affected householders and landowners. It is important that a proper process of review is put in place to protect such people; otherwise, the Minister may find that the result of his comments will be that they are told, "The Government are not interested in your problem." That may make them angry, if they have not already disappeared down holes the size of double-decker buses—which may well be the Minister's solution.

I do not think that there is any purpose in pushing the new clause to a Division. However, I ask the Minister to reconsider. If he says that five years is too fast, perhaps 10 years might be more appropriate. A systematic review should be put in place so that people and the environment do not continue to suffer.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

THE ENVIRONMENT AGENCY

Amendment proposed: No. 40, in page 2, line 8, after first 'Agency' insert

'or, in Welsh, Asiantaeth yr Amgylchedd'.—[*Sir Paul Beresford.*]

5.15 pm

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 233, in page 2, line 8, leave out from first 'Agency' to end of line 10 and insert

'for England, to exercise in relation to England the functions assigned or transferred to it under or by this Act; and there shall be a body corporate to be known as the Environment Protection Agency for Wales or, in Welsh, Asiantaeth i Warchod yr Amgylchedd yng Nghymru, to exercise in relation to Wales the functions assigned or transferred to it under or by this Act.

(2) Any duty, power or function given to or imposed upon 'the Agency' by this Act shall be a duty, power or function of the Environment Agency for England or the Environmental Protection Agency for Wales as the case may be, and the term 'the Agency' shall be construed accordingly.'.

No. 250, in page 2, line 8, leave out from 'Agency' to end of line 10 and insert

'for England, to exercise in relation to England the functions assigned or transferred to it under or by this Act; and

(b) a body corporate to be known as the Environment Protection Agency for Wales, to exercise in relation to Wales the functions assigned or transferred to it under or by this Act.'.

No. 251, in page 2, line 10, at end insert—

'(1A) Any duty, power or function given to or imposed upon "the Agency" by this Act shall be a duty, power or function of the Environment Agency for England or the Environment Protection Agency for Wales as the case may be; and the term "the Agency" shall be construed accordingly.'.

No. 258, in clause 12, page 14, line 23, leave out

'wholly or mainly of, or of most of,'

and insert 'of'.

Mr. Nick Ainger (Pembroke): We accept amendment No. 40. Unfortunately, on the advice that we have been given, we will have to vote against it, as otherwise our amendment No. 233 would contradict it. Therefore, if the Minister does not accept our amendment, we will divide the House on amendment No. 40.

Amendment No. 233 would create an environment protection agency for Wales. In establishing such an agency, we would again be recognising that Wales is a nation with its own distinct identity, culture, language and political climate. We would also be recognising and endorsing the devolution of responsibilities to Wales that has taken place since the Welsh Office was established in 1965.

In addition, we would be recognising that Wales has a range of environmental protection problems and environmentally sensitive areas in close proximity, which simply are not replicated anywhere in England. Health, education, transport, economic and industrial development, all local government expenditure, agriculture, employment and training, housing and environmental services have all been devolved to Wales over the past 30 years. However, the problem is that the people of Wales do not yet control those devolved services.

Until Monday of this week, they were controlled by the right hon. Member for Wokingham (Mr. Redwood)—who, I understand, is claiming to be the new saviour of the Tory party come the next general election, if he is successful in the ballot next Tuesday. I have some information in which the Prime Minister's campaign team may be interested—

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman's remarks will refer specifically to the amendments before us.

Mr. Ainger: I want to describe the democratic deficit in Wales, as shown by the statistics. In May, the new unitary—

Mr. Deputy Speaker: Order. I am not clear about which amendment mentions democratic deficit; it does not come immediately to mind.

Mr. Ainger: This illustrates why the Labour party believes that we need to establish an environmental agency in Wales. We need to resolve democratic deficit issues as a result of the transfer of local authority functions away from local councils in Wales to an agency based in England.

Mr. Alex Carlile: Does the hon. Gentleman agree that the people of rural Wales regard themselves as the legitimate custodians of the Welsh countryside and feel a strong resentment when they see the Government enacting a Bill that effectively removes from them the management of their own countryside? That point gathers strength when one considers the effect of the conduct of the former Secretary of State for Wales in relation to the Countryside Council for Wales.

Mr. Ainger: I endorse the hon. and learned Gentleman's comments, particularly his last comment, given that, on 5 May, the then Secretary of State for Wales sought to cut the budget of the Countryside Council for Wales by some 16 per cent.

In the May elections, 1,273 councillors were elected on boundaries that had been established by the Secretary of State for Wales. Of those councillors, 731 were Labour, 310 were independents, 113 were Plaid Cymru, 78 were Liberal Democrat and only 41—less than 4 per cent.—were Conservative. That illustrates not only the stewardship and success of the right hon. Member for Wokingham and the support of the—

Mr. Deputy Speaker: Order. I have already appealed to the hon. Gentleman. I know that he wrote his speech before he came to the Chamber, but a persuasive Member of Parliament such as the hon. Gentleman should be flexible enough to adjust his speech as he goes along.

Mr. Ainger: I shall immediately adjust my speech, Mr. Deputy Speaker. I was about to say that that classically

[Mr. Ainger]

illustrates the democratic deficit that exists in Wales. It is incumbent on the Government to be sensitive to that democratic deficit and continue to devolve powers to Wales.

In response to a similar debate in Committee, the Minister argued that the Government could not accede to the establishment of an environment protection agency for Wales because the problems that would need to be addressed by such an agency were common to England and Wales and the agency would need to develop and apply common solutions. But are there not common problems and solutions with regard to health, which has been devolved to Wales? The same argument applies to education and agriculture, which have also been devolved to Wales. Those are complex issues and the Government must explain why environmental protection in Wales, which is also a complex issue, has not been devolved. Why cannot it be treated in the same way as the education of our children or the delivery of health care? I hope that the Minister will respond to those questions.

If an agency were established in Wales, it would have almost 1,000 staff dealing exclusively with environmental protection issues. Will the Minister explain why an agency of that size would not be as effective as the Welsh Office, which currently has some 2,795 staff? If it were based in Wales, the new agency would have almost half the number of staff of the Welsh Office. The Welsh Office is responsible for health, transport, education and the other matters that I listed. Will the Minister explain why an agency of half its size could not respond to the needs of Wales in the same way as the Welsh Office has over the past 30 years?

The Minister must appreciate that, given that the Bill removes powers from local councils, covering waste management in particular, Wales is losing even more responsibilities from accountable local government. Moreover, it is simply unacceptable to have only one Welsh representative on the central agency board, or what will effectively be a powerless regional advisory committee. That is no substitute for an environment protection agency for Wales.

I urge the Minister to accept our amendment; otherwise, as I said at the beginning of my remarks, we shall divide the House on this issue.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): I strongly support amendment No. 233. I shall refer to amendments Nos. 250 and 251, which are tabled in my name. While I am at it, I shall also speak to amendment No. 258, which deals with the agency's regional structure.

We are all aware that this issue was debated on Second Reading and extensively in Committee. The case for an environmental protection agency for Wales was ably presented in the other place by Lord Prys-Davies. Although the case was effectively put at all those stages, it would be wrong if we did not fight the issue to the last ditch. To give Wales second-class status—that is what it amounts to—compared with Scotland is as offensive in this regard as in any other, and it will be keenly felt in Wales. I hope that I shall be forgiven for introducing a small note of dissention on the Opposition Benches when I say that the Labour party needs to understand the issue in relation to its proposals for devolution to Wales. If the Labour party does not understand that now, I am afraid that it will have to learn that lesson, to its cost, at a later stage.

The people of Wales want to be governed by bodies established in Wales. It is as simple as that. There is no justification for differentiating in practical terms between an environmental agency for Wales and the other all-Wales bodies that exist in similar and different areas. There is every reason to argue that the integration of environmental policy into all areas, which is a fundamental principle, would be far more effectively achieved if we had a separate agency for Wales. Such an agency would have the status of a national body and a range of expertise at its disposal, and should set its own priorities, which would differ in many ways from the priorities of an English or English and Welsh agency.

The Minister claimed in Committee that it would be difficult for a Welsh agency to develop the same expertise as its English counterpart or an England and Wales agency. I found that somewhat impertinent. There is ample expertise in Wales on environmental issues to ensure that an agency would be thoroughly effective.

Mr. Alex Carlile: Including in the universities.

Mr. Dafis: Indeed, the expertise is in the universities, and elsewhere.

If the Minister's observations are based on economies of scale, they would apply equally to all-Wales bodies and the implication would be that they could all be abolished and subsumed within an England and Wales body.

The Parliamentary Under-Secretary of State for Corporate and Consumer Affairs (Mr. Jonathan Evans) *indicated assent.*

Mr. Dafis: I notice that some members of the Government are nodding their approval of that suggestion. That should be noted carefully in Wales. It will not do much good to the remaining few votes that the Conservative party has in Wales. That argument is in favour of centralism, and it fails to understand the enormous advantages of organisations operating within a smaller geographical area in close co-operation with other organisations within that area. In Committee, the hon. Member for Lewisham, Deptford (Ms Ruddock) argued effectively that it is perfectly possible to have common standards between different agencies. In any case, that will increasingly have to apply on a European level.

5.30 pm

The argument that the direction of river flows requires one responsible organisation does not hold water, if I may be forgiven for using such an expression. It would be perfectly possible to establish working arrangements for close liaison and co-operation between two agencies for particular river basins, just as such arrangements exist between countries through which a river flows. The Rhine is a good example.

The suspicion must be that the real reason for not having an environmental agency for Wales is the fear that quangos—a dirty word currently—have a tendency to become genuinely quasi-autonomous, as their name suggests, by setting their own priorities and agendas. An environmental agency for Wales would be subject to the same process, which would be inconvenient to many an English Secretary of State for Wales. As has already been

said, the efforts that the right hon. Member for Wokingham (Mr. Redwood) directed at the Countryside Council for Wales were a perfect example of that effect.

The Government must also face the reality that the Environment Agency will have to deal, sooner or later, with an all-Wales democratic body, albeit, possibly, the inadequate assembly currently proposed by the Labour party. That agency and the assembly would have to deal with each other, and that is a further compelling reason for establishing a separate agency for Wales.

We should have not merely a separate environment agency for Wales, but a separate Bill, which would be of a different nature from that currently before the House. The national parks would be dealt with in a different, radical manner if there were such a Bill for Wales, as would waste management, and it would have made a crucial contribution to the preparation of a sustainable development strategy for Wales. Unlike its Scottish counterpart, there is not yet even an all-Wales advisory group on sustainable development.

A Welsh environment agency would offer some small compensation for the absence of a thorough-going, all-Wales approach to environmental legislation. That mechanism would in some degree contribute to the process of preparing a sustainable development strategy for Wales according to Welsh priorities and needs.

I have a strong suspicion that the Government will be obdurate on the matter, but perhaps they could at least do us a courtesy now, by offering us an assurance that Wales will be given the status of a region on the basis of its long-established territorial boundaries. That is the purpose of my amendment No. 258. The Government should at least do us the courtesy of ensuring that when one talks about the Welsh region, that means Wales, no more and no less. That view is strongly supported by public opinion in Wales. Anything less than that would be deeply unpopular and further damage the Conservative party's reputation as being hopelessly out of touch with the reality of life in Wales and the aspirations of Welsh people.

Mr. Alex Carlile: Any member of the Welsh public paying the extraordinary sum of £23.70 that is required to purchase the Bill, and who struggled through it and began to understand it, might be forgiven for thinking that Wales had been entirely forgotten by the Government. One suspects that Wales has been entirely forgotten by the Government, at least as a distinct entity and that they have decided to treat Wales simply as part of England, as they do so often.

When discussing the new clauses, we are, presumably, looking for the best way to achieve within Wales the principal aim of having such environmental agencies, as set out in clause 4(1). That aim is to

"protect or enhance the environment"

and also to attain

"the objective of achieving sustainable development."

If, as has already been suggested in this short debate, it is not possible within Wales to achieve the competence or expertise necessary for a discrete Welsh environmental protection agency, I say on behalf of those working in connection with environmental matters in Wales and on behalf of the large Welsh academic community that that is complete twaddle.

One need only look at the constituent parts of the university of Wales, and particularly at the departments at the colleges at Bangor and Aberystwyth, to appreciate that the expertise of their experts in environmental protection is widely used by those in England who are interested in such matters. I would go as far as to say that that expertise is widely used by people all over the world who are interested in environmental protection. That competence applies across the range of environmental issues, whether one is talking about oceanology or forestry, and everything in between. Wales can not only staff its own environmental protection agency, but offer, under contract, its specialists' expertise to the English Environment Agency, to help it out when it runs out of its necessary skills.

There is a troubling analogy to be drawn between the Bill and the economic development of Wales. The reaction of the people of Wales to the abolition of the Welsh Development Agency, despite its warts, when it was subsumed—

Mr. Deputy Speaker: Order. The hon. and learned Gentleman is making a general point. We are discussing not new clauses, but specific amendments.

Mr. Carlile: I remind you, Sir, that amendment No. 233 and the amendments tabled by the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) are designed to establish a separate environmental protection agency for Wales. The rationale for having such an agency for Wales is precisely the same as the rationale for having a separate Development Board for Rural Wales. If that development board were to be abolished today, as the former Secretary of State wished at one stage, and its work were subsumed under the Rural Development Commission, there would be a deficit in Wales of opportunity for rural development.

We believe that the environmental protection agency for Wales—were it to be a separate agency—could offer the same advantages to environmental protection and sustainable development in Wales as the development board has brought to the economic development of rural Wales. We also believe that a discrete Welsh agency could bring the same advantages to Wales as, remarkably, the WDA brought to north and to south Wales.

Other considerations powerfully assist in winning the argument that there should be a separate environmental agency for Wales. Rural Wales is still dominated by agriculture and, as is not the case in England, agriculture is the largest industry in Wales by a long way. It represents between 60 and 70 per cent. of the Welsh economy, although there is now some dispute about those figures. The figure was 70 per cent. when I entered the House 12 years ago. We are therefore talking about the protection not merely of the rural parts of the environment, which include agriculture, but of the environment that is worked by those involved in Wales's largest industry.

Wales needs a discrete environmental protection agency that is specifically empowered to marry together, and to compromise between, where necessary, those who work the environment, in a rapidly changing agricultural sector, and those who wish to protect the environment from some of the less attractive things that farmers do from time to time.

The farmers of rural Wales are actually very good environmentalists—after all, they have created the landscape that our very welcome visitors want to protect. One will not win their support by giving them an environmental protection agency that is English, that is

[Mr. Carlile]

English-dominated and that brings its expertise from England. Furthermore, in the relationship between England and Wales there are environmentally competitive issues, such as the effect of the development of different types of power station in England and the way in which that might affect Wales, or the building of new motorways in England, which may provide access to Wales.

There should be a dynamic between the Welsh Office and the Department of the Environment and other Government Departments such as the Department of Transport, which includes tension. That potential for dynamic tension is good for the people of Wales and it is good for the Government Departments involved. That dynamic tension would be usefully enhanced by the creation of a separate Welsh environmental protection agency, which would come under the overall control of the Welsh Office.

There is a great deal of rhetoric, perhaps especially during this frenetic period in our politics, about the need to bring government closer to the people. I applaud that; if politicians from any party are going to bring government closer to the people, that is a good thing. However, the Bill takes the management of environmental protection further from the people of Wales than it need be. An environmental protection agency for Wales would at least be regarded in Wales as taking proper account of the aspirations and needs of the people of Wales and of their environment.

For those reasons, I support the amendments.

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): As has been said, the issue of a separate Wales agency has been debated vigorously several times and we are not convinced that the needs of Wales would be best met by setting up separate agencies for England and Wales. The problems that the agency would need to tackle are common to England and Wales. The agency will need to develop and apply common solutions, and the job could not be carried out as effectively by two separate organisations, whatever liaison arrangements were set up.

A separate Welsh agency would not be able to develop the depth of expertise in certain aspects that would be allowed by a joint agency. I take an example. There are only 24 inspectorate of pollution staff for the Welsh region at the moment. I think that the hon. and learned Member for Montgomery (Mr. Carlile) will accept that, in that regard, it would be unreasonable and unrealistic to expect the expertise in a separate agency of that size to be able to offer a level of service equal to that of a combined agency.

Mr. Carlile: As he is the Minister responding to the debate, will the hon. Gentleman tell the House how many visits he has made to Wales to brief himself on the issue that he is now speaking to? Is it none?

Sir Paul Beresford: I have visited Wales twice, not specifically for that purpose, but I am describing a rationale that I believe that it would be possible for the hon. and learned Gentleman to understand. He obviously cannot.

Mr. Carlile: It is pretty difficult.

Mr. Ainger: On the subject of whether there is sufficient critical mass in HMIP, will the Minister tell us how many people are currently employed by the Countryside Council for Wales, which is a separate agency from English Nature, and why that is allowed to continue as a separate agency in Wales, yet he refuses to allow HMIP, together with the National Rivers Authority and all the waste management officials, to form one agency?

Sir Paul Beresford: I think that the hon. Gentleman will recognise that there are two alternative approaches. The approach that we are taking is that, where possible, if there is one agency, some functions will be able to become more localised. I shall mention that when I briefly discuss amendment No. 258. However, in some aspects of the agency's functions, the combination of the two in one agency would be far more effective.

One of the great benefits of the joint England and Wales agency, and one of its major aims, will be that it will operate to the same standard levels of regulation and it will provide consistent levels of quality of service throughout England and Wales. That has not been the case in the past—for example, in the regulation of waste management by local authorities—throughout England and Wales. A business operating in England and Wales will be subject to the same standards of regulation in each of its sites.

Mr. Dafis: I was wondering whether the same principle would apply in relation to Scotland. Is the Minister saying that the same standards will not apply as between England and Scotland? Or is it that he does not believe that it would matter if the same standards did not apply between England and Scotland?

5.45 pm

Sir Paul Beresford: We discussed that earlier. Scotland has a different legal system and a different institutional history. It has no national river authority at present; it has separate river purification boards, and so on.

Waste management, as the hon. Gentleman is aware, is but one aspect of the agency's whole service. I recognise, however, that the specific needs of Wales will have to be taken into account. The current provisions of the Bill aim to protect Welsh interests in several ways, building up the arrangements successfully put into practice by the National Rivers Authority, which was set up on a similar England and Wales basis.

The Secretary of State for Wales will be responsible for setting the policy framework in which the agency will discharge its functions in Wales, and will exercise an appellate role over the whole of Wales. The agency will report to him on the discharge of its functions in Wales. We shall ensure that Welsh Office Ministers will have an input into the policy and corporate planning process of the agency, and the arrangements for those will be defined in a memorandum of understanding between the agency and the Welsh Office.

The Secretary of State for Wales will be responsible for the appointment of one member to the agency board. *[Interruption.]* We have an acting Secretary of State for Wales at the moment. Welsh industries will be further protected by the existence of the advisory committee for Wales, which will be advised by the Secretary of State for Wales on issues relating to the agency.

Let us turn to Amendment No. 258. As has been said, the Welsh region consists of the whole of Wales and we are considering a number of proposals made by the Environment Agency advisory committee last week. Under those proposals, the regional environment protection agency advisory committee for Wales would include the whole of the geopolitical area of Wales.

I agree that Wales should have a strong identity. [HON. MEMBERS: "Oh."] That was said with a clear English accent. I also recognise the need to take account of the different operational requirements. The Government appreciate the need for recognition of the language and we therefore tabled amendment No. 40, which will confer a Welsh name on the agency.

Ms Joan Ruddock (Lewisham, Deptford): Say it.

Sir Paul Beresford: I suspected that I would be asked to say it. As I am an ethnic minority immigrant with a naturalised British citizenship, it would be offensive to Welsh ears if I tried to pronounce it, and as unrealistic to ask me to do so as for me to ask some of the Welsh Members to spell Aotearoa.

The amendment will ensure that the agency has a Welsh name, which it will be able to use, as appropriate, from the moment of its establishment, rather than waiting to have a Welsh name conferred on it by the order under the Welsh Language Act 1993.

Question put, That the amendment be made:—

The House divided: Ayes 271, Noes 230.

Division No. 181] **[5.48 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cartiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Powell, William *(Corby)*
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John

Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Bowen Wells and
Dr. Liam Fox.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alton, David
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Boateng, Paul
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth Valley)*
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen North)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Robert
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
MacShane, Denis
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pike, Peter L
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Soley, Clive
Spearing, Nigel
Spellar, John
Steel, Rt Hon Sir David
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Jon Owen Jones and
Mr. Dennis Turner.

Question accordingly agreed to.

Clause 2

TRANSFER OF FUNCTIONS TO THE AGENCY

Mr. Dafis: I beg to move amendment No. 255, in page 3, leave out lines 19 to 28.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 262, in clause 21, page 22, leave out lines 30 to 32.

No. 263, in page 22, leave out lines 46 to 48.

No. 265, in schedule 6, page 171, line 45, at end insert—

'15A—(1) The Secretary of State may, by order made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliaments provide for anything authorised or required by or under this Act or any other enactment, to be done by SEPA, to be carried out by a local authority acting as agents of SEPA, within the area for which the said local authority has responsibility.

(2) An order made under sub-paragraph (1) above shall prescribe the extent of the powers and functions to be exercised by a particular local authority acting as agent for SEPA, and may also make provision for any legal or financial consequences arising out of such an agency arrangement.'.

Mr. Dafis: I am pleased to have the opportunity to raise again the appropriateness of local government retaining waste regulation functions, rather than transferring them to the new agency. The case for retention was ably made in Committee by the hon. Members for Lewisham, Deptford (Ms Ruddock), for Normanton (Mr. O'Brien) and for Sheffield, Hillsborough (Mrs. Jackson). The hon. Member for Hillsborough pointed out that transferring waste regulation functions to the agency would de-integrate environmental policies, rather than otherwise—particularly with regard to easy access by waste regulation officers to detailed planning aspects. Separating the two functions would be to de-integrate, when we should be encouraging greater integration.

The hon. Member for Hillsborough pointed out also the danger that such a transfer would diminish rather than strengthen public awareness of the environmental impact of any development when considered in detail locally. Integration is particularly relevant to Wales, where district councils are the waste regulation authorities and have a range of important environmental functions linked to waste regulation.

On Second Reading, I pointed out that in Wales, integration will be further strengthened with the creation of unitary authorities, which will have comprehensive planning powers from existing district and county councils. It is questionable whether the agency would have the presence on the ground that local authorities have, which enables them to respond adequately to public concern. I refer not only to environmental health and planning department officers but others and councillors, who are in close contact with their communities' everyday affairs. They are in a position to spot any failure to fulfil waste disposal functions and to remedy it. It is easy for them to communicate with environmental health officers, to ensure speedy action on matters of public interest.

The Council of Welsh Districts cites several instances of environmental quangos failing to respond in reasonable time to complaints by local people. In some cases, their local authority stepped in to perform functions that should have been performed by, for example, Her Majesty's inspectorate of pollution.

One questions also whether the agency will be anything like as accessible to the public and councillors as it should. Will it offer an urgent response service? HMIP does not provide one in Wales where local authorities do. The Council of Welsh Districts devised five principles that, if implemented, would help to secure an efficient service and on which I seek assurances from the Minister. The CWD insists on a high degree of autonomy for the Welsh region, based on political boundaries.

I thought that I detected recognition by the Minister in the last debate of the importance of the Welsh boundaries being the existing territorial boundaries, which are also the local government boundaries for Wales—but there was some ambiguity in one of his remarks. I would like his assurance that the Welsh region will be the whole of Wales—nothing more, nothing less.

There should be at least 10 local agency offices throughout Wales, so that it can maintain close contact with local authorities—one office for every two unitary authorities. There should also be total transparency of the agency's licensing, consents, authorisation and enforcement policies, as with local government. That issue was discussed to some extent in Committee but requires further clarification. Will the agency be adequately resourced? Will responsibility be delegated to front-line staff, to ensure effective action?

The CWD's fifth principle concerns accountability and representation of elected members on agency committees. I would be glad to hear the Minister's response, even though he has not been listening to a word that I have said, to each of those five principles. I was hoping for assurances on at least some of them. I hope that the Minister will be positive, although I cannot see how he can be. But if he is not, there is every prospect that waste regulation will be less effectively delivered as a result of the Bill and the establishment of an agency.

Mr. Kirkwood: I shall be brief. Will the Minister consider in a Scottish context the transfer of the regulatory responsibility for the system of local air pollution control from local authorities to the Scottish Environment Protection Agency? I have corresponded with Scottish Office Ministers on the issue and I certainly accept that there is a balanced argument about whether that responsibility should be left in the hands of local authorities or transferred. However, I should like to know the Government's exact position on the issue.

In a letter to me dated 31 May the Under-Secretary of State for Scotland, the hon. Member for Dumfries (Sir H. Monro), who is currently gracing the Treasury Bench, made it clear that, as things stood at that time, the balance of the argument in the Government's mind was in favour of transferring control of the system of local air pollution to a centralised agency. Has the Government's view changed on that matter? The letter states that there are about 25 to 30 full-time officers dealing with such control in Scotland, and the Government's view was that with such a relatively small establishment it was better to centralise the responsibility. I take the opposite view.

My experience of my local authorities is that they have been extremely efficient in overseeing air pollution control. That is because they are on the spot and can respond quickly as they are only half a mile down the road from the problems that emerge. Local expertise and

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[Mr. Kirkwood]

the proximity of those councils to the problems will be lost if the control of air pollution is centralised in the agency.

Although there are 25 to 30 professional full-time officers operating in the field in Scotland, a great deal of other expertise has been built up because other staff who have been involved in a hands-on operational basis over many years form an in-house pool of skill and corporate knowledge. They can also anticipate some of the problem areas and identify incidents that may arise in their locality. Although they are not professional, they can bring common-sense expertise and local knowledge to bear on some of those problems.

The Parliamentary Under-Secretary of State for Scotland (Sir Hector Monro): As I stated in my letter to the hon. Gentleman, the decision was finely balanced. We have not changed our view since the letter. I hope the hon. Gentleman will appreciate that SEPA will be a local as well as a national organisation. I think that it will have offices in numerous parts of Scotland, will exercise close control over what is happening and will be in close touch with local authorities. We worked on the matter carefully and thought that that was the best judgment although, of course, some local authorities disagree.

Mr. Kirkwood: That effectively knocks my gas to a small peep because that is precisely the answer that I had not solicited. That may be the Government's view, but the Minister knows that there is a body of opinion which does not share it. If the Minister's assurance is borne out in practice perhaps he will win the argument over time. But people will carefully monitor how the service is locally controlled. As the Minister has intervened so early in my speech, I need not argue the point any more. There is a clear difference of opinion, but we shall carefully watch this space in future.

Mr. James Wallace (Orkney and Shetland): I should like to speak to amendment No. 265, which is in this group and stands in my name. The amendment proposes to make provision for the functions and powers of SEPA to be carried by local authorities as its agents. Its purpose is to allow the Secretary of State to designate by order the islands councils as agents of SEPA. It is not intended to apply to the whole of Scotland. Under the new local government arrangements, the islands councils will no longer have their distinctive status. The amendment was drawn to take account of that. The fact that the Secretary of State will be able to exercise the function by way of an order means that he will be able to designate councils and the extent of their powers.

My hon. Friend the Member for Roxborough and Berwickshire (Mr. Kirkwood) pertinently observed that there was a need to retain common-sense expertise and local knowledge. That applies many times over to the islands areas.

6.15 pm

When, some time ago, the Scottish Office published its consultation paper on improving Scotland's environment, the foreword by the Secretary of State referred to striking improvements that had been achieved by the existing regulatory agencies over the past 15 years or so, and to the outstanding commitment and expertise of staff in the river purification authorities, in local government and in the Scottish Office. With such expertise and with such plaudits, one wonders why we need a change.

The islands councils originally tried to resist the change and tried to persuade the Scottish Office, but they accept the inevitability of change. However, they wish to see the establishment of some form of agency with the councils carrying out environmental regulation on behalf of SEPA. The islands councils are different for one specific reason. Within their areas of jurisdiction they are responsible for river purification—a responsibility that is held by river purification authorities in other parts of Scotland—as well as the other pollution control functions which are the responsibility of local authorities in mainland Scotland.

To all intents and purposes, integrated pollution control has existed in the islands areas for some time. I am advised that such control applies to almost all premises in Shetland and that only a handful of the larger ones come under the remit of Her Majesty's industrial pollution inspectorate. I understand that Shetland Islands Council is an agent for HMIPI in a number of important respects, including the taking of samples and the putting together of cases that require action under various legislation. Therefore, there is already an integrated approach.

The fear that has been expressed is that to transfer some functions from the islands to SEPA could lead to the break-up of the integrated approach. At the moment in Shetland, environmental protection is delivered by 12 or more staff. Six staff carry out SEPA functions, but their work on functions that would be transferred to SEPA is equivalent to three full-time posts. The fact that people who are in post carry out some of those functions means that there is adequate back-up for leave or for illness. That back-up, which includes an administrative element, would not exist if SEPA were a completely separate entity.

The cost would be lower if the council were an agent, and perhaps that is the kind of argument that appeals to the Government. It would also allow the good working relationship that has been built up with local industries over many years to continue because local officers know how to apply the regulations in a locally sensitive manner. It will allow access by council staff to the senior management of SEPA to ensure that policies which are relevant to the islands are applied with proper sensitivity.

It is fair to say that the Under-Secretary of State for Scotland, who is sitting on the Front Bench, and who has made numerous visits to the islands during his ministerial term of office, has, over that time—I know this from dealings with him—acquired some sensitivity to the number of respects in which the islands regions are different. I hope that it will be possible to recognise those difficulties, as the consequence of not doing so is that teams would be broken up, which could impinge on some of the other services that are provided by the environmental services department.

I am informed by KPMG, whose recommendations the Government are only too keen to accept on other occasions, that the benefits of having agency status were picked up in a KPMG report, but, unfortunately, the Bill as it stands makes no provision for that. The amendment should commend itself to the Government. It achieves their objective of having SEPA in place. It ensures that a team of experts is retained and it means that environmental protection in islands regions would be

delivered at an efficient cost. I therefore hope that, even if the Government are not able to accept it tonight, they might be willing to consider it in future.

Mr. Galbraith: I support the comments of the hon. Member for Orkney and Shetland (Mr. Wallace). He probably knows that I raised this matter informally with the Minister in Committee on behalf of councils and as the Scottish representative on the Committee. The Minister did not accept my points and I conveyed that to the hon. Gentleman's council. However, the Minister should reconsider the matter. The islands are unique in the way in which they function and in their social structure. They work closely together and it is important to retain that. There are difficulties if the base is in Aberdeen or wherever it might be. We have always treated the islands in a unique way; the health services and local government have been managed differently. That should continue.

The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) raised the subject of the right to air pollution control. We raised the matter in Committee, pushing it to a vote against the Government, who seemed intent on not moving on it. If they wish to change their mind again tonight, I would be only too pleased.

Mr. Atkins: I make no apology for explaining once again the main reasons for the Government's belief that waste regulation would benefit from being transferred to the agency. The three key arguments in support of our policy are integration, consistency and expertise. First, our proposals will ensure integration of waste regulation with the agency's other pollution control functions. Secondly, the Government are not persuaded that genuine consistency in waste regulation across the country can be combined with the separate discharge of the function by a large number of different regulators. Thirdly, the need to pool expertise is an important reason for including waste regulation within the remit of the agency.

I understand the concerns voiced here and in another place about local accountability and about the importance of the agency providing a locally accessible service. The Government certainly intend the agency to be responsible and responsive to citizens' concerns, but I cannot accept that such sensitivity can be achieved only by local authorities.

We shall expect the agency to be organised so that it is accessible to people in every part of the country and can respond rapidly to problems concerning waste. That is reflected in the requirements of the agency's draft management statement. No doubt it will take a little time for the public to get used to the new system, but the National Rivers Authority has within a few years established a clear place for itself in the public consciousness, and I am sure that the agency will do the same.

In an intervention, my hon. Friend the Under-Secretary of State for Scotland answered the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), but the hon. Member for Orkney and Shetland (Mr. Wallace) mentioned amendment No. 265. As was often the case in Committee, I have sought advice from my distinguished hon. Friend. He tells me that amendment No. 265 could potentially undermine the reasons for establishing the new single cross-media authority by transferring on a piecemeal basis some functions back to local authorities. In those circumstances, the integrated approach applied on the mainland would break down, with the loss of a consistent approach in each islands authority.

The amendment would also allow a local authority to regulate its own landfill sites, which is totally against the principle of separating regulation from operation, which is at the heart of the Government's proposals for SEPA. Following those explanations, I hope that hon. Members will be able to withdraw their amendments.

Mr. Dafis: Some of the things that the Minister told me were welcome. He did not respond specifically to my suggestion that in Wales there should be 10 local offices, but he emphasised the importance of a presence on the ground, a decentralist structure and accessibility to local communities. I do not want to press the amendment to a Division, so I beg to ask leave the withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3

TRANSFER OF PROPERTY, RIGHTS AND LIABILITIES TO THE AGENCY

Amendment made: No. 41, in page 5, line 46, leave out subsection (8).—*[Mr. Atkins.]*

Clause 5

GENERAL FUNCTIONS WITH RESPECT TO POLLUTION CONTROL

Amendment made: No. 204, in page 7, line 28, leave out 'section 161' and insert 'sections 161 to 161C'.—*[Mr. Atkins.]*

Clause 6

GENERAL PROVISIONS WITH RESPECT TO WATER

Sir Hector Monro: I beg to move amendment No. 42, in page 8, line 41, leave out 'and'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 43, 78 and 79.

Sir Hector Monro: It is not often that a Minister has a chance to move an amendment affecting only his own constituency, but that is what I intend to do. The simple story is that the mouth of the Tweed is in England, and most of the river is in Scotland, but the Tweed Commissioners look after the whole river. With the Border Esk, however, which runs into the Solway, the mouth is in England and the rest of the river is in Scotland, but there has been a difficulty.

The bailiffs who are the responsibility of the National Rivers Authority and are managing the river have not been able to take all the action they have wanted to take when operating in Scotland. When Scottish poachers are running, the bailiffs have had to stop once they have left the river. If we pass the amendment, the bailiffs could follow them up the banks to their motor cars and take appropriate action.

This will be a helpful opportunity to improve the policing of the river, which is already well known for its excellent salmon, sea trout and brown trout fishing, at moderate cost.

Amendment agreed to.

Amendment made: No. 43, in page 9, line 3, at end insert 'and

(c) in the case of sections 31 to 34 and 36(2) of the Salmon and Freshwater Fisheries Act 1975 as applied by section 39(1B) of that Act, so much of the catchment area of the River Esk as is situated in Scotland,'.—*[Sir Hector Monro.]*

Clause 7

GENERAL ENVIRONMENTAL AND RECREATIONAL DUTIES

Mr. Dafis: I beg to move amendment No. 257, in page 10, line 42, at end insert—

(6A) It shall be the duty of the Agency to provide and publish advice to the Minister of the Agriculture Fisheries and Food, the President of the Board of Trade, and the Secretary of State for Scotland, concerning the discharge of pollutants at sea.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendment No. 84.

Mr. Dafis: Amendment No. 257 has been prompted by the Brent Spar episode and the unsatisfactory state of affairs that were brought to light. It addresses that position in two connected but different ways. My amendment would ensure that the agency would provide advice to Ministers, and especially to the Department of Trade and Industry, concerning the discharge of pollutants at sea. That would, of course, encompass the disposal of oil rigs, which inevitably involves discharge of pollutants at some point. That would be consistent with the agency's role, inherited from the National Rivers Authority, of regulating discharges to seas and rivers.

All businesses wishing to dispose of any effluent to the river or sea must obtain a discharge consent from the NRA, which has acquired a reputation for considerable rigour in this matter, and we presume that that rigour will be inherited by the new agencies.

Currently, only the Ministry of Agriculture provides advice, and the DTI then provides a licence for disposal of an oil rig, as for its being brought into operation in the first place—the DTI has both those functions. The Brent Spar episode illustrates the need for consideration of the question of disposal at the time of licensing commissioning of the rig in the first place, just as the decommissioning of nuclear power stations should be considered before construction and commissioning. The question whether disposal on land was an even worse environmental option than at sea would not then arise.

The amendment is especially relevant in Wales, where we have the possibility of oil and gas exploration, existing exploration and exploitation in Cardigan bay and the Irish sea. Clearly, people there do not want to see another Brent Spar.

The second way in which the amendment would deal with the issue is that it provides for the advice from the agency to Ministers to be published. That is absolutely essential. It is vital that the public are aware of such matters right from the outset, just as they should be aware of the grounds for rejecting or allocating certain blocks for oil exploration under current rounds. The public and the consulting bodies are not always aware of the grounds on which blocks are awarded or refused permission to explore.

It is crucial that, if the Department of Trade and Industry overrules the advice of the Environment Agency, just as it might currently overrule the advice from the Ministry of Agriculture, Fisheries and Food, that should be public knowledge. We would not then have the sort of uncertainty that has occurred over the advice that the Ministry of Agriculture gave to the Department of Trade and Industry about Brent Spar. That was not made clear for some time.

A major piece of environmental legislation should have something to say about the marine environment.

Mr. Wallace: The hon. Gentleman's amendment refers simply to "the discharge of pollutants". Is it the hon. Gentleman's intention that that should cover unintended, accidental or negligent discharges, which might be relevant when considering environmental aspects of the debate between offshore loading and laying pipelines in some of the new oil developments in the west Atlantic?

6.30 pm

Mr. Dafis: I thank the hon. Gentleman for that kind intervention. The amendment deals with advice provided by the agency in relation to a deliberate intention to discharge, not to an accidental discharge. I am sure that that point has been well made.

There is a need to respond to the tremendous public concern and alarm about the state of the seas and the oceans, and the role that pollution plays in the deterioration that is occurring. My amendment would provide for that, and, although the agency was not designed for that purpose, the Bill has picked up additional functions as it has proceeded, and it would seem reasonable to add to the agency this important function.

Mr. Ainger: In Committee, the Government announced that they were accepting EU directive 85\337, which meant that environmental impact assessments for new offshore developments would be required from April 1996. We debated that issue in Committee, when it was clear that the Government had a closely defined concept of developments. It related to new production facilities, pipelines, production rigs and so on. It did not cover exploration, which is an issue of which the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) and I are well aware, bearing in mind the developments currently taking place in Cardigan bay and the Celtic sea.

I was disappointed in Committee because, when the Minister was pressed, he refused to accept that the Government should extend the concept of development to include exploration and that is unfortunate. However, as the hon. Member for Ceredigion and Pembroke, North so ably said, even the new rules relating to environmental impact assessments will not cover existing developments. In other words, all the rigs that may have to be scrapped in the next 10, 20 or even 30 years will not be covered by an environmental impact assessment.

This is a serious issue, and I wonder whether the Minister can give us any indication of whether the Government intend to introduce any new regulations, particularly in relation to environmental impact assessments, to deal with any developments that will not be covered by directive 85\337. What will we do with all the other developments put in place before April 1996?

Mr. Atkins: Government amendment No. 84 is a deregulatory amendment to remove an overlap which currently exists between the provisions of the Prevention of Oil Pollution Act 1971 and part I of the Environmental

Protection Act 1990. It would prevent the need for an operator to apply for an exemption under section 23 of the 1971 Act where certain discharges or escapes are already covered by an integrated pollution control authorization. This will not in any way weaken protection of the environment.

Amendment No. 257 is wholly unnecessary. The Scottish Office Agriculture and Fisheries Department and the Ministry of Agriculture, Fisheries and Food are the Government's advisers on marine pollution, as the expertise rests with them. Information on the discharge of pollutants is already published. I hope that the hon. Gentleman will withdraw the amendment.

Mr. Dafis: Naturally, I am not particularly pleased with that response. I should like strongly to endorse the points made by my neighbour, the hon. Member for Pembroke (Mr. Ainger), particularly his comment about the need for oil exploration, not just extraction, to be subject to an environmental impact assessment. I do not intend to press the amendment to a Division. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 25

Assessing flood risk

Mrs. Maria Fyfe (Glasgow, Maryhill): I beg to move amendment No. 10, in page 25, line 10, after first 'the', insert 'relevant'.

Madam Deputy Speaker: With this, it will be convenient to discuss also amendment No. 11, in page 25, line 11, at end add—

'(3) SEPA shall designate areas ("Flood prevention plan areas") in respect of which planning authorities are to prepare flood prevention plans drawn up in consultation with SEPA.'.

Mrs. Fyfe: Amendment No. 10 is a simple amendment which ensures clarity, and I hope that the Minister will have no difficulty with it.

Amendment No. 11 is more substantial, but it is equally straightforward. It calls for a step that could be of immense benefit in the future. It requires that SEPA should have a duty to designate areas known as flood prevention plan areas, in respect of which planning authorities would have to prepare flood prevention plans, drawn up in consultation with SEPA.

Thanks to the efforts of my hon. Friends in Committee, the Government have moved slightly, and that is welcome. This further step is one that the Government must surely see the sense of. As the World Wide Fund for Nature has pointed out, activities that need planning consent may create a risk of flooding, and SEPA should be in a position to advise the planning authority so that adequate prevention can be undertaken.

The Government have given SEPA the function of collecting information on flood risk, but they have not given it the duty to assess flood risk and provide that information to the local authorities. If that were done, the logical and necessary step would be for the relevant planning authorities to draw up flood prevention plans in consultation with SEPA, benefiting from the advice and knowledge it had gathered.

Hon. Members know very well the immense hardship suffered by households when the Clyde, the White Cart and the Kelvin flooded last winter. The hon. Member for Tayside, North (Mr. Walker), who I am surprised is not present because he has taken up many flooding issues, suffered similar miseries in his constituency some time earlier.

In the flooding last winter, millions of pounds' worth of damage occurred, and repairs are still going on. Families lost their hard-earned furnishings, which cost thousands to replace—money that all too many of them do not have to spend.

The River Kelvin walkway, which is in my constituency as well as that of my hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway) is damaged, and is impassable at certain points. The Scottish exhibition and conference centre was flooded, together with the Clydeside expressway, causing traffic chaos around Glasgow. Support work is still needed at Broomielaw. The water overflowing from the Kelvin flooded an old railway tunnel under Kelvingrove park and flooded the Argyll railway line. That line is still closed, and is costing millions in repairs and lost revenue for the railways.

There is also the human cost. The appalling plight of the residents of Ferguslie park and other areas was well documented at the time, and I have no doubt that my hon. Friends will be ready to remind the House what a dreadful tragedy this was for so many people. Most tragically of all, some people drowned in the floods.

Surely it is worth taking the care envisaged in amendment No. 11 to ensure that we are as prepared as possible. We cannot stop nature doing its worst on occasions, but that is no excuse for not doing what we can. That should not stop us from making intelligent plans to foresee the possibilities and to do all in our power to prevent the ill consequences that I have described, to lessen the impact when full prevention is not possible.

If the Minister is concerned about value for money, the case for the amendment is unanswerable. It could be the hap'orth of tar that saves the ship.

Mr. Galbraith: As my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) said, part of the impetus behind the clause was provided by the extensive flooding that took place last December. Normal rainfall in the Glasgow area for the month of December is about 7 in to 8 in, yet, in 48 hours last December, 15 in fell—almost twice the normal monthly rainfall in two days.

The result was extensive flooding, both in the constituency of my hon. Friend the Member for Paisley, South (Mr. McMaster) and in mine. The River Kelvin overflowed its banks, as did its tributaries the Luggie and the Glazert, and so did the Allender, in another part of my constituency. As a result, 250 families had to evacuate their homes, 400 jobs were lost in local businesses, and business itself lost millions of pounds. Most regrettably, there was also a death in my area.

Flooding is not new in my constituency, but it has never been so severe before. Water control experts to whom I have spoken say, although I am not sure how strongly they would maintain the case, that there may be a climatic change which means that the flooding is likely to happen again. We have been told that such an event would occur

[Mr. Galbraith]

only once in a hundred years, but people now say that it may happen again next year. That is what my constituents are worried about.

I have been involved when flooding has taken place in the past, and the first problem that faced us was finding out who was responsible for dealing with the flood. The situation is especially complicated in my area, because many people are involved. First, there are all the riparian owners with flood defences; there are private owners such as the Caledonian estate, and there are local authorities. Farmers, too, are involved, so the Agriculture and Fisheries Department at the Scottish Office also has a role. On top of all that, regional council has the permissive powers on flood defences.

Then there is another layer in my constituency. Under successive land drainage Acts since 1941, the Scottish Office has had a direct responsibility. That set-up started when Tom Johnson was Secretary of State. There is therefore a rather complex division of responsibility, and one of the problems is that it is difficult to get anything moving, because, when we try to do anything about the floods, everyone passes the problem off to someone else.

The situation is further complicated by the mechanisms we need to use to build flood defences. First, quite correctly, we need a proper study. For my area, that would cost £500,000. Once we had done that, it would take some time to raise a flood prevention order. In the constituency of the hon. Member for Tayside, North (Mr. Walker), that took four years. Once that happened, we would still have to find the money for the flood prevention, which in my constituency would cost about £5 million.

As a result of pressure from my hon. Friend the Member for Paisley, South and others, including myself, since the recent flooding, the Government introduced a new clause, clause 25, which I welcome. It gives SEPA powers to assess flood risk and make information available to local authorities on request. That is welcome, because it will prevent the problem from recurring in other areas, so it is a major step forward. There is no doubt that houses in my area were built on the flood plain, and proper planning should have prevented that. I hope that clause 25 will go some way towards dealing with that, and I thank the Government for it.

As I have said, the problem in my constituency is that houses have been built on flood plains. Some of them, in Summerfield for example, had just been built, and the people had been in them only three weeks when they were flooded. Those people are now looking for action. They have their houses there now, and some have not been back in them since December. They need flood prevention plans.

There is an urgent need to get things rolling, but everyone passes the problem on to everyone else, and no one has a duty. The lead authority is now the regional council, but responsibility will fall on the unitary authority, which in my constituency will be East Dumbartonshire. However, the powers are merely permissive, and we require statutory powers. Our amendment seeks to give SEPA the statutory powers to designate flood prevention plan areas, after which it would be the local authority's duty to produce plans.

Then there is the question of money—but we can argue and fight about that later. Now we must get the ball rolling, because, whatever anyone says, the current system does not work. It has not produced flood defences for my constituents or for many others. We need to change the system. Our amendment would do that, and I commend it to the Government.

6.45 pm

Mr. Gordon McMaster (Paisley, South): I support my hon. Friends the Members for Glasgow, Maryhill (Mrs. Fyfe) and for Strathkelvin and Bearsden (Mr. Galbraith), and I support amendment No. 11 in particular. All of us who witnessed at first hand the floods in Strathclyde in December suddenly realised how devastating floods can be. In my constituency, I saw people having to leave their homes by the upstairs windows—people who had taken their whole lives to build up a home and buy their furniture, and who then had to watch the furniture float away while they realised that their insurance cover was inadequate. Not only those people's homes, but their lives, were devastated.

Now that the television cameras have gone and the media interest has disappeared, it is worth pointing out that many hundreds of those families have still not returned to their homes. In Paisley, the great focus of attention was on Ferguslie park area, because that is an area of multiple deprivation, but in my constituency there are four other sites where an equal number of homes were affected but which received much less publicity. Paisley south end, the Park avenue area, the Kilpatrick estate area and Collier street in Johnstone were all affected.

The causes of the floods in Ferguslie park, in the south end of Paisley and in the other three places were all different. It is worth remembering that, because, although the devastation is the same for all the people affected, different solutions are needed. We need a way of co-ordinating flood prevention so that we do not simply move the flood waters from one area to another. For example, flood prevention in the Park avenue area, which is at the top of a hill, may simply move the trouble down to the south end and cause a problem there. So there must be co-ordination.

I congratulate my hon. Friend the Member for Strathkelvin and Bearsden on the work he did in Committee to ensure that the case was put, in the interests not only of his constituents but of those of other Members, who have also been flooded before—and, indeed, in the interests of those who have not yet been flooded but who may meet the same fate unless we amend the Bill.

My hon. Friend hit the issue precisely on the head. I have asked the Scottish Office many parliamentary questions, and there has been much correspondence with Strathclyde regional council. The Scottish Office's answers tell us that Strathclyde has permissive powers to take action, but that, in the past 20 years, it has sought only one flood prevention scheme, which is now in place.

That may be true, but if so, it merely reinforces the fact that the current system does not work. The Scottish Office has a duty to introduce a system that does work. That is not a party political view or a petty point-scoring exercise.

I introduced the Natural Disasters (Scotland) Bill, which deals with flooding. It has been blocked by the Government, but it has been supported by the hon. Member for Tayside, North (Mr. Walker), by Liberal Democrat and Scottish National party Members, and by Labour Members. Flood prevention must be dealt with. The amendment is eminently sensible, because it suggests that we should

move away from permissive powers and towards duties. Until that happens, nothing will be done to put flood prevention schemes on the ground where they are needed.

Our constituents who were flooded in December 1994, many of them with inadequate insurance and many just above the level of income support, which means that they do not qualify for community care grants and may not be entitled to social fund loans, will have to consider over the next few months moving back into their homes. Week after week, they come to me, to my hon. Friend the Member for Paisley, North (Mrs. Adams) and to other hon. Members involved, saying, "We don't want to buy new furniture and move back into our houses when nothing has been done to prevent floods this winter."

Who can blame people for making that point? Their lives have been devastated once. They have to accept what has happened, but they want to know that it cannot happen again. They therefore need some means of making sure that someone has not a permissive power, but a duty, to ensure that there is adequate flood prevention.

The law is further complicated by the fact that, in many areas, it is notoriously difficult to trace riparian owners, and notoriously difficult to find out who is responsible for flood prevention. If the amendment is passed, that would be absolutely clear, and it would make a real difference to the lives of the flood victims we represent.

Mr. Wallace: I support the amendment. I acknowledge the work done by the hon. Members for Paisley, South (Mr. McMaster) and for Strathkelvin and Bearsden (Mr. Galbraith) in response to the plight of their constituents following the appalling floods last December.

During the recent campaign for the unitary authority elections in Scotland, together with my right hon. Friend the Member for Yeovil (Mr. Ashdown) and our local candidates, I met some of the flood victims. Until I met people whose lives had been completely devastated by what had happened, it had not been brought home to me what an intrusion flooding was. What came over to me more than anything else in some cases was that people were afraid ever to go back into their houses, no matter how much drying up there had been, no matter whether they had new carpets, and no matter whether their purchases had been insured.

Housing developments have been allowed in areas that have, historically, been known to have flood problems. Yet the statutory framework for effectively tackling the problem has not been in place, and if there has been a permissive power, it has not been exercised. The amendment is appropriate, because it will help to focus attention on areas with flood problems throughout Scotland, and it will impose a duty.

One can learn something from natural disasters, rather than having the experience visited on others. Hon. Members representing other constituencies should not have to make similar speeches in future. Surely now we have an opportunity to legislate, and we should take advantage of that.

Sir Hector Monro: I am glad to respond to the debate, in which we have heard speeches by the hon. Members for Glasgow, Maryhill (Mrs. Fyfe), for Paisley, South (Mr. McMaster), for Strathkelvin and Bearsden (Mr. Galbraith) and for Orkney and Shetland (Mr. Wallace), all of whom have highlighted the dramatic flooding last winter in the Clyde area.

As the hon. Member for Strathkelvin and Bearsden said, there was quite exceptional rainfall, which caused extensive damage, especially to housing in low-lying areas. Like all the hon. Members I have mentioned, I felt distraught about what happened to the householders who lost their belongings and a great deal more. Naturally, we should like to see the problem reduced if possible.

I wonder, however, whether we are going down the right route, because, as all hon. Members have said, permissive powers are already in place. Hon. Members are always saying that we should give local authorities powers, and then give them the chance to carry them out. The regional authorities have had these powers throughout their existence, and although they have failed to carry them out, it is wrong to start to look at the Government to try to force them to do what they ought to do of their own volition.

As several hon. Members have willingly conceded, we have added to the Bill clause 25, which gives the Scottish Environment Protection Agency the function to assess, as far as it considers appropriate, the risk of flooding in any area of Scotland. It also requires the agency to provide planning authorities, on request, with advice on flood risk, based on all the information available to it.

Opposition Members have said, rightly, that there is some duplication and uncertainty. Come next April, we shall be dealing with unitary councils, which will be responsible for planning and flood prevention, and which will have every other local authority responsibility. That in itself will make things a great deal easier than they are at present. The power to carry out surveys to assess flood risk, which follows automatically from the general power under the Rivers (Prevention of Pollution) (Scotland) Act 1951, will greatly assist SEPA in assembling information.

I want to bring home to Opposition Members the fact that, in March this year, having taken account of the serious flooding last winter in the Clyde area and the year before in Tayside, we produced a national planning policy guideline, "Planning and Flooding", which rehearsed many of the arguments and referred to the rainfall statistics. It also said what local authorities should be prepared to do at times when flooding was possible. We asked for comments on the draft planning policy guideline by May this year, and the final version will be available shortly. It will give all the information that local authorities and planning authorities could conceivably want when taking action.

Local authorities must be prepared to take action themselves; they have, rightly, permissive powers, and they are backed up by Government grants for flood prevention. I was a local authority councillor for long enough to know that one tends to put on one side things that are less likely to happen. Flood prevention, which does not look very exciting to the electorate until they are flooded out, tends to get put on one side. Local authorities must give flood prevention a high priority if SEPA's advice is that flooding is a serious risk.

Clause 25 is important, in that it brings home to the planning authority, which will be the new council, the fact that, if it wants advice on flooding, it must go to SEPA. That is exceptionally important when new housing estates are about to be built, in view of the disastrous results of the floods in Fergusiie and other places in the west of Scotland.

Clause 25 is a constructive way forward. SEPA will give advice to the planning authority before it gives approval. It is important to realise that, if SEPA's advice is that the area

[Sir Hector Monro]

in question is dangerous, and if the planning authority still wants to go ahead, the application must go the Secretary of State, and, if necessary, he will call it in.

Mrs. Fyfe: Is the Minister telling the House that he is utterly confident that clause 25, unamended, will guarantee that everything possible that can be done will be done to prevent the tragedies, loss of business and upset that were visited on people last winter?

7 pm

Sir Hector Monro: Nobody can honestly give any guarantee on the outcome of flooding when something like 60 mm of rain falls in 24 hours, as happened last winter. The Bill gives the local authority the opportunity to take the right steps. It can get advice from SEPA and has powers itself to deal with flood prevention; that is how it should be.

Local authorities have only to ask SEPA for its advice and then take action, backed up, as I have said before, by grants from the Scottish Office. The responsibility is on the local authorities, and they ought to accept it willingly. They are always asking for more powers; here is one ready for them.

What I have said shows that the Government, especially with the new planning guidelines, take the matter very seriously. I hope that local authorities will implement the guidelines right away when they receive the final draft in early or mid-summer. We can then start to prevent the construction of houses in dangerous places and, I hope, take steps to prevent flooding through appropriate action.

The ball is very much in the court of the local authorities. They have the powers and the technical advice from SEPA, and ought to be able to take appropriate action in their areas. I ask the Opposition to withdraw the amendment.

Question put, That the amendment be made:—

The House divided: Ayes 216, Noes 261.

Division No. 182] **[7.00 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bennett, Andrew F
Berrningham, Gerald
Berry, Roger
Betts, Clive
Boateng, Paul
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Janner, Greville
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Robert *(North Down)*
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
MacShane, Denis
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N Wkshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pike, Peter L
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Steel, Rt Hon Sir David
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James

Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Joe Benton and
Mr. George Mudie.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Evans, David *(Welwyn [illegible]d)*
Evans, Jonathan *(Brec[illegible])*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Gorman, Mrs Teresa
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. David Willetts.

Question accordingly negatived.

Clause 52

INQUIRIES AND OTHER HEARINGS

Amendment made: No. 44, in page 43, line 27, leave out

'Subject to subsection (3) below,'.—*[Mr. Wells.]*

Clause 56

CONTAMINATED LAND

Mr. Kirkwood: I beg to move amendment No. 264, in page 48, line 19, at end add

'; and any small-scale land-fill site, the size of which should be designated by regulation, will be exempt from the Part.'.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss the following: Government amendments Nos. 134 and 139 to 141.

Amendment No. 120, in page 57, line 37, after 'that', insert—

'(a) any delay would afford an inadequate remedy in the case of land which is contaminated by virtue of paragraph (a) of subsection (2) of section 78A above.

(b)'.

Amendment No. 121, in page 59, line 24, at end insert—

'(11) Nothing in this section shall prevent an enforcing authority from serving a remediation notice in such circumstances where a person who prepares and publishes a remediation statement by virtue of the requirement in subsection (7)(a) above fails without reasonable excuse to do these things which by virtue of subsections (6)(a) and (6)(c) above it was expected would be done within the periods within which it was expected they would be done.'.

Government amendments Nos. 180, 181 and 166.

Amendment No. 123, in page 67, line 35, at end add—

'( ) An enforcing authority in Scotland shall have the power to make a charging order in respect of any costs incurred by it in terms of subsections (1) and (2) above.

( ) Schedule 2C shall have effect in relation to charging orders in Scotland.'.

Government amendments Nos. 174 and 175.

Amendment No. 122, in page 68, line 11, at end insert—

'( ) restrictions imposed by virtue of section 78G above which prevent an enforcing authority from serving a remediation notice for the time being.'.

Government amendments Nos. 177 and 179.

Amendment No. 124, in schedule 22, page 300, line 22, at end add—

'After Schedule 2B to that Act there shall be inserted—

"SCHEDULE 2C

RECOVERY OF EXPENSES BY CHARGING ORDER

1.—Where under section 78N a local authority in Scotland has incurred expenses in relation to a remediation carried out by it, it may make in favour of itself an order (in this Schedule referred to as a 'charging order') providing and declaring that the premises affected by the remediation is thereby charged and burdened with an annuity to pay the amount of the expenses.

2.—The annuity charged shall be such sum not exceeding such sum as may be prescribed, as the local authority may determine for every £100 of the said amount and so in proportion for any less sum, and shall commence from the date of the order and be payable for a term of five years to the local authority.

3.—A charging order shall be in such form as may be prescribed and shall be recorded in the General Register of Sasines or registered in the Land Register, as the case may be.

4.—Every annuity constituting a charge by a charging order duly recorded in the General Register of Sasines or registered in the Land Register, as the case may be, shall be a charge on the premises specified in the order and shall have priority over—

(a) all future burdens and incumbrances on the same land, and

(b) all existing burdens and incumbrances thereon except—

(i) feuduties, teinds, ground annuals, stipends and standard charges in lieu of stipends;

(ii) any charges created or arising under any local Act authorising a charge for recovery of expenses incurred by a local authority, or under this Schedule; and

(iii) any charge created under any Act authorising advances of public money.

5.—A charging order duly recorded in the General Register of Sasines or registered in the Land Register, as the case may be, shall be conclusive evidence that the charge specified therein has been duly created in respect of the premises specified in the order.

6.—Every annuity charged by a charging order may be recovered by the person for the time being entitled to it by the same means and in the like manner in all respects as if it were a feuduty.

7.—A charging order and all sums payable thereunder may be from time to time transferred in like manner as a bond and disposition in security and sums payable thereunder.

8.—Any owner of, or other person interested in, premises on which an annuity has been charged by any such charging order shall at any time be at liberty to redeem the annuity on payment to the local authority or other person entitled thereto of such sum as may be agreed upon or, in default of agreement, determined by the Secretary of State."'.

Mr. Kirkwood: Amendment No. 264 relates to an important part of the Bill and deals with the vexed question of contaminated land. It is a very broad subject and it is right that the House should spend some time examining it at this stage in the proceedings. However, the amendment can be dealt with expeditiously.

Amendment No. 264 in fact relates only to part of the problem of contaminated land. It seeks to ensure that the provisions that have already, and perfectly properly, been included in the Bill for the control of landfill sites differentiate between pieces of contaminated land on the basis of scale.

When landfill is being used as a method for the disposal of waste, it is right that there should be full-blown controls with proper inspection and registration fees. It is quite proper that, when large-scale sites are being used in that way, the necessary panoply of bureaucracy exists to ensure that the proper controls and procedures are put into effect and that the rules and regulations are observed.

7.15 pm

I am sure that my part of south-east Scotland is not exceptional in this respect and that people in other parts of Scotland and the United Kingdom do the same, but some of my constituents have been able to make efficient use, on an informal basis, of small-scale sites for the disposal of some waste. For example, farmers may have small quarries or areas of land which have no agricultural use but which are appropriate for the disposal of, for example, building rubble and other inoffensive, non-noxious, non-dangerous waste. The arrangement has suited both parties to the agreement very well.

Farmers can get a small income from land that would otherwise be of no use, and small local firms—I am thinking of two-men businesses such as plastering and joining firms and the like—can have ready and cheap

access to a method of getting rid of a few lorryloads of inoffensive building material. That practice has developed over recent years. It is now well understood and has been very satisfactory, certainly in south-east Scotland.

My fear is that the provisions, relating also to large-scale sites, will be counter-productive to the extent that they will impose fees and a regime of control that is so heavy-handed that it will make small-scale sites prohibitively expensive for local builders and others who make use of them. It is not sensible that that situation should be allowed to develop by default.

I suspect that, in their quite proper enthusiasm to ensure that disposal sites are properly regulated, the Government have overlooked the circumstances that I have described. I therefore think that the Government should consider carefully whether they are taking a sledgehammer to crack a nut and whether they will in fact end up encouraging more rather than less fly-tipping in the rural areas of Scotland and elsewhere.

If, as is proposed, small businesses with a little rubble to dispose of are charged relatively extortionate fees for access to fully regulated sites, they will inevitably take the law into their own hands. I do not condone it, but people will throw lorryloads of inoffensive, non-noxious rubble down riverbanks, along the roadside and in other readily accessible places. It is in no one's interest that that should happen.

At this late stage in the passage of the Bill, I make a plea for the Government again to consider carefully whether a sensible cut-off point at which an exemption can cut in can be found and thus allow for a lower level of control for small landfill sites. We can argue about the level at which exemptions should apply. If the Government are prepared to countenance the principle, I am sure that the detail can be resolved through sensible consultation. I am certain that, if no exemptions are made and the facilities cannot be used in an accessible and reasonably affordable way, the provisions will be counter-productive in the long term, and I hope that the Government will consider exempting small landfill sites as the amendment suggests.

Ms Ruddock: For the convenience of the House I shall speak briefly to amendments Nos. 120, 121 and 122.

Clause 56 inserts section 78G into the Environmental Protection Act 1990 and requires the enforcing authority to consult before serving a remediation notice and reasonably to endeavour to consult the appropriate person—the owner or any occupier. It also requires that three months' grace be given before a notice is served, to allow the owner to come up with his own scheme.

In Committee, we made much of that three-month delay. The Government will know that we opposed it, but none the less it remains in the Bill. We remain concerned and we want the House to be aware that the enforcing authority is thus prevented from securing the expeditious remediation of land through a remediation notice. Furthermore, disputes could occur and lengthen that three-month period. We are worried that the enforcing authority would not be able to act in cases where it might be important and somewhat urgent for it to do so.

The Minister has already put it on record that there is provision for dealing with real emergencies, but there are in-between cases with which amendment No. 120 would deal. It would allow an enforcing authority to act immediately if delay would afford an inadequate remedy—I must stress the word "inadequate". That could provide a vital safeguard in urgent cases, as an appropriate person who is not disposed to clean up the land could claim that he will do so and thus prevent the enforcing authority from taking the necessary action.

Amendment No. 121 would allow an authority to serve a remediation notice in circumstances in which it had not served one because the appropriate person had prepared an apparently satisfactory remediation statement, but had failed to carry out the intentions in the statement.

I appreciate that this is a complicated technical matter, but I am sure that, if he is listening, the Under-Secretary of State for the Environment will understand my arguments and that the Government failed to satisfy us in Committee. All local authority associations—the enforcing authorities—are very much concerned about the matter and believe that they could be frustrated in acting in circumstances in which the Opposition and the Government would desire them to act. In the circumstances that I have described, it is not clear to us whether an authority could undertake any action. If the associations and I are wrong and the Minister can reassure us on that point, we shall be happy not to press the amendments.

Section 78Q, which is also to be inserted in the 1990 Act, prescribes the detail and content of registers to be held by the enforcing authority. Although registers will include details of what the Bill calls "remediation" statements—a record of what an owner intends to do about contaminated land—they do not provide for a sufficiently early public record of contaminated land to be remediated in such a way. That is our belief and that of the local authority associations.

According to the Bill, an owner will be required to publish a remediation statement only within "a reasonable time" of having made clear his intention to carry out remediation. We do not know what a reasonable time is and, clearly, it is important. A local authority cannot serve a remediation notice until three months have elapsed, nor thereafter—this is the important point—if it believes that appropriate remediation steps are being taken without the service of a remediation notice.

There may, therefore, be some considerable delay between an enforcement authority establishing that land is contaminated and details of that land being referred to the register, which would give an unscrupulous owner further opportunity to divest himself of his responsibilities for the land—longer than the three months about which we have already argued with the Minister.

Amendment No. 122 would close the anomaly that local authorities and the Opposition have identified in the Bill. The amendment imposes a condition on the enforcing authority to enter details on to the register at the earliest opportunity in such circumstances.

Those might seem small, technical points of detail, but as we found in Committee, there are many small details on which there is little clarity when it comes to contaminated land. As the Government have chosen to table such huge rafts of amendments very late in the proceedings, people have not been able to scrutinise this part of the Bill properly. I hope that the Minister will answer in some detail and more thoroughly than he did at times in Committee.

Mr. Galbraith: I also want to deal with a technical matter that relates to charging. The problem with the Bill

[Mr. Galbraith]

is that, although English local authorities can charge for the remediation of another individual's land, that power is not open to local authorities in Scotland.

My amendment would allow Scottish local authorities to make charging orders to cover remediation costs incurred under new section 78N of the Environment Protection Act 1990, which is inserted by clause 56 of the Bill.

Charging orders already exist in Scottish law. Local authorities can make charging orders under the Housing (Scotland) Act 1987 and the Building (Scotland) Acts. I realise that giving local authorities the power of a heritable creditor in possession simply by virtue of a charging order would cut across the provisions of the Conveyancing and Feudal Reform (Scotland) Act 1970, whereby a standard security is the only method for creating an effective security in Scots law.

On the other hand, however, leaving enforcing authorities with only court action and the attendant diligence of inhibition as a remedy is not the most satisfactory method of proceeding. Inhibition is merely a preventive diligence that prohibits a seller from disposing of the property. It works only if the seller is the owner. It would not affect a lessee unless the lease was assignable.

Furthermore, final enforcement to obtain the right of adjudication over the property, whereby the Court of Session causes the heritable property of a debtor to be converted into a security for his debt, is a long, involved and expensive process, particularly when compared with the charging order provision that will apply under clause 56. Again, short-term leaseholders and other occupiers are not affected by adjudication in execution.

As the Bill stands, council tax payers in Scotland would be disadvantaged because of that dissimilarity in the legal provisions. I understand that the Government are not yet of a mind to accept the amendment, but I hope that the Minister can reassure me tonight that they will closely monitor the charging for remediation work on others' land by Scottish local authorities, and that they will continue to follow it up.

Mr. Michael Connarty (Falkirk, East): I support amendment No. 123. Recently, my constituency has experienced problems caused by land contaminated by a former munitions works. I have been in correspondence with the local authority and told that it will cost £95,000 to deal with a canal adjacent to the works that has become contaminated with mercury. The prospect of that £95,000 being borne by the council tax payer in Scotland, if charges were not allowed, seems unreasonable and unfair.

The question who should be charged is slightly more difficult. The works were formerly owned by Nobel, which was a part of ICI, and the land has possibly been sold to someone who anticipates a development gain by building houses on it at some point in the future. It is clearly in the interests of the local authority and the people in the vicinity to have the land cleaned up. But if there are no charging mechanisms, there will be a great deal of reluctance for the local authority to proceed with that work.

I hope that the Minister realises that the charging proposal should be looked at and taken on board by the Government, either in the form of the amendment tabled by my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith) or through another amendment on the same subject.

7.30 pm

Sir Paul Beresford: I shall refer first to amendment No. 264. The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) will recognise on reflection that the contaminated land provisions in the new part IIA of the 1990 Act deal only with sites that are either not subject to the licensing arrangements or no longer subject to them because they have closed. We have looked carefully at some of the points that the hon. Gentleman made, but the amendment, by focusing on a particular past site use, may deprive the authorities of powers needed to deal with real environmental risks. I think that the hon. Gentleman accepts that.

We all hope and anticipate that a small landfill site would not present unacceptable environmental risks, and that no significant harm or water pollution would occur. In a great number of cases, that will be true, but we do not want to take the general risk of depriving authorities of the power they may need to deal with environmental problems that occur.

On amendment No. 120, the Government believe on the whole that it would be better for enforcement action to take the form of the service of a remedial notice, rather than the undertaking of works by the enforcing authority. That leaves the person facing the regulatory burden with the choice of how to comply with the requirements, and gives him direct control over the costs.

In some circumstances, I agree that it would be appropriate for the enforcing authority to carry out the remediation itself, but we feel that that should be limited. The provisions in the Bill already allow such direct action, particularly where there is imminent danger of serious harm or pollution of controlled waters. I do not think that the provision should be extended in the way envisaged in the amendment, as that would allow the enforcing authorities to deal with circumstances in which delay would result in inadequate remedies without any consideration of the seriousness of the underlying problem.

Ms Ruddock: I apologise if I have interrupted the Minister too soon, but he has not so far described a situation in which there could be some urgency, but which was not an emergency. Is he able to do that? If not, can he give an idea of the timing of the guidance that the Government are preparing, and of any consultation associated with that guidance?

Sir Paul Beresford: I would be happy to do so if I had the details with me, and I am willing to write to the hon. Lady as fast as I can on the matter. She understands that the Government accept the seriousness of the point that she is making, but we feel that there is sufficient provision in the Bill to act along the lines that she is concerned about.

Ms Ruddock: By the Minister's own acknowledgement in parliamentary answers, the Government are to bring forward guidance on how local authorities should prepare remediation notices, who is the responsible person and a host of matters that are central to the consideration of the clause. Is he absolutely unable to give any idea at all of when that guidance will be produced?

Sir Paul Beresford: At present, I am afraid that that is the situation. I accept that we must look at the concerns raised by the hon. Lady, but we feel that the provisions in the Bill will allow us to deal with them.

The Government feel that there is no need for amendment No. 121, as the preclusion on serving a remedial notice in section 78G(4) applies only

"if and so long as any one or more of the following conditions is for the time being satisfied".

That clearly means that if an enforcing authority ceased to be satisfied that appropriate remediation was taking place, or would take place, it would have a duty to serve a remedial notice.

I shall touch on amendment Nos. 123 and 124. My hon. Friend the Under-Secretary of State for Scotland explained in Committee, in response to an amendment with a similar effect, that existing land law in Scotland does not include the use of charging notices of this kind. The introduction of such a system would require fundamental changes to be made in the conveyancing system.

Following the debate in Committee, officials have again met representatives of the Law Society of Scotland to discuss the matter, and they explained the difficulty with the previous proposal. The Government believe that the existing mechanisms under Scots law for recovering costs are adequate, but we are prepared to review that—this is the monitoring that the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) wanted—if there is any clear evidence that, once the provisions have been in operation for some time, there is a problem with the recovery of costs in Scotland.

Amendment No. 122 would require the transitory details of consultation about a site to be recorded. That would not add anything of long-term value, as any site for which remediation requirements were made would appear on the register in any case. Where contaminated land was identified, but no remediation notice was served, the information would be placed on the remediation register in the form of either a remediation statement or a remediation declaration. Those would show what remediation was to take place or, in the case of a remediation declaration, why no remediation was required.

Ms Ruddock: Can the Minister deal with the point as to when the information is to be entered on to the register?

Sir Paul Beresford: No, I am afraid that I cannot. I shall have to give the details at a later date.

Mr. Kirkwood: I am tempted to say that that is one of the worst responses that I have ever heard. *[Interruption.]* I had better be careful in making sweeping statements such as that.

I would like the Minister to think about something. I am not easily provoked, and I understand perfectly well that my amendment is technically incompetent—as so many amendments are. But I could not find any other way of occasioning a debate on a perfectly reasonable subject. I accept that the technical position of my amendment is quite wrong, and that it might have an untoward impact, which I accept that I may not have foreseen.

If I understood the Minister's response to my amendment, I believe that he said that the Government do not care about small infill sites having to carry big registration fees, because they need the big registration fees to catch the problem sites with bigger amounts of noxious and contaminated waste. If I understood that response correctly, it was completely beside the point and misunderstands the general point that I was trying to raise.

I was simply asking whether the Government will give further consideration to the impact that the provisions will have on small infill land sites. If the Minister now stands up and says that I have it all wrong and that the Government are prepared to look at a different system for inoffensive and small areas of land that farmers can make use of, I shall accept that I misunderstood the position. But I must warn the Minister that, if he dismisses the situation out of hand, I may be provoked into pursuing the amendment further.

Sir Paul Beresford: I may have been misunderstood. Small sites with correspondingly small licence charges come under different provisions. The contaminated land provisions in new part IIA deal with sites that are not subject to licensing arrangements or are no longer subject because they are closed. I understand that there are small licence charges in such cases.

I have shuffled my notes, and I have found the answer for the hon. Member for Lewisham, Deptford (Ms Ruddock). The provisions in the Bill relating to registers are set out so that a site is entered on the register only when the regulatory action takes place or when voluntary action is agreed upon.

Mr. Kirkwood: I return to my original argument. Of course I understand that there are gradations, which vary according to size. However, the Minister is completely missing the point—which is that some landowners have relatively tiny areas of land from which they have been able to derive a living, but the charges for which they will now become liable will prevent them from making use of their land in that way.

For the third time, I ask the Minister carefully to consider the possibility of exempting such landowners or increasing the thresholds for size and scale fees, so that fly-tipping does not result in those landowners defying the charges that the Government propose to levy. If the Minister has not yet got that message, he cannot be responding to the concerns that have been expressed to me by people in the rural parts of Britain.

Sir Paul Beresford: I am certainly happy to look at the matter again. However, as I understand it, the contaminated land provisions in the Environmental Protection Act 1990 impose no fees on any sites of any size. I shall take on board the hon. Gentleman's points and I shall check them for myself. If the potential disaster that he has flagged proves to be the case, I shall be concerned, for many of the reasons that he enunciated.

Ms Ruddock: I want to take this opportunity to invite the Minister, yet again, to ask his advisers to supply him with some new notes. We have a real need to get more satisfaction from him. This is an incredibly complex, technical and lengthy part of the Bill. We are debating a whole range of amendments, but they have not been appropriately addressed by the Minister.

I have already told the hon. Gentleman that, in order to understand most of the matters in this part of the Bill, to which amendments have been tabled, we need to know what is in the Government's draft guidance. Despite the fact that we are at the eleventh hour of this Bill, that draft

[Ms Ruddock]

guidance has not yet been laid and is not available to hon. Members. Simply to interpret the various clauses of the Bill, which we are trying to discuss and amend, it is necessary to see the draft guidance.

A recent parliamentary answer suggested that it would include guidance on remediation standards and remediation notices, special sites and the appropriate person on whom to serve a remediation notice. As we have not seen even the draft guidance, how on earth can we be expected properly to consider the Bill? The Minister must answer our questions because he has not provided the necessary guidance.

Sir Paul Beresford: As I understand it, part of the guidance is available and is out for consultation. The remainder is not available, but will be in the next few months. It will be used in negotiations and discussions with local authorities.

Mr. Kirkwood: I am content not to press my amendment because the Minister has assured me that he will re-examine the matters that I raised. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment proposed: No. 125, in page 49, leave out lines 43 to 46 and insert—

' "appropriate person" means any person who is an appropriate person, determined in accordance with section 78F below, to bear responsibility for any thing which is to be done by way of remediation in any particular case;'.—*[Mr. Atkins.]*

Madam Deputy Speaker: With this, it will be convenient to discuss the following: Government amendments Nos. 126 to 133, 135 and 136.

Amendment No. 236, in page 56, line 6, after '(a)', insert

'whether a person is the appropriate person and'.

Government amendments Nos. 137, 138, 142 to 160, 165 and 167 to 173.

Amendment No. 244, in page 65, line 49, after 'recoverable', insert

'and to the extent to which the person from which the cost is recoverable is responsible for, as the case may be, the harm or pollution of controller waters caused, or likely to be caused, by the contaminated land in question'.

Government amendment No. 178.

7.45 pm

Mr. Paddy Tipping (Sherwood): I draw the Minister's attention to amendment No. 136. It is clear that, where the polluter cannot be found, under the Bill the responsibility for clearing up contamination of land lies with the owner or occupier. We dealt with that issue in Committee, but I want to pursue it further now. I am especially concerned about small landowners, particularly householders. Perhaps the Minister read the articles in *The Sunday Times* on 18 and 25 June, which referred to the Pinehurst estate in Sevenoaks. That new estate has been built on contaminated land that has a methane problem. The owners of the houses are facing liability for clearing up the site.

In Committee, we pressed the Minister on the issue of the liability of small landowners, and he said that he would take into account people's resources and their ability to pay. I want him to consider five specific points relating to the serving of remedial notices on landowners by local authorities.

First, will those notices take into account the cost of remediation in comparison with the value of the property after that work? Clearly, if it will cost more to remediate than the worth of the property, there is a problem. Secondly, will the Minister take into account the position at Sevenoaks and the steps that the home owners have taken to resolve the problem? Thirdly, will he take into account the hardship that people may face? Some may not be in a position to carry out the necessary work. Fourthly, will he take into account the seriousness of the risk and the use to which the land or property is to be put? There is a spectrum of risk. Again, the remediation notices should take that into account.

Finally, will the hon. Gentleman take into account the real issue of an owner who has bought unwittingly? Many householders have unwittingly bought houses on contaminated land with a methane problem. They received the best advice available at the time, yet under the Bill they will incur a liability that many of them will not be able to discharge.

Those issues may be tackled in guidance. Will the Minister say when that will be forthcoming and whether there will be consultation? The questions that I have put are relevant not only to the householders but to the bodies that represent them. I know that the Country Landowners Association is extremely concerned. The British Bankers Association is worried about liabilities that may pass to its members. Insurance companies and mortgage societies feel that it is an extremely difficult problem.

A whole mass of amendments were tabled in Committee, so it is important to get to the bottom of the problem. Some small householders will not have the resources to discharge the liabilities imposed on them and they will be seriously affected. In Committee, the Minister said that he would try to find a sympathetic way to deal with the problem. I hope that he will expand on that now.

Mr. John Greenway (Ryedale): Throughout the consideration of the Bill and, previously, the White Paper, the Government have said that it is not the intention of the Bill to create new liabilities. However, some legal opinion available to the Association of British Insurers suggests that new liabilities are being created. I must point out that that was the position as the Bill stood when it left Committee—without the raft of amendments that we are now considering, that have been previously considered or that are yet to come, and that have made or might make significant changes.

Owners of land who are not responsible for the contamination previously could not be made to repay the local authorities' costs to clean up that land. However, it has been suggested that under the Bill they may become liable for paying for the cleaning up of their land, even though they were not responsible for the contamination. That point was made by the hon. Member for Sherwood (Mr. Tipping).

The purpose of amendment No. 244, which stands in my name, is to remedy that problem. I congratulate my right hon. Friend on being made a Privy Councillor. The Association of British Insurers, the National Farmers Union and the Country Landowners Association have all written to me on the understanding that I understand those matters. I am not sure whether their confidence is entirely

properly placed. They are grateful for how Ministers have responded to their concerns about the need to avoid, particularly in the insurance industry, the problems that have been experienced in the United States.

Ms Ruddock: I hope that I was not being inattentive at the outset of the hon. Gentleman's contribution, but I did not hear him declare a parliamentary interest. I believe that he is a parliamentary adviser to the Institute of Insurance Brokers.

Mr. Greenway: I am indeed. But that interest has no relevance whatever to the amendment, because the Institute of Insurance Brokers has expressed no opinion either way on this measure. It is true that I have more than 20 years' experience of the insurance industry, and I slightly alluded to that when I said that people came to me on these matters because they thought that I understood them.

The Government have tried hard to ensure that the problems of clean-up costs do not fall on insurance companies, with the likelihood that they will no longer cover certain types of risk willingly. The problem now is that, given the number of amendments before the House, everyone will need to take a fresh legal opinion as to whether they have all the effects that we seek. But we also have the fall-back position that much of the detail of the Bill will be covered in regulations, as the hon. Members for Sherwood and for Lewisham, Deptford (Ms Ruddock) said.

I note that the Government intend to try to meet that concern through some of their amendments. If the matter is not resolved by the Government amendments, there should continue to be discussions with appropriate parties—landowners, the bodies that represent them and the insurance industry—to ensure that we get it right. If we do, this legislation will do society and the country a great service by dealing with the intractable problem of how we pay for the clean-up of contaminated land. I simply ask that innocent subsequent landowners should not find themselves picking up the bill. They would pass it on to insurers when that likelihood need not have arisen.

Mr. Ian Pearson (Dudley, West): I rise briefly on this issue because it has direct constituency relevance. As many hon. Members will be aware, the black country was at the heart of the industrial revolution, and the livelihoods of more than 1.2 million people in the black country are directly affected by the fortunes of business, by business confidence and by maintaining the equilibrium in land value, which supports so many businesses. In my constituency, more than 70 per cent. of land has prior industrial use. That applies to the black country as a whole. Many of the firms that have been important to our nation's success over the past 150 years, producing goods in the late 19th century, are sadly no longer with us. Neither are their owners.

I support my hon. Friend the Member for Sherwood (Mr. Tipping), who expressed his concern about home owners who occupy contaminated land. I extend that concern to businesses, particularly black country businesses, which have had major problems in that respect. Land values underpin a large number of companies in my constituency and are often their major asset on the balance sheet. I admit that I cannot fathom all the amendments before us, but the threat is that the Bill could affect the land value of companies in my constituency and hence their net worth and potential viability. I do not want jobs in my constituency to be put needlessly on the line as a result of the Bill.

I thank the Prime Minister and the Secretary of State for the Environment for meeting representatives from the business community in my constituency to discuss this issue. I am glad that they reassured us that they take the problem seriously. I hope that the future will bear witness to that and that the legislation will be soundly based as a result.

Mr. Atkins: The hon. Member for Dudley, West (Mr. Pearson) is not alone in appreciating the complexities of this issue. We had some fun and games in Committee when we worked our way through the details in one form or another. I readily confess to the House that I do not pretend to be a master of them all.

I am extremely grateful to the hon. Member for Dudley, West for his comments about the Prime Minister and my Secretary of State.

Mr. Elliot Morley (Glanford and Scunthorpe): He needs all the help he can get.

Mr. Atkins: On the contrary, it demonstrates, if ever demonstration were needed, the Prime Minister's readiness to appreciate the great issues of the day, not least when they are led by the Richardson brothers.

The hon. Member for Dudley, West may know that I paid a visit, in the company of my hon. Friend the Member for Bromsgrove (Mr. Thomason) and the right hon. Member for Dudley, East (Dr. Gilbert) to that area and we had an opportunity to listen to and talk to representatives of industry of all sorts and of chambers of commerce. I explained the Bill in part—not in whole because there were still some nuances which escaped them and me but which we have since been able to remedy.

I am also grateful to my hon. Friend the Member for Ryedale (Mr. Greenway) for his comments. We took a lot of trouble with organisations like the insurers, the bankers, Lloyd's, the British Property Federation and all those directly involved in some way with a contribution to make on this issue. I am also grateful to the Country Landowners Association and the National Farmers Union, which both have a significant part to play.

As the hon. Member for Sherwood (Mr. Tipping), who commented on this issue in Committee, said, there is no easy solution to this problem, which is why the guidance is so important. He asked about the timing of the guidance. I cannot be precise, because we seek to ensure that all the organisations that I have mentioned and constituency Members of Parliament have an opportunity to put their case, as the hon. Member for Dudley, West did, on issues that affect their constituencies. The guidance is very important in that respect. Therefore, the consultation with which we must continue across the House and industry is significant.

I am grateful to all hon. Members who have participated in the debate on this issue. I understand its importance, and we shall continue to pay urgent attention to the matters being discussed this evening.

Mr. Tipping: I look forward to the guidance being issued, but I hope that it will deal with three matters: first, hardship and people's ability to pay; secondly, the residual value of the land or property—to clean up a piece

[Mr. Tipping]

of land or property and be left with something that does not meet the cost of the clean-up will cause real difficulties—and, thirdly, the advice that people took before buying the property. Many people will have taken advice from estate agents and surveyors and entered into a contract in good will, only to find that they are left with a liability. I hope that the guidance will address those key issues.

Amendment agreed to.

Amendments made: No. 126, in page 51, line 45, leave out first 'the' and insert 'each'.

No. 127, in page 51, line 45, leave out third 'the' and insert 'an'.

No. 128, in page 52, line 3, leave out from 'the' to end of line 11 and insert

'enforcing authority that another person is an appropriate person, the enforcing authority shall give notice to that other person—

(a) of the fact that the local authority has identified the land in question as contaminated land; and

(b) that he appears to the enforcing authority to be an appropriate person.'.

No. 129, in page 52, line 30, leave out 'any' and insert 'each'.

No. 130, in page 52, line 31, leave out 'the' and insert 'an'.—*[Mr. Atkins.]*

Mr. John Greenway: I beg to move amendment No. 239, in page 52, line 35, leave out 'have regard to any' and insert 'act in accordance with;'.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): With this, it will be convenient to discuss also the following amendments: No. 240, in page 55, line 27, leave out 'have regard to any' and insert 'act in accordance with;'.

No. 241, in page 66, line 1, leave out 'to' and insert 'act in accordance with.'.

No. 242, in page 73, line 2, leave out 'have regard to any' and insert 'act in accordance with;'.

No. 243, in page 73, line 25, leave out 'have regard to any' and insert 'act in accordance with;'.

8 pm

Mr. Greenway: The purpose of this small group of amendments is to try to overcome possible inconsistencies of approach by local authorities.

I am sure that hon. Members would agree that it is important that there is a consistent, nationwide approach by local authorities to their duties in regard to contaminated land. It has been suggested by the Association of British Insurers that local authorities should perhaps be required to "act in accordance with" all the guidance to be issued rather than simply having regard to it. I hope that my right hon. Friend can reassure me on that matter.

Mr. Atkins: The requirements of the contaminated land regime will be set out in primary legislation and in regulations. Guidance will provide further advice to authorities on certain of those requirements.

The normal provisions for guidance require that authorities should have "regard to" guidance. Some of the guidance under the contaminated land provisions has a stronger requirement that authorities should "act in accordance with" it. That requirement is the exception, and not the rule. It is applied to the key functions relating to the definition of contaminated land, the local authorities' inspection duties and the determination of who should be liable when there are two or more "appropriate persons". Those are all central to the scope of the regime as a whole and to the pattern of liabilities under it, and in each case there are specific questions which are to be determined in accordance with the guidance or requirements to follow particular technical approaches and methods.

The hierarchy of the regulations and guidance are central to the operation of the new contaminated land regime. The provisions already require consultation before any guidance is issued. In some instances, parliamentary scrutiny is also required.

I should like to take this opportunity to confirm that the Government would not seek to bring the main provisions in the contaminated land regime into force until the necessary guidance and regulations were in place. In any case, the regime will not be brought into force before the Environment Agency and the Scottish Environment Protection Agency take up their full functions in April 1996. I hope that that satisfies my hon. Friend.

Mr. Greenway: I am most grateful to my right hon. Friend and I am sure that his comments will be warmly welcomed by all those who have expressed their concern about that issue. I am only too glad that I brought the matter to the House's attention. In view of my right hon. Friend's comments, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 131, in page 55, line 6, leave out 'the' and insert

'each person who is an'.

No. 132, in page 55, line 10, at end insert—

'(1A) Different remediation notices requiring the doing of different things by way of remediation may be served on different persons in consequence of the presence of different substances in, on or under any land or waters.

(1B) Where two or more persons are appropriate persons in relation to any particular thing which is to be done by way of remediation, the remediation notice served on each of them shall state the proportion, determined under section 78F(5) below, of the cost of doing that thing which each of them respectively is liable to bear.'.

No. 133, in page 55, line 19, leave out 'the' and insert 'an'.

No. 134, in page 55, leave out lines 29 and 30 and insert—

'(4) Regulations may make provision for or in connection with—

(a) the form or content of remediation notices; or

(b) any steps of a procedural nature which are to be taken in connection with, or in consequence of, the service of a remediation notice.'.

No. 135, in page 55, line 33, after 'for' insert

'any particular thing which the enforcing authority determines is to be done by way of'.

No. 136, in page 55, line 34, leave out from beginning to end of line 19 on page 56 and insert—

'(2) Subject to the following provisions of this section, any person, or any of the persons, who caused or knowingly permitted the substances, or any of the substances, by reason of which the contaminated land in question is such land to be in, on or under that land is an appropriate person.

(2A) A person shall only be an appropriate person by virtue of subsection (2) above in relation to things which are to be done by way of remediation which are to any extent referable to substances which he caused or knowingly permitted to be present in, on or under the contaminated land in question.

(3) If no person has, after reasonable inquiry, been found who is by virtue of subsection (2) above an appropriate person to bear responsibility for the things which are to be done by way of remediation, the owner or occupier for the time being of the contaminated land in question is an appropriate person.

(3A) If, in consequence of subsection (2A) above, there are things which are to be done by way of remediation in relation to which no person has, after reasonable inquiry, been found who is an appropriate person by virtue of subsection (2) above, the owner or occupier for the time being of the contaminated land in question is an appropriate person in relation to those things.

(4) Where two or more persons would, apart from this subsection, be appropriate persons in relation to any particular thing which is to be done by way of remediation, the enforcing authority shall determine in accordance with guidance issued for the purpose by the Secretary of State whether any, and if so which, of them is to be treated as not being an appropriate person in relation to that thing.

(5) Where two or more persons are appropriate persons in relation to any particular thing which is to be done by way of remediation, they shall be liable to bear the cost of doing that thing in proportions determined by the enforcing authority in accordance with guidance issued for the purpose by the Secretary of State.

(6) Any guidance issued for the purposes of subsection (4) or (5) above shall be issued in accordance with section 78Y below.

(7) A person who has caused or knowingly permitted any substance ("substance A") to be in, on or under any land shall also be taken for the purposes of this section to have caused or knowingly permitted there to be in, on or under that land any substance which is there as a result of a chemical reaction or biological process affecting substance A.

(8) A thing which is to be done by way of remediation may be regarded for the purposes of this Part as referable to the presence of any substance notwithstanding that the thing in question would not have to be done—

(a) in consequence only of the presence of that substance in any quantity; or

(b) in consequence only of the quantity of that substance which any particular person caused or knowingly permitted to be present.'.

No. 137, in page 56, line 19, at end insert—

'Grant of, and compensation for, rights of entry etc

78FA.—(1) A remediation notice may require an appropriate person to do things by way of remediation, notwithstanding that he is not entitled to do those things.

(2) Any person whose consent is required before any thing required by a remediation notice may be done shall grant, or join in granting, such rights in relation to any of the relevant land or waters as will enable the appropriate person to comply with any requirements imposed by the remediation notice.

(3) Before serving a remediation notice, the enforcing authority shall reasonably endeavour to consult every person who appears to the authority—

(a) to be the owner or occupier of any of the relevant land or waters, and

(b) to be a person who might be required by subsection (2) above to grant, or join in granting, any rights,

concerning the rights which that person may be so required to grant.

(4) Subsection (3) above shall not preclude the service of a remediation notice in any case where it appears to the enforcing authority that the contaminated land in question is in such a condition, by reason of substances in, on or under the land, that there is imminent danger of serious harm, or serious pollution of controlled waters, being caused.

(5) A person who grants, or joins in granting, any rights pursuant to subsection (2) above shall be entitled, on making an application within such period as may be prescribed and in such manner as may be prescribed to such person as may be prescribed, to be paid by the appropriate person compensation of such amount as may be determined in such manner as may be prescribed.

(6) Without prejudice to the generality of the regulations that may be made by virtue of subsection (5) above, regulations by virtue of that subsection may make such provision in relation to compensation under this section as may be made by regulations by virtue of subsection (4) of section 35A above in relation to compensation under that section.

(7) In this section, "relevant land or waters" means—

(a) the contaminated land in question;

(b) any controlled waters affected by that land; or

(c) any land adjoining or adjacent to that land or those waters.'.

No. 138, in page 56, leave out lines 23 and 24 and insert—

'(a) the person on whom the notice is to be served,'.

No. 139, in page 56, line 26, leave out 'and'.

No. 140, in page 56, line 28, at end insert 'and

(d) any person of such other description as may be prescribed,'.

No. 141, in page 56, line 29, at end insert—

'(1A) Regulations may make provision for, or in connection with, steps to be taken for the purposes of subsection (1) above.'.

No. 142, in page 57, line 41, leave out first 'any' and insert 'a'.

No. 143, in page 57, line 47, at end insert 'served on that person'.

No. 144, in page 57, line 48, leave out 'steps' and insert 'things'.

No. 145, in page 57, line 49, leave out 'taken' and insert 'done'.

No. 146, in page 57, line 51, at end insert 'on that person'.

No. 147, in page 57, line 52, leave out 'appropriate person' and insert

'person on whom the notice would be served'.

No. 148, in page 58, leave out lines 5 to 16 and insert—

'(5) Where the enforcing authority is precluded by virtue of section 78E(2) or (3) above from specifying in a remediation notice any particular thing by way of remediation which it would otherwise have specified in such a notice, the authority shall prepare and publish a document (in this Part referred to as a "remediation declaration") which shall record—

(a) the reasons why the authority would have specified that thing; and

(b) the grounds on which the authority is satisfied that it is precluded from specifying that thing in such a notice.'.

No. 149, in page 58, line 35, leave out 'taking or has taken' and insert 'doing or has done'.

No. 150, in page 58, line 36, leave out 'take, the steps' and insert 'do, the things'.

No. 151, in page 58, line 44, after 'notice' insert

'specifying the things there mentioned'.

No. 152, in page 58, line 45, leave out from 'served' to 'the' in line 46.

No. 153, in page 58, line 51, after 'notice' insert 'on an appropriate person'.

No. 154, in page 59, line 6, leave out 'the' and insert 'that'.

No. 155, in page 59, line 11, leave out 'the appropriate' and insert 'that'.

No. 156, in page 59, line 12, leave out 'steps' and insert 'things'.

No. 157, in page 59, leave out lines 14 to 24.

No. 158, in page 59, line 32, leave out 'the' and insert 'an'.

No. 159, in page 59, line 33, leave out '78F(3)(a)' and insert '78F(3) or (3A)'.

No. 180, in page 60, leave out lines 4 to 19 and insert—

'(4) Subsection (3) above shall not apply to the owner or former operator of any mine or part of a mine if the mine or part in question became abandoned after 31st December 1999.

(4A) In determining for the purposes of subsection (4) above whether a mine or part of a mine became abandoned before, on or after 31st December 1999 in a case where the mine or part has become abandoned on two or more occasions, of which—

(a) at least one falls on or before that date, and

(b) at least one falls after that date,

the mine or part shall be regarded as becoming abandoned after that date (but without prejudice to the operation of subsection (3) above in relation to that mine or part at, or in relation to, any time before the first of those occasions which falls after that date).

(4B) Where, immediately before a part of a mine becomes abandoned, that part is the only part of the mine not falling to be regarded as abandoned for the time being, the abandonment of that part shall not be regarded for the purposes of subsection (4) or (4A) above as constituting the abandonment of the mine, but only of that part of it.'.

No. 181, in page 60, line 29, leave out from beginning to end of line 3 on page 61 and insert—

'(7) In this section, "mine" has the same meaning as in the Mines and Quarries Act 1954.'.

No. 160, in page 62, line 11, leave out from 'that' to second 'person' in line 12.

No. 161, in page 62, line 38, leave out 'this section' and insert 'subsection (1) above'.

No. 162, in page 63, line 1, leave out 'this section' and insert 'subsection (1) above'.

No. 163, in page 63, line 2, leave out from 'made' to end of line 3 and insert—

'(aa) the cases in which, grounds on which, court or tribunal to which, or person at whose instance, an appeal against a decision of a magistrates' court or sheriff court in pursuance of an appeal under subsection (1) shall lie; or

(b) the procedure on an appeal under subsection (1) above or on an appeal by virtue of paragraph (aa) above.'.

No. 164, in page 63, line 30, at end insert—

'(6) This section, so far as relating to appeals to the Secretary of State, is subject to section 112 of the Environment Act 1995 (delegation or reference of appeals etc).'.

No. 165, in page 63, line 34, at end insert—

'(1A) Where the remediation notice in question is one which was required by section 78E(1B) above to state, in relation to the requirement which has not been complied with, the proportion of the cost involved which the person charged with the offence is liable to bear, it shall be a defence for that person to prove that the only reason why he has not complied with the requirement is that one or more of the other persons who are liable to bear a proportion of that cost refused, or was not able, to comply with the requirement.'.

No. 166, in page 64, line 3, at end insert—

'(3A) If the enforcing authority is of the opinion that proceedings for an offence under this section would afford an ineffectual remedy against a person who has failed to comply with any of the requirements of a remediation notice which that authority has served on him, that authority may take proceedings in the High Court or, in Scotland, in any court of competent jurisdiction, for the purpose of securing compliance with the remediation notice.'.

No. 167, in page 64, line 33, leave out 'the' and insert 'an'.

No. 168, in page 64, line 47, leave out 'what is appropriate' and insert 'some particular thing'.

No. 169, in page 65, line 3, leave out 'so doing' and insert 'doing that thing'.

No. 170, in page 65, line 7, leave out 'the appropriate person' and insert

'an appropriate person in relation to any particular thing'.

No. 171, in page 65, leave out lines 30 to 32 and insert—

'(e) in a case falling within paragraph (e) or (f) of that subsection, the particular thing mentioned in the paragraph in question.'.

No. 172, in page 65, line 40, leave out 'anything' and insert 'any particular thing'.

No. 173, in page 65, line 43, at end insert

'or, if there are two or more appropriate persons in relation to the thing in question, from those persons in proportions determined pursuant to section 78F(5) above'.

No. 174, in page 67, line 36, leave out '78P.—(1)' and insert—

'78P.—(A1) If, in a case where a local authority has served a remediation notice, the contaminated land in question becomes a special site, the appropriate Agency may adopt the remediation notice and, if it does so,—

(a) it shall give notice of its decision to adopt the remediation notice to the appropriate person and to the local authority;

(b) the remediation notice shall have effect, as from the time at which the appropriate Agency decides to adopt it, as a remediation notice given by that Agency; and

(c) the validity of the remediation notice shall not be affected by—

(i) the contaminated land having become a special site;

(ii) the adoption of the remediation notice by the appropriate Agency; or

(iii) anything in paragraph (b) above.

(A2) Where a local authority has, by virtue of section 78M above, begun to do any thing, or any series of things, by way of remediation—

(a) the authority may continue doing that thing, or that series of things, by virtue of that section, notwithstanding that the contaminated land in question becomes a special site; and

(b) section 78N above shall apply in relation to the reasonable cost incurred by the authority in doing that thing or those things as if that authority were the enforcing authority.

(1)'.

No. 175, in page 68, line 5, leave out 'this section' and insert

'subsection (1) or (2) above'.

No. 176, in page 69, line 36, at end insert—

'(6A) Where information of any description is excluded by virtue of section 78S below from any register maintained under this section, a statement shall be entered in the register indicating the existence of information of that description.'.

No. 45, in page 71, line 35, leave out from beginning to '(3)' in line 44 and insert—

'(3A) An appeal under subsection (3) above shall, if either party to the appeal so requests or the Secretary of State so decides, take or continue in the form of a hearing (which must be held in private).

(3B) Subsection (10) of section 15 above shall apply in relation to an appeal under subsection (3) above as it applies in relation to an appeal under that section.

(4) Subsection'.

No. 46, in page 72, line 13, leave out 'and' and insert 'to'.

No. 177, in page 74, leave out lines 16 to 23 and insert—

'(3) A person acting in a relevant capacity—

(a) shall not thereby be personally liable, under this Part, to bear the whole or any part of the cost of doing any thing by way of remediation, unless that thing is to any extent referable to substances whose presence in, on or under the contaminated land in question is a result of any act done or omission made by him which it was unreasonable for a person acting in that capacity to do or make; and

(b) shall not thereby be guilty of an offence under or by virtue of section 78L above unless the requirement which has not been complied with is a requirement to do some particular thing for which he is personally liable to bear the whole or any part of the cost.

(3A) In subsection (3) above, "person acting in a relevant capacity" means—

(a) a person acting as an insolvency practitioner, within the meaning of section 388 of the Insolvency Act 1986 (including that section as it applies in relation to an insolvent partnership by virtue of any order made under section 421 of that Act);

(b) the official receiver acting in a capacity in which he would regarded as acting as an insolvency practitioner within the meaning of section 388 of the Insolvency Act 1986 if subsection (5) of that section were disregarded;

(c) the official receiver acting as receiver or manager;

(d) a person acting as a special manager under section 177 or 370 of the Insolvency Act 1986;

(e) the Accountant in Bankruptcy acting as permanent or interim trustee in a sequestration (within the meaning of the Bankruptcy (Scotland) Act 1985);

(f) a person acting as a receiver or receiver and manager—

(i) under or by virtue of any enactment; or

(ii) by virtue of his appointment as such by an order of a court or by any other instrument.'.

No. 178, in page 75, line 7, after '78F(4)' insert 'or (5)'.—*[Mr. Atkins.]*

Clause 57

ABANDONED MINES: ENGLAND AND WALES

Amendments made: No. 182, in page 76, line 30, leave out 'includes—' and insert—

'(A) subject to paragraph (B) below, includes—'.

No. 183, in page 76, line 45, at end insert 'but

(B) does not include—

(i) any disclaimer under section 178 or 315 of the Insolvency Act 1986 (power of liquidator, or trustee of a bankrupt's estate, to disclaim onerous property) by the official receiver acting in a compulsory capacity; or

(ii) the abandonment of any rights, interests or liabilities by the Accountant in Bankruptcy acting as permanent or interim trustee in a sequestration (within the meaning of the Bankruptcy (Scotland) Act 1985);'.

No. 184, in page 76, line 47, leave out from beginning to end of line 7 on page 77.

No. 185, in page 77, line 11, at end insert—

' "acting in a compulsory capacity", in the case of the official receiver, means acting as—

(a) liquidator of a company;

(b) receiver or manager of a bankrupt's estate, pursuant to section 287 of the Insolvency Act 1986;

(c) trustee of a bankrupt's estate;

(d) liquidator of an insolvent partnership;

(e) trustee of an insolvent partnership;

(f) trustee, or receiver or manager, of the insolvent estate of a deceased person.'

No. 186, in page 77, line 12, at end insert—

' "the official receiver" has the same meaning as it has in the Insolvency Act 1986 by virtue of section 399(1) of that Act;'.

No. 187, in page 77, line 31, leave out '(2)' and insert '(1)'.

No. 188, in page 77, line 43, at end insert—

'(4A) Where the operator of a mine is—

(a) the official receiver acting in a compulsory capacity, or

(b) the Accountant in Bankruptcy acting as permanent or interim trustee in a sequestration (within the meaning of the Bankruptcy (Scotland) Act 1985),

he shall not be guilty of an offence under subsection (3) above by reason of any failure to give the notice required by subsection (1) above if, as soon as reasonably practicable (whether before or after the abandonment), he gives to the Agency notice of the abandonment or proposed abandonment, containing such information as may be prescribed.'.

No. 189, in page 77, line 43, at end insert—

'(4B) Where a person gives notice under subsection (1), (4)(b) or (4A) above, he shall publish prescribed particulars of, or relating to, the notice in one or more local newspapers circulating in the locality where the mine is situated.'.—*[Mr. Atkins.]*

Clause 58

ABANDONED MINES: SCOTLAND

Amendments made: No. 214, in page 78, line 36, leave out 'includes—' and insert—

'(A) subject to paragraph (B) below, includes—'.

No. 215, in page 79, line 3, at end insert 'but

(B) does not include—

(a) the abandonment of any rights, interests or liabilities by the Accountant in Bankruptcy acting as permanent or interim trustee in a sequestration (within the meaning of the Bankruptcy (Scotland) Act 1985); or

(b) any disclaimer under section 178 or 315 of the Insolvency Act 1986 (power of liquidator, or trustee of bankrupt's estate, to disclaim onerous property) by the official receiver acting in a compulsory capacity;'.

No. 216, in page 79, leave out lines 5 to 14.

No. 217, in page 79, line 16, after 'requires' insert—

' "acting in a compulsory capacity", in the case of the official receiver, means acting as—

(a) liquidator of a company;

(b) receiver or manager of a bankrupt's estate, pursuant to section 287 of the Insolvency Act 1986;

(c) trustee of a bankrupt's estate;

(d) liquidator of an insolvent partnership;

(e) trustee of an insolvent partnership;

(f) trustee, or receiver or manager, of the insolvent estate of a deceased person;

"the official receiver" has the same meaning as it has in the Insolvency Act 1986 by virtue of section 399(1) of that Act;'.

No. 218, in page 79, line 32, leave out '(2)' and insert '(1)'.

No. 219, in page 79, line 44, at end insert—

'(4A) Where the operator of a mine is—

(a) the Accountant in Bankruptcy acting as permanent or interim trustee in a sequestration (within the meaning of the Bankruptcy (Scotland) Act 1985); or

(b) the official receiver acting in a compulsory capacity,

he shall not be guilty of an offence under subsection (3) above by reason of any failure to give the notice required by subsection (1) above if, as soon as is reasonably practicable (whether before or after the abandonment), he gives to SEPA notice of the abandonment or proposed abandonment, containing such information as may be prescribed.

(4B) Where a person gives notice under subsection (1), (4)(b) or (4A) above, he shall publish prescribed particulars of, or relating to, the notice in one or more local newspapers circulating in the locality where the mine is situated.'.—*[Mr. Atkins.]*

Clause 59

AMENDMENTS TO SECTIONS 89 AND 161 OF THE WATER RESOURCES ACT 1991

Amendments made: No. 190, in page 80, line 22, at end insert 'former'.

No. 191, in page 81, line 12, at end insert 'former'.—*[Mr. Atkins.]*

Clause 60

PURPOSES OF NATIONAL PARKS

Mr. Atkins: I beg to move amendment No. 193, in page 81, line 35, leave out 'quiet enjoyment and understanding' and insert 'understanding and enjoyment'.

Mr. Deputy Speaker: With this, it will be convenient to discuss also the following amendments: No. 267, in page 81, line 37, at end insert—

'(1A) In paragraph (b) of subsection (1) of this section "quiet enjoyment" means enjoyment in ways which are not likely to disturb the tranquillity, or otherwise detract from the special qualities, of the areas in question; but no person shall be under a duty to prevent, reduce or restrict noise in any such area by reason only of the reference in that paragraph to the promotion of opportunities for the quiet enjoyment of those areas.".'

Government amendments Nos. 194 and 195.

Mr. Atkins: I am tempted to congratulate you, Mr. Deputy Speaker, on racing through that lot of amendments. We just about kept up with you, one way or another.

I preface my remarks on this aspect of the Bill by saying that, following the amendment that appeared in another place, which inserted the word "quiet" to give the effect of "quiet enjoyment" of national parks, we spent a considerable amount of time discussing that proposal in Committee. I understand and appreciate the considerable interest that was expressed in another place about the issue. Many views were expressed not only by those with an interest in the national parks but by those who were interested from a legal point of view. The Law Lords and others, for example, argued about whether the issue was well defined by use of the word "quiet".

I must say that I was, initially, sympathetic to the points made, but hon. Members know that some concern was expressed about exactly what "quiet" meant. Many hon. Members will be aware that, although the notional attraction of the word "quiet" in the context of quiet enjoyment of the parks has some appeal, plenty of noisy things go on in those parks, not least industry. I know, for example, that there is quite a lot of quarrying for slate in the constituency of my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling). The same applies in other hon. Members' constituencies, and they appreciate that such quarrying occasionally involves the use of explosives and a lot of noise of one form or another.

As I said in Committee, I was most impressed by the problems that were put to me by the Royal Automobile Club. Hon. Members will know that, as a former sports Minister, I am only too well aware of the importance of the main RAC rally, which attracts more people, numerically, in terms of participation and support, than almost any other sporting event in the United Kingdom. The RAC also licenses a number of other rallies around the country, all of which are conducted to a high standard and are much loved and enjoyed by many people.

Mrs. Anne Campbell: Will the Minister give way?

Mr. Atkins: Not for the moment.

Mrs. Campbell: Oh.

Mr. Atkins: I will give way, but not for a moment.

It is also the case that many people, who understand and appreciate rallying, were concerned about the amendment passed in another place, regardless of politics. That was not a party political point. Representatives of the RAC visited me and said that they were unhappy with the implications of the definition of "quiet enjoyment".

Therefore we went away, as the House and the Committee know, to try to find an amendment that defined "quiet". We had considerable difficulty and, when we approached the Committee with the amendment that I proposed, it was obvious that Members were unhappy with the definition that I came up with. I remember hon. Members expressing that unease for several reasons, as a result of which, and subsequent to which, I received a fair amount of correspondence and many telephone calls and other communications from organisations that were worried, of which I have mentioned but one. Again we went away, as I promised to do in Committee, to find a way of defining "quiet".

The hon. Member for Cambridge (Mrs. Campbell) has been sitting there waiting to intervene, and I want to give her an opportunity to do so.

Mrs. Campbell: I want to pick up the arguments that the Minister made earlier about noisy activity, because he must be aware that promoting "quiet enjoyment" is in no way the same thing as banning noisy activity. I do not understand why he used those examples in relation to that amendment, unless he is confused about those two issues.

Mr. Atkins: There is no confusion. Many people believe that "quiet" means what they think that it means—to keep noise down—and that the enjoyment of national parks means cutting down noise in one form or another. Enough people were worried about that for me to need to consider carefully whether the amendment that I was then proposing in Committee would solve the problem.

I remind Opposition Members—I am sure that Conservative Members do not need reminding—that a Law Lord said, following the passing of the amendment adding "quiet" to "enjoyment", that that was bad law, that it was capable of misinterpretation or many interpretations and that an amendment was required to define what "quiet" meant. We tried. We considered it carefully, and my officials and Parliamentary Counsel struggled to find ways and means whereby we could assuage the anxieties that were expressed to me by a variety of organisations as well as Conservative colleagues in the House and in another place.

In those circumstances, we tried extremely hard and, before Report, I considered several variations on many amendments. We even nearly reached the stage of tabling one, but grave anxieties continued to be expressed to me

by the motor sports industry. Indeed, my right hon. Friend the Member for Westmorland and Lonsdale came to visit me. He wears many hats, one of which is his love of motor sports, as well as representing one national park and living in another.

Mr. Patrick McLoughlin (West Derbyshire): I wonder whether my right hon. Friend is saying that he wants the legislation to be perfectly clear and not have two meanings.

Mr. Atkins: My hon. Friend is unusually succinct and he makes the argument extremely well.

I was demonstrating that we tried extremely hard to find a way of defining "quiet" and, in the final analysis, were unable to do so. It seemed to me that, in the circumstances, the best thing to do was to revert to what was the case when the Bill was presented in another place. That is why the amendment is tabled in the terms in which it is.

I hope that the Bill will be acceptable to all the people who made genuine and strongly felt representations to me about the inability to be sure that "quiet enjoyment" as it presently is in the Bill means what it says, and about what a threat it may pose, if it does, to those people. I do not believe that withdrawing the word "quiet" will cause the anxiety that many Opposition Members may say that it will do. It will certainly revert to the position that pertained before, and I hope that my right hon and hon. Friends will understand that and be able to explain satisfactorily to their constituents what we have tried to do in the amendment.

8.15 pm

Mr. Morley: If the Minister could not find a definition of "quiet enjoyment", he did not try very hard. To try to help him, we have tabled amendment No. 267, which gives a definition of "quiet enjoyment". I suspect that the Minister may well have seen those words before, and he may well have recognised that they meet some of the points that he made in terms of defining what that phrase means.

Although I am sure that Law Lords have their uses, they are not always absolutely right. I know that the Council for the Protection of Rural England has examined the legal definition of "quiet enjoyment" as it applies to such things as tenancy agreements, of which the Minister will be well aware, and that should not be a problem in the way that it is worded in the Bill.

Opposition Members strongly oppose those amendments which remove "quiet enjoyment" from the Bill. One of the keystones of the Edwards committee report, which was widely welcomed and widely consulted, was the implementation of the words "quiet enjoyment" in providing a framework for what national parks should be about.

In January 1992, in their response to the Edwards committee, the Government said:

> "The Government also welcomes the proposed references to quiet enjoyment and understanding as having special relevance to the National Parks."

It is interesting that that welcome in 1992 appeared to have cooled by the time that the Bill was presented, and that that definition was put in the Bill only when there was a vote on that issue in another place. It shows that one cannot trust what the Government say in their responses to committees such as that.

On 26 May 1995, the Secretary of State for the Environment, speaking to the national park authorities conference in Keswick, said that he was optimistic that the phrase "quiet enjoyment" would remain in the Bill with a positive definition. As we have seen, no positive definition has been forthcoming, and what there was, was withdrawn by the Minister in Committee. It shows that, when it comes to it, one cannot trust what the Government say, and many people will have taken note of that during the passage of the Bill.

We strongly protest that those amendments were tabled only two working days before Report, giving very little time for response by the many organisations which have a legitimate interest in the national parks and that part of the Bill.

In Committee, as the Minister outlined in moving the amendments, he claimed that the problem was definition. In Committee, we had a considerable discussion about that, with all sorts of what I can only describe as nonsense about what those words "quiet enjoyment" would prohibit. We heard that they would prevent chain saws being used in forestry; we even heard that they would prevent camouflaged soldiers popping out of bushes, on the grounds that that might interfere with people's enjoyment. The person who mentioned that did not say what enjoyment that activity might interrupt. We have also heard about the RAC rally and other motor sports and the worries of people who take part in those.

Of course those people are right to have worries. They are right to explore what that phrase means. However, there is no reason why the Minister could not provide ministerial guidance to the national parks about the implementation of the legislation. Events such as rallies, which can be intrusive on occasions, have been managed successfully by organisations such as the Countryside Commission, and by the National Trust, which has written to express its grave concern about that withdrawal.

The National Trust has said that it understands that "quiet enjoyment" does not preclude certain activities taking place, but should be taken to mean that national parks should not have the statutory duty of promoting those activities. Indeed, the trust, while emphasising quiet and unobtrusive enjoyment on its properties, accommodates and manages intrusive activities as well where appropriate. Having said that, however, it recommends that activities that are inappropriate to the purpose of national parks should be subject to some form of restriction.

That appears a reasonable and responsible approach to the issue. I see no reason why the Government cannot accept that and deal with it in terms of that guidance. As has been said by my hon. Friend the Member for Cambridge (Mrs. Campbell), it was made clear in Committee that the words "promoting quiet enjoyment" would not give the national park authorities any new or extra powers to go out and stop any activity. They would only have to work within the existing laws and powers that they have at present. There is nothing new about that.

Although we believe that guidance can be provided without a statutory definition, we have offered the Government an amendment, using a definition that we know was originally proposed in another place.

[Mr. Morley]

It is a tragedy that the Government are trying to break the cross-party consensus that welcomed the Edwards report. We remind the Government that the Dower report—which set up the framework for national parks in 1945—said:

"Those who come to National Parks should be such as wish to enjoy and cherish the beauty and quietude of unspoilt country and to take their recreation, active or passive, in ways that do not impair the beauty or quietude, nor spoil the enjoyment of them by others".

The Edwards committee adopted those admirable and important principles in its report and in the concept of promoting quiet enjoyment which remains on the face of the Bill.

In a hot and noisy House of Commons, with a pervading atmosphere of fevered speculation about the Conservative party leadership election, I would have thought that protecting precious quiet areas would be attractive to the Government. Instead, the Government ignore consensus, go back on their word and offend millions who live and work in national parks and millions more who support organisations such as the National Trust and the Council for the Protection of Rural England, and the countryside and conservation bodies—including the Government's own statutory adviser, the Countryside Commission—and refuse to protect those precious principles.

If the Government cannot accept our amendments, we will oppose their amendments and hope that the other place takes note of the debate and attempts to replace the measures in the Bill so as to protect the principle of quiet enjoyment. It has a right and a responsibility to do that, and the vast majority of people in the country expect it to be done.

Sir Kenneth Carlisle (Lincoln): This is an important amendment. There has been considerable debate about the issue and about the meaning of the word "quiet" during the Committee stage and even before that. I understand the Government's predicament. What is important is not necessarily the words in the Bill, but what happens in the national parks. We must consider how we will preserve for the future the quality of national parks and the traditional activities that take place within them.

We all know that rallies have been held in national parks and that grouse shooting certainly goes on in some parks, which helps to maintain the habitat of the moorland. I have been informed by the National Trust that it organises certain pre-arranged noisy activities which it feels it is able to manage in the national park environment. The Government face a genuine problem because it may be argued that none of those activities could be described as "quiet", even though they have been held in national parks for a long time.

We must decide how to retain the quality of national parks while allowing traditional activities to continue. It is extremely difficult to define the word "quiet" in those circumstances, so perhaps we should look for another solution. We should not be hidebound by that word, but we must look for some way of preserving the quiet atmosphere in national parks.

The National Trust has suggested that traditional activities—although they may be noisy—should be accepted and that new activities that are very obtrusive should be excluded. My hon. Friend does not necessarily need to defend those traditional activities, but he must address how to control the really obtrusive and intolerable activities which destroy the quality of national parks and which prevent people from enjoying the parks. There must be some means of doing that. Therefore, when he replies to the debate, I ask my hon. Friend to explain how he plans to stop the truly intolerable activities that destroy the special qualities of our valued national parks.

Mr. Andrew F. Bennett (Denton and Reddish): I am disappointed at the way in which the Government appear to be backing away from the issue. Everyone recognises that many noisy activities take place in the countryside, and I do not think that anyone who has been promoting the clause wants to stop them occurring. Some natural phenomena are pretty noisy. If one is a short distance from a waterfall, one can hardly hear oneself think. When lambs are separated from the ewes in the late summer, the noise of the animals calling to each other can be very loud indeed. A whole series of traditional customs, such as morris dancing, are noisy activities.

None of the organisations that support the insertion of the clause in the Bill objects to such activities. Those groups are not trying to get at motor sports or water-skiing. They make it absolutely clear that they recognise that such activities have gone on in many areas for a long time and that they do not want them to stop as a result of the legislation. They wish to emphasise the role and duty of national parks; they are concerned with promotion.

I hope that the Government will examine the issue again. When the legislation goes back to the House of Lords, I hope that the Government will not spend so much time worrying about defining "quiet", but will instead put more emphasis on the word "promote". According to my interpretation of the clause, national parks have a duty to encourage those activities which may be conducted quietly in the countryside. The national parks should promote, encourage and facilitate those activities. They should certainly not ban them. The Government can get out of the present difficulty by putting the emphasis on defining "promoting and encouraging" activities.

It will be very sad if the Government drop the clause. Some organisations are worried that certain activities may be banned rather than promoted, and there is a danger that, if the clause is excluded from the Bill, some people will ask the national parks to encourage noisy and disruptive activities. That would be a disastrous message to send to the community.

I plead with the Government, even at this late stage, to try to solve the problem. They should put the emphasis not on trying to define "quiet"—I understand the problems in that regard—but on defining the word "promote", which is what most people are concerned about. A primary duty of national parks should be encouraging the development of quiet enjoyment rather than being concerned with banning this or that. I do not believe that banning activities will work; we must achieve our aim through persuasion.

I believe that many people who are involved in noisy sports should look at ways of doing them more quietly. *[Interruption.]* The hon. Member for Ryedale (Mr. Greenway) may laugh, but quieter boats have been developed for water skiing. It is in everyone's interest to look for ways to reduce noise levels. However, I do not believe that our efforts should lead to bans because bans

do not work. Enjoyment of the countryside depends on people's willingness to obey the law, and if too many activities are banned, people will simply do them illegally. They will be forced to enjoy their activity in another area and the problem will simply be transferred.

I plead with the Government to try to sort out the problem and to put the emphasis on defining "promote" rather than "quiet". They must encourage the national parks to find ways to allow people to continue to enjoy activities in the countryside without causing noise and upsetting others.

8.30 pm

Mr. Michael Jopling (Westmorland and Lonsdale): The hon. Member for Denton and Reddish (Mr. Bennett) does not believe that many of the people who are keen for the words "quiet enjoyment" to remain in the Bill want to put a stop on activities about which concerns have been expressed. He may be right, but people engaged in quarrying, farming, shooting and other activities are concerned about the zealot who may use those words in the courts for exactly the opposite purpose, to stop such activities.

Some years ago, one of my constituents moved to a secluded dale because he wanted quiet, and he objected to local farmers whistling up sheep dogs. That constituent caused great irritation with his complaints. That is the sort of thing that can happen when a total zealot is involved.

The hon. Member for Glanford and Scunthorpe (Mr. Morley) does not believe that the Government have tried hard to find a way of avoiding removal of the words "quiet enjoyment". Because of my anxiety about those two words on behalf of my constituents, I know for a fact that the hon. Gentleman is wrong. My right hon. Friend the Minister tried exceptionally hard to keep those words in the Bill. I am convinced that it is impossible to devise a way of retaining them while protecting historic and traditional activities from the zealot. I can give that assurance because of discussions with my right hon. Friend, when he was kind enough to explain that he tried extremely hard.

Mr. Morley: We do not support zealotry or the extremes that the right hon. Gentleman mentions. Amendment No. 267 states:

"no person shall be under a duty to prevent, reduce or restrict noise in any such area by reason only of the reference in that paragraph to the promotion of opportunities for the quiet enjoyment of those areas."

Does not that meet the right hon. Gentleman's requirements?

Mr. Jopling: I am not a lawyer, but the lawyers for a number of organisations have said that they have been unable to find similar wording that fits the Bill. I have reluctantly reached the conclusion that the Government have done the right thing. I am totally opposed to idiots who make unnecessary noise in national parks. I declared on Second Reading my interest as having the honour to be president of the Auto Cycle Union, the governing body of all motor cycle sport. I am totally opposed to idiots who ride or drive around national parks making a vast amount of noise. Their activities totally infuriate me. Most such individuals are not taking part in organised activities. I have always encouraged the Auto Cycle Union to take the strongest measures against anyone who makes unnecessary noise.

Mr. Peter Atkinson (Hexham): I have seen three sets of counsel's opinion from different organisations, and I also recall the words of Lord Justice Akner in the other place. They all said that the Government's intention was potentially flawed and that zealots could have exploited such wording. I confirm that my right hon. Friend the Minister worked extremely hard to include the words in question but that legal opinion was against him.

Mr. Jopling: My hon. Friend's intervention is extremely telling. I am anxious that the zealot could get at a number of activities such as quarrying and agriculture. The National Farmers Union states:

"We therefore consider that the Government has taken the correct decision to invite the House to restore the Bill to its original wording of 'promoting . . . understanding and enjoyment' by means of amendments 193-195, and would urge their acceptance."

The Country Landowners Association takes a similar view:

"Clarification is still needed that the power in the Bill to promote 'quiet enjoyment' does not constitute a new power to control or ban current or other acceptable activities."

Mr. McLoughlin: Does my right hon. Friend agree that new activities are to be seen in national parks and the grounds of stately homes? National parks are not fossilised and frozen in history but develop. They offer activities such as open air concerts and firework displays, which may not have taken place in the past but are popular today. If the words "quiet enjoyment" were in the Bill, such events could be in danger.

Mr. Jopling: I am grateful to my hon. Friend for drawing attention to other activities, some of which affect employment. There has just been a long inquiry into the Lake District planning board's proposal to impose a 10 mph speed limit on Lake Windemere—the only lake left in the district where power boats are allowed. We have reached the stage where a sensible management arrangement can be agreed, which would allow water sports to continue by controlling zoning, noise, timing, competence, insurance and, above all, by providing adequate policing and licensing.

I fear that many hundreds of jobs on Lake Windemere in my constituency would be in jeopardy if the words "quiet enjoyment" remained in the Bill and somebody could argue that all moves towards a management agreement were voided. That would be a huge waste of time and immensely unfair to the hundreds of my constituents who depend for their livelihoods on water sports.

Mr. Ainger: Is the right hon. Gentleman trying to convince the House that Lake District board members would undo all their work in establishing excellent arrangements for Lake Windemere and risk hundreds of jobs? Is he suggesting that members of the park authority would consider such action?

Mr. Jopling: That is precisely what they did. They agreed, against the advice of the board's officials, to impose a 10 mph limit on the lake, without making any studies of the number of jobs involved. That was one of the most irresponsible decisions taken by the Lake District planning board in the 31 years that I have been a Member of Parliament.

[Mr. Jopling]

I refer the House to another example, involving Swaledale in the constituency of my hon. Friend the Member for Richmond, Yorks (Mr. Hague). I know that dale well, and a significant part of its economy depends on grouse shooting. It has to pay keepers and has the expense of finding people to take part in shoots. Without the revenue from foreigners and others who come to shoot, it would have been impossible for Lord Peel to carry out his wonderful work over the years in conserving the grouse. Without that activity and revenue, that species would have been under much greater pressure than it is at present.

It would be easy for our friend the zealot to go to court and say, "How can anybody begin to argue that grouse shooting is not an infringement of quiet enjoyment?" We would have been taking a great risk if we had not made sure that the legislation offered proper protection against the zealot. I applaud my right hon. Friend's courage in agreeing that the words "quiet enjoyment" are best left out of the Bill.

Rev. Martin Smyth (Belfast, South): I am a little bit puzzled about the idea of promoting quiet sports and quiet enjoyment. Is it suggested that one must be rowdy to enjoy even a quiet activity? Are we not on the wrong side of the argument when we speak about promoting quiet enjoyment?

Mr. Jopling: Of course it does not follow that quiet enjoyment and quiet activities go hand in hand. Some activities are quiet and some are not. Thousands of people come to my constituency to walk and enjoy the incomparable scenery: others come to do other things. I do not see why legislation should exclude from national parks activities that may be noisy. The hon. Member for Denton and Reddish said, and I wrote it down, that some activities are noisy. But it is not the business of the House to ban them and put them out of existence. I congratulate the Government on their amendments, which have my full support.

Mrs. Anne Campbell: There is considerable interest in this issue in all parts of the House and passions have been aroused as a result. By trying to remove the words "quiet enjoyment" from the clause the Government are sending the worst possible message to the outside world about their intentions. The Bill was amended in the Lords, where the words "quiet enjoyment" were introduced. There was a long debate in Committee on the issue, during which the Minister defended the use of those words. Government vacillation at this stage will give rise to total bewilderment among people outside about what exactly is going on.

In Committee, the Minister gave an undertaking to clarify the meaning of "quiet enjoyment". As my hon. Friend the Member for Glanford and Scunthorpe (Mr. Morley) said, when the Secretary of State addressed the national parks conference only a month ago in May, he confirmed the Government's commitment to the promotion of quiet enjoyment. He said he was optimistic that a solution could be found to enable the words to remain in the Bill.

I can understand the Government changing tack when they change Prime Minister, which is what they may do in the next few weeks, but to change tack when there is no change of Prime Minister or Secretary of State is totally peculiar. Many people will find it strange.

We are debating not just physical recreation but spiritual refreshment and renewal in national parks. That needs peace and quiet, and the reason it has aroused such passion is that, for many of us who lead turbulent and busy lives, going to national parks and being able to enjoy a quiet activity is appreciated and valued. National parks are about promoting activities that cause no lasting environmental damage and do not intrude on the quiet enjoyment of others.

The examples quoted by hon. Members of people objecting to perfectly reasonable activities could surely be circumvented by a reasonable definition of quiet enjoyment. There must be ways to define what a reasonable person would regard as quiet activity. The examples quoted in Committee of groups of noisy ramblers laughing and shouting would not be seen as objectionable by a reasonable person. Someone who objects to a farmer whistling to his dogs is not a reasonable person. Such examples are spurious, and do not present a true picture of what the majority of people want.

8.45 pm

As I said in an intervention, the promotion of quiet enjoyment is not equivalent to a ban on any activity in national parks. The speeches of some hon. Members have supposed that the words "quiet enjoyment" would give rise to a ban on activities that people find enjoyable and which do not cause undue disturbance to others. It is important that the words "promotion" and "regulation" should not be confused in the way that they are being confused by Conservative Members. We are not debating a ban on field sports or on shooting, although I would certainly vote to ban fox hunting, hare coursing and deer stalking if I had the opportunity to do so. However, in this debate I am not being given that opportunity.

Mr. Peter Ainsworth (Surrey, East): The hon. Lady will know from our discussions in Committee that I have a great deal of sympathy for her case. However, in her support for noisy and cackling groups of cagouled ramblers and in her pseud townie approach to Wordsworthian countryside epics, she is undermining the case that she tries to make.

Mrs. Campbell: I was born and brought up in the middle of the Yorkshire Pennines. I spent much of my youth there and did not leave until I went to university. Therefore, I am not a townie by upbringing or habit. I spend a great deal of my time in the country and I appreciate and enjoy it as much as anybody else. The hon. Gentleman's criticism is totally unjustified.

Ms Glenda Jackson (Hampstead and Highgate): Does my hon. Friend agree that many townies value national parks and support their existence? For many townies a national park is the only open space where they can get the fresh air and quiet enjoyment to which, I would have thought, they are entitled.

Mrs. Campbell: My hon. Friend makes an extremely valuable point. I should not have allowed myself to be deflected by the hon. Member for Surrey, East (Mr. Ainsworth) whose argument is often produced by those who favour field sports. Their case is that the only people who can possibly oppose them are those who were born

and brought up in towns. That is obviously false and I am glad that my hon. Friend has given me the chance to make that clear.

The promotion of quiet enjoyment does not give national parks authorities any new powers to control noisy activities, much as some people would like to do that. It simply provides a context for the management of national parks in circumstances where conflicts between different types of recreation arise. We must see that in context.

The Labour party accepts that the present wording in clause 60 may not be ideal, but there would have been enormous value in inserting a definition that gave some precision to the words "quiet enjoyment". I find it difficult to believe that the parliamentary counsel and lawyers could not come up with something that would have been viewed as reasonable by a large percentage of the population.

The removal of the word "quiet" at this stage represents the worst of all possible outcomes. The Government are seen not only to be vacillating on the issue, but to be presenting a message to the outside world that they have abandoned the promotion of quiet enjoyment. That will be far more unpopular than they realise.

Mr. John Greenway: I shall endeavour to be brief. My right hon. Friend the Minister has faced a difficulty in trying to deal with the complex issue of the phrase "quiet enjoyment", and all those of us who represent national parks—most of the North York Moors national park is in my constituency—have had the same problem. We have had to try and balance the interests of people who genuinely want to promote more quietness and tranquillity in national parks with those of people who, also reasonably, have concerns about the word "quiet" and about the legal advice that has been given on the general court interpretation of the phrase "quiet enjoyment". It is important that, on issues of this sort, we try to strike a balance of fairness between clearly conflicting arguments.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): On the legal interpretation of the words "quiet enjoyment", is my hon. Friend aware of Lord Ackner's words in the other place? He said that "quiet enjoyment" in legal terms means something different. It means physical interference between landlords and tenants. This place would be passing bad, unclear law if it were to include the words "quiet enjoyment" in this context, which means something totally different in legal parlance.

Mr. Greenway: We have discussed that in this debate but my hon. Friend makes his point firmly and strongly. I do not think that there is any need for me to add to it.

I want to concentrate on what the Bill will say if the Government's amendment is passed. We are in danger of thinking that what will be left on the face of the Bill will be worthless. On the contrary, the first point to make is that understanding and enjoyment, as opposed to quiet enjoyment and understanding, and the promotion of opportunities for those things are not exclusive, but complementary to the requirements for conservation and enhancement of the natural beauty, wildlife and cultural heritage. When we take those two things together, we have a formidable tool for the national park committees, not just to ensure tranquillity generally and conservation of national park countryside, landscape, and wildlife, but to promote understanding.

There is insufficient understanding of the working life of people in national parks. That is certainly the case in my constituency in north Yorkshire. Their working life is not understood. I say to the hon. Member for Cambridge (Mrs. Campbell) that, when people talk about banning fox-hunting, they do not understand that, for example, the Saltersgate and Farndale hunts probably go out only two or three times a year and on foot, and that they involve not the rich, landed gentry sitting on horses and enjoying a big social event, but working people.

Eventually, when we come to readdress all this in the fulness of time, we will perhaps look back and think that we spent far too much time worrying about the word "quiet" and not enough time attending to the role of the national parks in promoting understanding of the life and cultural heritage of the park. I want the Government to encourage people to do that more. When it comes to having to come down on one side or the other in this conflicting argument, in my book the people who work and live in the park are the people of whom we have to take the most notice. They generally have grave misgivings about the word "quiet".

The only real complaint that I have had about anything going on in North York Moors national park—if we put low-flying RAF jets to one side—is a serious problem. I know that my right hon. Friend the Minister has also struggled to try to do something about it. It involves the mess and damage caused by four-wheel drive vehicles. When we have finished with this legislation, we need to get the national park committees to obtain legal opinion on whether the new provision will enable us to do something about such vehicles. Frankly, the mess that they are making on some of the bridleways in the North York Moors national park, and, I dare say, elsewhere, in no way conserves or enhances natural beauty.

Mr. Matthew Taylor: The gap between the two sides of the House is narrower than it appears. For the most part, everyone is struggling to achieve broadly the same ends and the debate is around the best way to do that. On the comments of the hon. Member for Ryedale (Mr. Greenway) about the development of four-wheel drive vehicles, that seems to go to the heart of how I interpret the clause. The proposal is not about addressing the traditions in the countryside and things that have gone on over many years. Those would not change, because to change them would be a reversal, not a promotion of new activity. We understand that the proposal goes to the heart of the promotion of new activities.

There is a constant process—through new technologies, modernisation, mechanisation, the increasing wealth of individuals and their ability to buy four-wheel drive vehicles and the rest of it—of moving into uses of national parks and other parts of the countryside that did not exist before and that, unfortunately, are often noisy. The argument for quiet enjoyment goes to the heart of how we see the future development of the national parks in terms of the competing demands that are on them, and in terms of which competing demands the national parks should seek to promote.

I do not believe that the hon. Gentleman or any other Conservative Member disagrees with that concern or that approach, but the disagreement comes down to how we deal with the amendment. In that respect, hon. Members and the Minister must understand that there is real concern among those who have promoted and supported the phrase

[Mr. Matthew Taylor]

"quiet enjoyment" that, until the past couple of days, Ministers seemed to be supporting those words, and accepting the amendments made in the other place, but now, at this late stage, have reversed that position after lobbying from some Back-Bench Conservative Members and others and a number of organisations. It seems that they are backing away more because of the politics than because of practicalities. No doubt we could argue all night about whether that is true, but that is our perception.

I believe that it should not be too hard to define, if not the term "quiet", at least the term "promotion" and what that means in terms of existing activities, and so on, both for the guidance issued by Ministers and the Bill. That is what the Labour amendment has sought to do.

Any rural Member understands the problems that can arise from the actions of those who have been described as the zealots. I understand that. One of the most appalling cases that I have seen in recent years was that of Corky the cockerel, which, extraordinarily, the courts decided against. Surely anybody in the countryside should expect those sort of noises in the early morning. In fact, these days one is more likely to suffer from the noise of large tractors. Nevertheless, that is an example of how matters can be pursued in the courts, and I understand that concern.

9 pm

In practice, it is unlikely that there would be many such vexatious cases, and I do not believe that the courts would be sympathetic to that. In any case, Ministers hold matters in their own hands. Through definitions in the Bill and in guidance, they can give courts a clear position on that.

There is a certain irony in the debate. Only yesterday, we were debating the cost-benefit clauses. The Opposition were arguing that that issue was not susceptible to proper definition, but Ministers were arguing that they believed that, in practice, such matters would not be taken to the courts and that, in any case, they could clarify the position in guidance. I disagreed with them last night, but I believe that this issue is susceptible of the sort of guidance and definition for which Ministers argued in yesterday's debate.

The nub of this issue and the reason it raises such concern and attention is that it deals with the future direction of national parks and the choices that have to be made. Ultimately, real decisions are made about the sort of activities that should go on in national parks. Those decisions often involve making a judgment about jobs and economic development for those within the community as well as the nature of the traditional environment and practices within a national park. They also involve making a judgment about destruction of the environment, including noise pollution and the need to respect and respond to the traditions of the community and new developments.

This debate is about showing the broad direction in which we want development to go. From the start, the national parks have been built around the peaceful enjoyment of the traditional qualities of the countryside and respect for the environment. I believe that the words "quiet enjoyment" are about that vision of the future for the national parks. Without arguing that Ministers are oblivious to that, I wish to tell them simply that I believe that they are wrong on this occasion. They failed to argue the case properly, and they should stick with their previous support for the amendment passed in the other place.

Mr. Peter Griffiths (Portsmouth, North): When moving the amendment, my right hon. Friend the Minister drew attention to the fact that public perceptions of this part of the Bill have changed during the time that it has been under discussion. When the phrase "quiet enjoyment" was introduced into the Bill in the other place, I received a good many representations from constituents. I should add that all my constituents and I are townies, and that therefore we have a special interest in the qualities of the national parks because that is where we go for recreation and enjoyment. At first, the representations were all in favour of the new words because they have a simple charm about them. The trouble is, it is because they are so simple that I believe that they are misleading.

The word "quiet" is an easy word, but it can mean different things to almost every individual. If somebody hears a noise and shouts, "Be quiet," he means not that one should carry on with quiet enjoyment of one's activity but that one should stop and be silent.

The national parks are quite noisy places. All sorts of activities are taking place. People live there and some make their living there; there are roads passing through them on which there is heavy traffic; aircraft fly overhead and, although we may not necessarily approve of it, military activities take place.

All those things are happening there, so the parks are noisy places. When we get away from the noise into areas where there is less sound, the sounds made by individuals carry long distances. For example, whistling to a dog can be intrusive in a quiet area. I am not sure whether it is possible to have the quiet morris dancing that the hon. Member for Denton and Reddish (Mr. Bennett) mentioned. It is clear that whether an activity is irritating simply because it is noisy depends on the part of the national park in which it takes place.

The amendment would not simply take out the word "quiet" before the word "enjoyment". This is not a clash between enjoyment and quiet enjoyment: those who want quiet enjoyment are not arguing against those who want noisy enjoyment. Instead, amendment No. 193, wisely I believe, puts before any question of enjoyment, whether quiet or noisy, the word "understanding". That is the priority.

People who go into the national parks, for whatever purpose, should understand what the parks are there for. They should understand the activities that take place there before they start the enjoyment.

Mr. Morley: Will the hon. Gentleman give way?

Mr. Griffiths: Let me finish this point first.

One obvious example comes to mind. Parties of schoolchildren go into the national parks, and they may do so to watch noisy farming activities or to watch birds; but when they have finished and go to the picnic area, if they are anything like all the schoolchildren I have ever known, they make a noise.

Mr. Morley: The hon. Gentleman is saying that the argument is about the definition of understanding. What is his definition of the word "understanding" in that context?

Mr. Griffiths: The word "understanding" is simpler to define than the word "quiet". The word "understanding"

represents a recognition of the needs of the people who go into a park and of the activities that take place there. The activities there must be understood, and so must the needs of the visitors. Those are quite straightforward requirements, and that is what the Government seek to provide—an opportunity for people outside to understand what goes on, and an opportunity for people within the parks to help to provide understanding and to receive understanding. They need that. They need their livestock to be protected.

Mr. Morley: The other way round, surely.

Mr. Griffiths: If the hon. Gentleman would listen, he might learn.

It is essential that understanding precedes enjoyment. Enjoyment will involve varying noise levels. What is required is sensible management of the parks, which already exists, with powers to control activities that take place within the boundaries of the parks.

To start with, I was most impressed by my constituents' representations in favour of "quiet enjoyment", but then I started to receive representations from those who use the parks regularly, who pointed out that they take part in all kinds of activities. That includes not only motor sport but model aircraft flying—a nuisance unless it is properly controlled, but if it is properly organised it is an activity that interests young and old, and obviously people can participate in that activity in a national park.

Tonight, we shall not simply take the word "quiet" away from the word "enjoyment" but put in the "understanding" that has to precede enjoyment. That will allow people to enjoy a park and not to abuse it, because they understand the requirements of the area.

Mr. Ainger: As we come towards the end of our consideration of this very large Bill, it is rather unfortunate that the standard of debate has plunged abysmally in the past half hour. What we have heard from Conservative Members has been a load of drivel. What they have been saying is basically spurious scaremongering.

At one stage, the Government were willing to introduce an amendment that put back in the words "quiet enjoyment", yet they now seek to remove them. Which side are they on? Do they support the original intention to include the words "quiet enjoyment" or do they now support their removal?

A letter that I received from the national park officer of Pembrokeshire Coast national park, dated 23 June, says:

"I have just learnt of the latest Government amendment, tabled, I gather a minute before midnight, to remove the words 'quiet enjoyment' from the second National Park purpose and revert to the original wording. To say this is a bombshell at this late stage following all the Government assurances and discussions is an understatement. Like a number of recent changes of direction, I am not sufficiently close to Westminster to know where this has come from, but it does represent a major reversal and a breach of assurances we have previously been given."

The writer is referring specifically to the assurances given to the national parks.

Mr. Atkins: Absolute nonsense.

Mr. Ainger: The Minister intervenes from a sedentary position. I point out to him that my hon. Friend the Member for Glanford and Scunthorpe (Mr. Morley) has already referred to the fact that the Secretary of State gave assurances to the national parks conference on this very issue. It is no wonder that the national park officer from Pembrokeshire writes in those terms.

The letter continues:

"As legislation on National Park matters is by the very nature of their priority infrequent, we are anxious that the Environment Bill should not create problems, but should rather learn from past experiences and resolve them. The recent debates over what type of enjoyment we should positively promote (and this in no way prevents . . . other forms of enjoyment taking place, or necessarily infers that we have to stop noisy activities) was I thought accepted on all sides."

Those are the words of a Pembrokeshire Coast national park officer and they reflect the grave disappointment that the professionals working in the national parks, who have been promoting enjoyment and understanding for many years, feel as a result of the Government's treatment of them. The Government have promised one thing one month, have changed it the next and then changed it again.

As my hon. Friend the Member for Denton and Reddish (Mr. Bennett) said, the issue is not quiet enjoyment but the promotion element. Conservative Members seem to believe that there will be a noise Gestapo tramping the moors, cliffs, paths and byways of our national parks, carrying sound meters and shutting people down. That is utter nonsense and Conservative Members know that.

My national park has within it the Castlemartin tank range which regularly blasts away throughout the summer, spring and autumn. It is not the British Army but the German army that is firing there. That does not cause a problem other than to the odd person who, understandably, complains. We have quarries within Pembrokeshire Coast national park which, again, blast away as and when. Nobody proposes that we should shut down the quarries.

I was interested in the comments by the right hon. Member for Westmorland and Lonsdale (Mr. Jopling) about what had happened on Lake Windermere. Within Pembrokeshire Coast national park, we have the Cleddau waterway; both banks of it are national park. We had problems there and the national park, with the port authority, set up, after a great deal of consultation with boat owners and the Royal Society for the Protection of Birds, a series of byelaws which were accepted. That took a year or so of consultation, but it worked. In certain areas of that waterway, which is much used for water sports, jet bikes and water-skiing are banned. In other areas, there is a 5 mph limit.

It is possible to have quiet enjoyment yet still have what some would term noisy activities. It just takes sensible consultation. One often has to be patient but, in the end, everybody comes round and knows what is going on—as long as it is properly policed, as the right hon. Member for Westmorland and Lonsdale said. It can be done. There is no threat to the tourism industry if proper byelaws are properly arrived at through proper consultation and are properly policed.

Amendment No. 267 is not new. The wording is basically copied from a previous amendment in another place. Bearing in mind that several Conservative Members have referred to counsel's opinion in relation to "quiet enjoyment", I would like the Minister to tell us whether those words have been subjected to counsel's opinion.

Mr. Atkins: Of course they have.

9.15 pm

Mr. Ainger: I would still be interested to hear what counsel's opinion was on the matter, because the amendment, rather than trying to define "quiet enjoyment", sets limits and should assuage the fears of Conservative Members about a noise Gestapo tramping around shutting down farms, quarries and the tourism industry in the national parks. If the Government accept amendment No. 267, they will restore their relationship with the professionals who do such a wonderful job in our national parks promoting enjoyment and understanding.

Mr. Atkins: I had intended when I started my remarks this evening to say that, until now, we have had rather a good debate on a vexed subject which, by demonstrating the controversy across the Floor of the House, illustrates the concern about the words involved. I am tempted to say that we have made a lot of noise about "quiet enjoyment".

I want to clarify one or two points. The hon. Member for Glanford and Scunthorpe (Mr. Morley) and several other Opposition Members—not least the hon. Member for Pembroke (Mr. Ainger)—suggested that we had accepted the principle of "quiet enjoyment", period. That was not the case. I said in Committee that we would like to be able to accept the principle of quiet enjoyment if it could be defined acceptably. The problem all along has been that we have not been able to define it acceptably.

The chief difference between the Government and the Opposition is that my right hon. and hon. Friends represent the people who live and work in national parks—[HON. MEMBERS: "What about Pembrokeshire?"] Let me finish. Hon. Members should not jump down a Minister's throat before he has had a chance to finish his remarks.

Mr. McLoughlin: They are excited.

Mr. Atkins: They are indeed excited. My point is that, representing the people who live and work in the English national park constituencies, my right hon. and hon. Friends speak with great authority.

My right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling), who, I am very sorry to say, is retiring at the next election, has represented Westmorland and the Lake district with considerable acumen and skill over many years, and speaks wearing the two hats to which I referred earlier. He has knowledge of the park through agriculture and land management and also through his interest in matters relating to motor sport. In a telling contribution to the debate, he was able to explain the problems as he sees them and as he has experienced them through his constituents. That is important.

Several others of my hon. Friends made similar points; my hon. Friend the Member for Ryedale (Mr. Greenway) also made that point when speaking about those who live and work in the park. That is crucial.

Mrs. Helen Jackson: I am grateful to the Minister for giving way. Does he not understand that a national park is a national park because it is beautiful and because visitors want to go there? It is for them that we tabled the amendment. The visitors who go to the park have an extremely important place to enjoy and in which to play.

Mr. Atkins: Well, there it is—it has leaked out. The Labour party is interested only in those who visit and "recreate" in the national parks. The difference between Labour and us is that we are concerned about the jobs and livelihoods of people who live and work in the parks as well as about their recreational concerns and activities. Much has been made of amendment No. 267 which, as Opposition Members were right to say, was first tabled in another place. It had to be withdrawn because there was no consensus across the party divide or among those seeking to define "quiet" on what the amendment meant.

The point that my right hon. and hon. Friends and I have been trying to make is that we believed that the proposal originally predicated by adding the word "quiet" attracted notionally, as my hon. Friend the Member for Portsmouth, North (Mr. Griffiths) said, but that, when it came to it, the people who live and work in and understand the parks said that they did not think the definition was right. They asked whether we could redefine the concept. We tried, and one of the reasons that we tabled Government amendment No. 193 so late was that we were trying, right up until the very last minute, to find a definition of "quiet" that would prove acceptable.

I should have preferred not to have such a long debate on a matter that was relatively uncontroversial in Committee and on which there was a degree of consensus. We tried hard to find a new definition but could not do so, and I was determined not to ignore the views of organisations such as the Royal Automobile Club and the National Farmers Union or of the people who live and work in the parks and the country landowners.

My right hon. Friend the Member for Westmorland and Lonsdale mentioned Earl Peel, who has done signal work. Anyone who knows anything about the Royal Society for the Protection of Birds will know how he protected Swaledale and introduced some birds back into the area. He has made a great contribution, but he was one of their lordships who expressed great concern about the definition of "quiet" because of what it would have done to his conservancy.

Mr. Jopling: Is my right hon. Friend aware that his view is shared by the Rural Development Commission and the Central Council of Physical Recreation?

Mr. Atkins: Indeed, I cannot forbear to take note of the Central Council of Physical Recreation in view of my former incarnation. Both organisations expressed sensible views.

Mr. Morley: I am sure that the Minister will accept that many people who live and work in national parks support this form of wording, but will he get to the crux of the matter and confirm, for the benefit of the House, that the wording of the Bill gives national park authorities no new powers or rights and that the existing laws will remain? Despite all the talk about legal opinion and going to lawyers, there is no difference between what the wording of the Bill allows and what people may or may not do now.

Mr. Atkins: In essence, the hon. Gentleman is right, but we are concerned about the fact that there are potentially some people or organisations that would choose to go to law because they want to prevent those who live and work in the national parks doing certain things. I am sorry, but I am not prepared to accept that, and nor are my right hon. and hon. Friends. I emphasise again that there was originally consensus about what was attempted, but the concept was not capable of precise

definition in a way that would have proved acceptable to some of the organisations that my colleagues and I mentioned.

We have had an interesting debate, but I do not think that we can logically proceed much further.

Mr. Ainger: Will the Minister accept that the wording of amendment No. 267 would prevent the zealots, or whatever one calls them, from asking the park authorities to prosecute individuals?

Mr. Atkins: There are some frightfully clever and very important people in another place, across the political divide, who are experts in constitutional law and who understand about land owning and its management, as well as living in and understanding the national parks. Their view was that this amendment, which the Opposition have taken over, did not adequately define what "quiet" meant.

To return to my final point, the word "quiet" is not capable of a definition that is acceptable to people who live and work in the park and to some of the organisations that represent them. That is why, even at the last minute, I tabled this amendment, and I know that my right hon. and hon. Friends will support me.

Question put, That the amendment be made:—

The House divided Ayes 266, Noes 221.

Division No. 183] **[9.24 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomery)*
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'clif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*

Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Timothy Kirkhope and Mr. Simon Burns.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Boateng, Paul
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Keen, Alan
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McMaster, Gordon
MacShane, Denis
McWilliam, John
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J *(Springburn)*
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pike, Peter L
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Soley, Clive
Spearing, Nigel
Spellar, John
Steel, Rt Hon Sir David
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Jon Owen Jones and Mr. Robert Ainsworth.

Question accordingly agreed to.

Clause 64

GENERAL PURPOSES AND POWERS

Amendment made: No. 194, in page 87, line 31, leave out

'quiet enjoyment, and understanding of the special qualities,'

and insert

'understanding and enjoyment of the special qualities'.—*[Mr. Atkins.]*

Clause 68

PLANNING AUTHORITY FUNCTIONS UNDER THE WILDLIFE AND COUNTRYSIDE ACT 1981

Amendment made: No. 195, in page 94, line 8, leave out

'quiet enjoyment, and understanding of the special qualities,'

and insert

'understanding and enjoyment of the special qualities'.—*[Mr. Atkins.]*

Clause 74

POWERS TO MAKE ORDERS

Amendment made: No. 47, in page 96, line 36, at end insert—

'( ) specifies a time for the purposes of section 4A of the Town and Country Planning Act 1990,'.—*[Mr. Atkins.]*

Clause 79

NATIONAL AIR QUALITY STRATEGY

Mr. Matthew Taylor: I beg to move amendment No. 116, in page 100, line 18, at end insert—

'(d) measures of a temporary nature which are to be taken by local authorities and other persons in the event that air quality standards appear likely to be exceeded.'.

Mr. Deputy Speaker (Mr. Michael Morris): With this it will be convenient to discuss the following Government amendments: Nos. 196, 48 and 54 to 57, 197 to 200, 74, 87 and 90.

Mr. Taylor: Amendment No. 116 seeks to ensure that the national air quality strategy includes temporary measures that can be taken by local authorities if air quality standards seem likely to be breached to help reduce serious air pollution episodes and the duration of those that occur. I hope that the Minister can accept this amendment, not least because it is likely shortly to be a requirement on Governments in any case.

Part IV of the Bill aims, among other things, to implement in advance the provisions of the proposed European directive on ambient air quality assessment and management. One of the objectives of that directive is that the common strategy on air quality should include

"the actions and measures required when and where the ambient air quality objectives are exceeded."

The proposed directive goes on to say:

"Member states shall make short-term plans for actions to be taken in cases where exceedance is forecast in order to reduce the likelihood of exceedance and to limit its duration."

The amendment aims to ensure that that aspect of what will almost certainly become European law is taken into account in UK legislation at the earliest opportunity. The UK regularly breaches World Health Organisation guidelines. Although European air quality standards have yet to be set, they will almost certainly be set at levels that require action by the UK Government if such breaches are not to occur. In the first week of May, 29 of the Government's 32 ozone monitoring sites monitored such a breach of WHO guidelines, so it is happening all too regularly.

Although the introduction of catalytic converters and measures to reduce traffic growth would cut emissions in the long term, it is highly likely that air quality will continue to exceed proposed standards over the next few years. We therefore urgently need to find ways to deal with or ameliorate this problem when it occurs.

Given predictions of weather conditions in which air pollution soars, once standards have been set it will be possible to forecast likely breaches over a three or four-day timescale. Working with local authorities, the Government could take steps to ensure that air quality standards are not breached, or that, if pollution exceeds acceptable levels, it does so for as short a period as possible. For example, they could introduce speed limits on motorways, and, if necessary, close off certain streets in city centres using powers under the Road Traffic Regulation Act 1984.

I do not say that roads should be closed whenever it seems likely that standards will be exceeded. I simply argue that the Secretary of State, together with local authorities and the police, should draw up plans for progressive action that could be tailored to suit the severity of the expected problem.

For example, if ozone levels peak at just above the standard and rainy weather is forecast, clearly no action would be needed. But if a long settled period of high pressure with little wind is forecast in summer, lower speed limits and restrictions on town centre parking may be appropriate. If an "inversion" like that which caused the December 1991 smog in London is forecast, tougher measures, such as road closures, may be required.

We must remember that it is not merely a matter of the Government responding to European requirements. The problem leads directly to the death of individuals, as well as unpleasant attacks of breathing difficulties. The Minister for Transport in London recently admitted that traffic reduction may reduce nitrogen dioxide concentrations during smog episodes, but said that it would not do so sufficiently to prevent such pollution episodes.

Given the Government's likely obligations, and the fact that the amendment simply allows the Secretary of State to work with local authorities and the police to act when required proportionate to that requirement, I hope that the Minister can accept the amendment. After all, it is likely to prevent the need for the Government to come back to the House with such proposals at a later date.

Mr. Atkins: On amendment No. 116, to which the hon. Member for Truro (Mr. Taylor) has just spoken, our main focus—in weather such as we are experiencing in London and elsewhere, these matters become of singular importance—must be on achieving the goal of good air quality and reducing the risk of episodes of relatively high pollution. The risk of such episodes, particularly in the weather that we are now experiencing, which I hope we will continue to enjoy, will nevertheless remain. The framework for managing air quality must deal with appropriate action in such episodes.

The amendment attempts to address the problem. I am sure that the hon. Member for Truro will be delighted to know, however, that clause 79(5)(c), which deals with the national air quality strategy, and clause 86(2)(j), concerning regulation-making powers, provide sufficient powers to deal with pollution episodes. I can therefore assure the hon. Gentleman that amendment No. 116 is unnecessary.

Mr. Matthew Taylor: I am not altogether familiar with the paragraphs to which the Minister has referred. Can the Minister tell us exactly what are those powers?

Mr. Atkins: Certainly not.

9.45 pm

Ms Ruddock: I must come to the aid of the hon. Member for Truro (Mr. Taylor) and not allow the Minister to make such a response.

As the Minister rightly says, clause 86 provides for many opportunities for regulations to be made and for local authorities to take all sorts of action to deal with the problem of deteriorating air quality.

If the Government had done what they promised to do in another place, and tabled amendments on air quality and its management in good time, the hon. Member for Truro and all hon. Members would have known what was being proposed, because there would have been an opportunity for them to discover that. The Minister might even have understood his own Bill and his own proposals.

This issue is another example of where promises were made, but many weeks passed in Committee without any action from the Government. The official Opposition tabled an amendment on air quality management because we were afraid that the Government would never produce what they had promised. They finally produced clause 86 just two days before the Bill's final day of consideration in Committee. It is a most important clause, and the House must know tonight what kind of measures local government will be able to take.

The hon. Member for Truro mentioned a number of them—for example, the closure of roads. We want to know whether the Minister thinks that such measures will be appropriate, or whether he considers that other traffic management schemes should be introduced to deal with the problem.

For example, the Secretary of State for Transport has advocated that people should walk instead of using the car, because of the problem of air quality. Does the Minister have some idea about how such advice will be offered to the nation? I wonder how often in the past three weeks ministerial cars have been left behind and Ministers responsible for the environment have walked to the House. The Minister for the Environment and Countryside frowns, while the Under-Secretary—

Sir Paul Beresford: I have walked from my office to the House three times today.

Ms Ruddock: I am pleased to hear that.

The amendment relates to an important part of the Bill. I do not believe that people will have another issue more clearly in their sights than the important matter of air quality when they consider how to improve the environment. It is matter of huge public concern, and the Minister must be invited to get back on his feet to give us more information about that section of the Bill.

Mr. Atkins: The hon. Lady represents an inner-London constituency, and I know that her colleagues, and hon. Friends representing similar constituencies in London and other cities, share her concern about the state of air quality and the public's perception of it. I must also tell her, however, that the Conservative party and this Government have done most, historically, to improve air quality. *[Interruption.]* The hon. Lady protests, but I need only remind her of the Clean Air Act 1956, which did much to get rid of smog and other problems associated with it.

Ms Ruddock *rose—*

Mr. Atkins: Let me finish the argument. The hon. Lady has had her say; I am entitled to mine in response.

Consequently, we do not take kindly to Opposition Members suggesting to us that we are not doing what is necessary on air quality.

Several hon. Members *rose—*

Mr. Atkins: In a minute. A collection of hon. Members wish me to sit down, and I shall do so in due course.

However, the argument that the hon. Lady makes, about which we agree, is the urgency of tackling the public anxiety, whether by proclamation from the Dispatch Box or by speech by my right hon. Friend the Secretary of State or—more important in the context of the Bill—by way of the regulations that we have announced.

Mr. Taylor: Notwithstanding the actions that the Government may or may not have taken in the past, that is a serious issue, and, as the Minister knows, the previous smog episodes not only caused much distress but took lives. I believe that the Minister—I hope that he has now had a chance to look at his notes—needs to explain more fully why the amendment, the aims of which he broadly supported, is unnecessary.

I cannot see any proposals at the moment to allow a Secretary of State or local authorities or the police to take action to prevent or ameliorate such episodes. Other countries have moved in that direction; we may need to. It appears to me appropriate to allow that to happen when required proportionately.

Mr. Atkins: The hon. Gentleman provokes me to refer to the book, and I shall read him what it was that, in order not to delay the House, I was seeking to avoid having to say.

Under the provisions of Part IV, local authorities will have a duty to act, dependent on the state of air quality. We wish to make clear the circumstances in which they should act. Specifically, we wish to ensure that designation of air quality management areas and production of action plans can be prompted if it is evident that air quality standards and objectives are, first, not likely to be achieved or, secondly, likely not to be achieved within the relevant period.

Amendment No. 48, tabled in my name and that of my right hon. Friend the Secretary of State, is intended to ensure that both circumstances will apply to instigate the appropriate actions. That is why, without going into all the technical detail of clause 79(5)(c) and clause 86(2)(j), the amendments in my name cover the matters that the hon. Gentleman is worried about.

Mr. Taylor: They may do so, provided that the type of actions that I suggested would be allowed in that—not long-term planning or designation of areas, but immediate action, for example, to slow traffic on motorways or impose parking restrictions in town centres or whatever might be appropriate. If that is the case, I would certainly seek to withdraw the amendment.

Mr. Atkins: My memory is slightly rusty, from my days as Roads Minister, about exactly what the powers of

the Department of Transport are, and those are matters to which I would have to refer, but as far as I understand it—I would not want to be held absolutely to this—powers do exist at the moment to do something along the lines that the hon. Gentleman suggests, to a greater or lesser degree. If he wishes me to spell those powers out, I shall encourage my right hon. Friend the Secretary of State for Transport to write to him to do just that. I hope that that assurance will help him to withdraw the amendment.

Ms Glenda Jackson: The Minister mentioned the element of weather exacerbating the breathability of air, and he mentioned today's weather. It would be highly unlikely, with as brisk a breeze as we have experienced today, that pollution levels would build up in the air here in the centre of London in the way that they have in the past.

If the Minister might be provoked to refer to the book again, could he give us more detail of what is in those two mysterious clauses?

The Government have a lamentable record in issuing warnings of, for example, excessive ozone in the air of London, and there is little or no point in having the type of regulations to which the Minister has fleetingly referred if local authorities, for example, are not to be helped, either by laws or by financial considerations, to implement the necessary requirements—so that, for example, my constituents will be able to breathe the air without provoking, as is increasingly the case in certain parts of my constituency, a serious asthma attack in themselves or their small children.

Mrs. Helen Jackson: I should be grateful if the Minister would make it clear what resources will be made available in order to implement the measures in this group of amendments. It was quite clear yesterday that the Minister was not interested in the fact that the Coal Authority did not believe that it had the resources to deal with abandoned mines, and that the National Rivers Authority did not believe that it could fund all its activities from its normal budget.

I welcome the clauses about air quality, and I believe that they may be some of the most important and valuable elements in the Bill. Local authorities must now do four things with regard to air pollution: assess the air quality in their area; prepare a report of that assessment within 12 months; prepare an action plan; and include a statement in that plan about how they will implement the proposals. Local authorities have to perform those tasks in co-operation with another public authority, the Vehicle Licensing Authority, whose resources are also under pressure.

There was consensus in Committee that the problems of smog and air pollution, which are of increasing concern to people up and down the country, but particularly those in urban areas, will not be solved by the activities of public authorities; they must be solved by the industries involved. The Minister failed to say in Committee how public and the private industry resources would be raised in order to deal with the problem of air pollution which concerns our constituents and which is the subject of inquiries by the Select Committee on Trade and Industry and the Select Committee on the Environment. The Government must respond to that increasing concern.

Before we move from that part of the Bill, I hope that the Government will give a much clearer indication of how they intend to meet the excellent requirements in the legislation.

Mrs. Anne Campbell: I represent a constituency that encompasses one of the most congested and polluted cities in Europe, according to the air pollution monitoring carried out by Cambridge city council. It has been revealed that Parker street in the centre of Cambridge has higher levels of pollution than almost any other place where monitoring has taken place. That may be because there is very little pollution monitoring at the moment, and therefore Cambridge is not one of the most polluted cities but simply one of the most heavily monitored.

That monitoring is taking place in response to local residents' concern about the very high levels of asthma and bronchial diseases in the city. That is perhaps surprising in a city where 23 per cent. of the population cycle to work—an unusually high percentage, which is well above the national average. I think that that shows that it is not sufficient to combat air pollution simply by promoting cycling or walking; there must also be action to reduce traffic in other ways.

I am fortunate to live close to the railway station in Cambridge—in fact, I live halfway between the railway station and the bus station. My household has managed without a car completely for the past eight years. We use our feet, bicycles, trains and buses. However, that option is not open to many of my constituents. It is not an option for many of those who live in the rural areas of Cambridgeshire and who find it extremely difficult to travel to work or to the city of Cambridge without using their cars.

I am concerned about short-term measures. I do not think that they are the answer.

The long-term answer must be a regulated bus system and other good public transport, strategies for safe walking and cycling, and promotion of the benefits of cycling and walking to individual health and in reducing pollution. If councils are forced to stop traffic entering a city on days when pollution is high, that will cause widespread chaos. That may benefit many asthma sufferers, but it is not a long-term solution.

It being Ten o'clock, further consideration of the Bill stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the Environment Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Wood.]*

Question agreed to.

Question again proposed, That the amendment be made.

Mrs. Anne Campbell: The promotion of cycling and walking together with proper public transport provision is a sensible long-term solution, and would preclude short-term solutions.

Ms Ruddock: The Minister did not seem to speak to amendment No. 196. He does not appear to know, but he is looking to see if there is something in his book.

In Committee, it appeared from the Minister's remarks that the regulation-making powers in clause 86 could not be used to give local authorities a stopping power. The tabling of Government amendment No. 196 appears to

[Ms Ruddock]

contradict that assertion. It seems to have been tabled to make it clear that local authorities do not have a stopping power. The Minister is nodding, so perhaps we may have that on the record.

For reasons of identification and the security of drivers, we would prefer that any person having the right to stop a vehicle for inspection, to ascertain whether it was polluting, should be recognisable. A uniformed police officer is an obvious example. In Committee, we expressed concern, given that police resources are so stretched, that such a power would only be operable by a uniformed constable in minimal ways. The Minister nods, or perhaps he is nodding off. If the right hon. Gentleman is agreeing, it is a matter for concern that police resources are so limited that little progress can be made.

If the amendment is accepted, would the Bill preclude traffic wardens and special constables having the power to stop a vehicle? That is a key concern to those of us who want much greater enforcement of vehicle emission regulations. It would be helpful if another category of uniformed or vetted people were able to stop vehicles.

Although we sympathise with amendment No. 116, clearly there is a need for temporary measures. We would like to hear more about what such measures might be. Does the Minister agree that temporary measures are, in such circumstances, an admission of failure? They are needed only because air quality has become so bad. The Bill does not sufficiently establish a comprehensive and sustainable strategy to reduce emissions and private car use, while increasing public transport use and improving air quality.

Mr. Atkins: At this late hour, we have inevitably had a fairly brief debate on the important matter of public perception, on which there is considerable agreement. I said in Committee that resources, whether for local authorities or the police, were a matter for the respective Ministers. I undertook in Committee, and I undertake again, to ensure that—for example, in relation to local authorities—my hon. Friend with responsibility for local government will consider that matter. Negotiations are already under way on a variety of matters relating to the local government settlement, and this will form a part of that.

The hon. Member for Lewisham, Deptford (Ms Ruddock) will recall that I have said on occasion that environmental health officers received our strategy on air quality very well. That is heartening in many respects. Police resources are clearly a matter for the Home Office, and I shall undertake to draw the hon. Lady's comments to the attention of my right hon. and learned Friend the Home Secretary.

The hon. Lady spoke about the power to stop vehicles. I am not a lawyer, and I do not pretend to be an expert on the legal powers of the police, but a constable can certainly stop vehicles, and I imagine that a special constable would have the same power. I am not sure about traffic wardens, and I shall try to find out precisely. *[Interruption.]* I shall find out in due course, and in my own way. The hon. Lady made a perfectly fair point.

Mr. Tyler: Will the right hon. Gentleman give way?

Mr. Atkins: Perhaps the hon. Gentleman would allow me to finish the point that I am on. *[Interruption.]* I do not need that sort of nonsense. The hon. Member for Deptford asked a perfectly legitimate question that needs examination.

Generally, as the hon. Lady rightly acknowledged, there is concern among some groups of people about the power to stop vehicles being spread too wide, for example, to local health environment officers, whom I do not in any sense decry. Plainly, a non-uniformed person stopping elderly single ladies in cars late at night on Hampstead heath or in places like that would cause concern, and we need to address that.

Mr. Bennett: Will the Minister take the trouble to read his piece of paper, and tell the House what it says? It is all right for the Minister to write to us afterwards, but there is a big advantage in telling us at the Dispatch Box, because that is the way in which the general public, who are concerned about this matter, can tell what happens. If he needs a pair of glasses, I will lend him a pair.

Mr. Atkins: We want to make progress, and I do not want to delay the House unduly. However, as the hon. Gentleman presses me, I shall read to him what I have been told. Traffic wardens can, under other legislation and in strictly limited circumstances, and usually in support of the police, help police with certain of their functions. There you have it.

Ms Ruddock: We know that already, and it does not answer my question. It was whether clause 86, as amended by amendment No. 196, if it were passed, would make it possible for uniformed traffic wardens to stop cars to see whether they had polluting exhausts.

Mr. Atkins: We have had a spot of fun, and I have read out what I was given, but the answer is that I simply do not know, and I make no bones about it. The hon. Lady asks a perfectly sensible question that requires a sensible answer. I shall ascertain exactly, precisely and unequivocally the powers of a traffic warden in this respect, and let her know. If she would like to copy it for the hon. Member for Denton and Reddish (Mr. Bennett) so that he is satisfied as well, then we could all be satisfied.

Mr. Matthew Taylor: As ever, the Minister has been quite amusing in his responses, mostly deliberately, but I am not sure that he has entirely satisfied the concerns that have been expressed. Fundamentally, the Minister has tried to argue that the powers are all there, although I noticed that, in his earlier response to me, he crossed rather neatly from referring to the obligation that is placed on local authorities to powers resting with the Secretary of State and the Department in taking action. That goes to the heart of the confusion that I am concerned about.

Nevertheless, the Minister has told us that he believes that the powers exist, and he has promised to write, or to get his colleagues to write, to confirm that. I hope that, given time, he will be able to come up with a better answer, and that it will not take too long to do so, so that the Bill will not be finally finished at all ends of this place before we get an answer. I do not want, however, to hold up the House any more than this surprisingly lengthy but important debate has already done, and I beg leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 83

DUTIES OF LOCAL AUTHORITIES IN RELATION TO DESIGNATED AREAS

Mr. Tipping: I beg to move amendment No. 15, in page 102, line 1, leave out from 'where' to 'about' in line 4 and insert

'an action plan or a revision of an action plan is being prepared for an area for which there is a county council and a district council; and if in a case where this subsection applies the county council and the district council disagree'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 16, in page 102, line 8, leave out from 'confirm' to 'reject' in line 11 and insert

'an action plan for the area, either as proposed by the county council or as proposed by the district council, or with such modifications as he may reasonably consider appropriate, or he may'.

No. 17, in clause 85, page 103, line 43, leave out clause 85.

No. 18, in clause 90, page 109, leave out lines 16 to 17 and insert—

'(b) in respect of any area for which there is a county council and a district council, the county council and the district council acting jointly.'.

No. 21, in schedule 11, page 201, line 29, leave out sub-paragraph (e).

Mr. Tipping: This is a focused group of amendments and I do not intend to detain the House. Their purpose is to ensure that there is a real partnership between counties and district councils in taking action to improve air quality.

Under the Government's proposals, the district councils and the unitary authorities are taking a proactive role in creating an action plan to improve air quality. In contrast, as it stands, the county function is more passive. County participation in the action plan is as a consultee of the district. It has the ability to make recommendations, and the power, if agreement cannot be reached, to refer matters to the Secretaries of State.

Counties have an important role in improving air quality. Let me give just two examples. First, vehicle emissions are viewed increasingly as a major source of pollutants. Of course, county councils are highway authorities. They implement and introduce traffic management schemes and are very involved with public transport, so they are at the cornerstone of building an air quality plan. Their efforts to reduce vehicle emissions can have a real effect on improving air quality.

Secondly, county councils have strategic functions. It would be peculiar if air quality were confined to district boundaries. Let me give an example from my own constituency. The Nottingham conurbation is surrounded by a number of district councils. There is a strong case that the county should be involved in setting up an umbrella, as it were, so that the air quality of the whole conurbation could be measured and efforts made to improve it. Air quality is not confined just to district council boundaries.

I strongly argue that counties should be equal partners in the production of action plans. I know that county councils, especially the Association of County Councils, want to play a dynamic and strategic role. The Minister is well aware of some of the tensions in local government, and that is to put it mildly, but I want to stress that county councils believe that they have a strong case.

The problem is that the only recourse for county councils, if they do not agree with the district action plan, is to refer the matter up to the Secretary of State for the Environment. That is a bureaucratic and time-consuming initiative. A far better way of setting up a good action plan is to include in the Bill, as the amendments suggest, a way of making county councils partners alongside district councils.

I hope that the Minister will consider the amendments carefully and that he is minded to accept them. If he is not, I know that guidance will be issued on how air quality plans can be drawn together.

I hope that the Minister will consult county councils, to ensure that they feel that they are equal partners and I hope that he will ensure that they will be involved in the action plans. It is important that we make progress. This is an important issue and I hope that the important functions of county councils will be taken into consideration.

10.15 pm

Sir Paul Beresford: I am old enough to remember the tensions between what is now a unitary authority and the previous Greater London council, so I appreciate the concerns. However, we are aware of the excellent work carried out by many county councils. Kent is an example of a county that has done a great deal in the way of air quality management.

The provisions in clause 85 will ensure that that role is preserved and strengthened. We expect that county councils will be fully involved in all aspects of local air quality management. We have already said that we shall consult the local authorities on the implementation of our air quality strategy. If there is any need to clarify that further, we shall be able to do so within the context of future direction and guidance.

With great respect, I am sure that the hon. Member for Sherwood (Mr. Tipping) will agree that the amendments serve only to confuse the important roles of both tiers of local authorities. We do not feel that it is enough to say that the local authorities should act jointly and then leave it to them to sort matters out. The Government amendments have sought to give a clearer legal framework to the important contribution that both district and county councils will make.

Mr. Tipping: I am grateful to the Minister for that response. It acknowledges the strategic role of county councils and the fact that they have an important role to play. I note that guidance is to be issued and I hope that the voice of the county councils is heard during discussions on that guidance. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 86

REGULATIONS FOR THE PURPOSES OF PART IV

Amendment made: No. 196, in page 107, line 46, at end insert—

'(5A) Nothing in regulations under this Part shall authorise any person other than a constable in uniform to stop a vehicle on any road.'.—*[Mr. Atkins.]*

Clause 90

INTERPRETATION OF PART IV

Amendment made: No. 48, in page 109, line 38, at end insert—

'(2) Any reference in this Part to it appearing that any air quality standards or objectives are not likely within the relevant period to be achieved includes a reference to it appearing that those standards or objectives are likely within that period not to be achieved.'.—*[Mr. Atkins.]*

Clause 92

PRODUCER RESPONSIBILITY: GENERAL

Mr. William O'Brien (Normanton): I beg to move amendment No. 19, in page 115, line 44, after 'unless', insert—

'(a) a document containing proposals for the regulations in the form of a draft of the regulations has been laid before Parliament for a period of sixty days during which the Secretary of State shall have regard to any representations made by any Committee of either House; and

(b) after those sixty days,'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 49 to 53.

Mr. O'Brien: This matter is relevant to the business before the House, because in Committee we were advised that the Department of the Environment had issued a consultation document about the responsibility of waste packaging, to which the packaging industry should respond. The Department made six suggestions in that document about how the industry could consider the control of waste and the way in which packaging could be recycled so that, collectively, we could reduce the amount of waste from food packaging and other consumer durables.

This is the last opportunity for the House to discuss the Bill's implications. Also, observations on the Government's consultation document are not due to be returned until the middle of August. Given both those facts, the industry's views could be submitted to the Secretary of State and he could make a decision about what he considers to be best for the industry without hon. Members, particularly those who served on the Committee, being able to consider the proposals. Yet under the legislation we are asked to consider the proposals. Against that background I, with the support of my colleagues, tabled the amendment.

When the Secretary of State receives the responses from the industry to the consultation document that he has issued—no one objects or criticises him for issuing it—and wants to introduce a scheme for recycling or for reducing waste, it is only right and proper that he should come to the House and advise and guide us on what he is proposing. We should have the opportunity to say yea or nay to his proposals.

My concern is heightened because the people in the business say that the Secretary of State's six proposals do not conform with what the industry wants to do to minimise waste. They have their own proposals, so we should have the opportunity to consider them. That is another reason why the Minister should accept my amendment, which would be a way of proving that we want to have the best arrangements for minimising waste and ensuring that the polluter pays.

However, where there is a collective group, perhaps it would be better that the payment by the polluter should be made on a collective basis. Is the Minister aware of the views of the Food and Drink Federation? I am sure that he has been made aware of its proposal, which refers to shared producer responsibility for packaging waste. The federation says that collectively—

Mr. Deputy Speaker: Order. We cannot have a wide debate on packaging, the Food and Drink Federation, Inkpen and all the other contributors to that discussion. We are debating the amendment, which is fairly clear and specific, and the hon. Gentleman should stick to that. He can make the other points on Third Reading if he wishes.

Mr. O'Brien: Thank you, Mr. Deputy Speaker. I am referring to the document containing the proposals in the amendment. It was produced by Valpak, which represents the collective response of the industry. I was referring to that document and to the response of the Food and Drink Federation. I was saying that the document entitled "Shared Producer Responsibility For Packaging Waste" is the document in the amendment. I am sure that the Minister is aware of the fact that the Valpak scheme is the alternative to the six proposals of the Department of the Environment.

The document to which I refer in the amendment is that suggested by the Food and Drink Federation and by the Pro Carton association. Those are the people who recommend the document that the amendment suggests.

I can accept Government amendments Nos. 49 to 53. We are talking about registration and I do not object to the Government's proposals for the registration of persons—

Mr. Deputy Speaker: Order. We need clarification here. The amendment refers to "a document". If a document is listed in an amendment, it must be a Government document unless specified otherwise. That is not specified in the amendment. Is the hon. Gentleman saying that the document relates to something that the industry has produced, in which case the amendment is completely out of order? Clarification is important.

Mr. O'Brien: For clarification, I suggest again that the six proposals—

Mr. Deputy Speaker: Order. I ask the hon. Gentleman to clarify the position. The amendment refers to "a document". Is that some form of official Government document or is it a private sector document?

Mr. O'Brien: Yes.

Mr. Deputy Speaker: Which?

Mr. O'Brien: It is a Government document, Mr. Deputy Speaker, which will be produced by the Secretary of State. I suggest that the Secretary of State should bring the document to the House for us to consider after the period that he has set for the industry to consider his proposals in the consultation document. I suggest that the Secretary of State may bring forward a document that is totally different from the six proposals in his consultation document.

Mr. Atkins: I understand the hon. Gentleman's concern. He is, however, getting a little bit concerned about something about which he does not need to be concerned. It would certainly be my intention and that of the Secretary of State to ensure that Members of

Parliament were consulted on the matter. I agree with the spirit of the amendment, but it would restrict our flexibility in practice. I hope that the hon. Gentleman accepts the assurance, by way of a brief intervention, that what he is asking for is something that we intend to do anyway. In the circumstances, he does not have cause for concern and he may feel able to withdraw his amendment.

Mr. O'Brien: That is the clarification that I sought. I would accept Government amendments Nos. 49 to 53. In view of the Minister's assurances that no decision will be taken by the Department or the Secretary of State without the House being informed of that decision and that the draft will be put before the House, I am prepared to withdraw the amendment. The Minister agrees with the spirit of what I have suggested and I am prepared to accept his assurances.

Mr. Deputy Speaker: Order. I have not yet proposed the Question that the amendment be made. Nevertheless, this has been a worthwhile debate. I call Mr. Clifton-Brown, although there is an administrative difficulty because the Question has not been proposed.

Mr. Clifton-Brown: Is it in order, Mr. Deputy Speaker, for me to speak to Government amendments Nos. 49 and 53?

Mr. Deputy Speaker: Yes.

Mr. Clifton-Brown: I will therefore speak to those amendments. I am delighted to have the opportunity to speak to Government amendments Nos. 49 and 53 as they are plagiarised from my amendments in Committee, which were almost identical.

At that stage, I was speaking on behalf of Valpak, which is the industry's group representing no fewer than 50 companies. It was set up by the Secretary of State to look at the implementation of the EC directive on packaging waste and to see how the targets could be met. The group encouraged me to table various amendments in Committee, not least of which was an amendment to encourage people who were not part of registered exemption schemes to be registered nevertheless. It was quite an achievement, in that all sections of industry were united under the organisation and knew how they wished the Government to proceed.

I suspect that, for the sake of convenience, the Government wish to proceed to implementation of the directive by approaching one section of the packaging chain—the packer fillers—rather than the whole packaging chain. I emphasise that all sections of the chain are in agreement. In case my right hon. Friend the Minister should say that the industry is not united, I must point out that, in the retail sector, no less august companies than Marks and Spencer and Boots, which had previously not been on board, are now on board.

While I welcome the amendments, I ask the Government to listen in future to what industry wants. The Bill imposes significant obligations on industry, and I ask the Government to consult on how they will implement clause 93.

10.30 pm

Mr. Atkins: I am extremely grateful for my hon. Friend's support, brief as it was. I assure him that we shall of course pay particular attention to what industry has to say. It is, after all, the major player, and no Government would be foolish enough to make decisions without having a pretty clear idea of what industry thought. My hon. Friend spoke on the issue in Committee and, I believe, on other occasions. I am grateful to him for taking the trouble to do so and for supporting the amendments.

Clause 93

PRODUCER RESPONSIBILITY: SUPPLEMENTARY PROVISIONS

Amendments made: No. 49, in page 116, line 17, at end insert—

'(dd) the registration of persons who are subject to a producer responsibility obligation and who are not members of registered exemption schemes, the imposition of requirements in connection with such registration, the variation of such requirements, the making of applications for such registration, the period for which any such registration is to remain in force and the cancellation of any such registration;'.

No. 50, in page 116, line 28, after 'any' insert 'such'.

No. 51, in page 116, line 33, leave out

'for registration received by it;'

and insert

'received by it for registration of exemption schemes;'.

No. 52, in page 117, line 2, at end insert—

'(v) on the making of an application for, or for the renewal of, registration of a person required to register under the regulations;

(vi) in respect of the renewal of the registration of that person;'.

No. 53, in page 117, line 27, at end insert

'or persons required to register under the regulations;'.—*[Mr. Atkins.]*

Clause 96

HEDGEROWS

Amendment proposed: No. 110, in page 120, line 29, at end insert—

'(2A) For the purpose of facilitating the protection of important hedgerows, regulations under subsection (1) above may also make provision in relation to other hedgerows in England or Wales.

(2B) Without prejudice to the generality of subsections (1) to (2A) above, regulations under subsection (1) above may provide for the application (with or without modifications) of, or include provision comparable to, any provision contained in the planning Acts and may, in particular, make provision—

(a) prohibiting, or for prohibiting, the removal of, or the carrying out of prescribed acts in relation to, a hedgerow except in prescribed cases;

(b) for or with respect to appeals against determinations or decisions made, or notices given or served, under or by virtue of the regulations, including provision authorising or requiring any body or person to whom an appeal lies to consult prescribed persons with respect to the appeal in prescribed cases;

(c) for a person who contravenes, or fails to comply with, any prescribed provision of the regulations to be guilty of an offence;

(d) for a person guilty of an offence by virtue of paragraph (c) above which consists of the removal, in contravention of the regulations, of a hedgerow of a description prescribed for the purposes of this paragraph to be liable—

(i) on summary conviction, to a fine not exceeding the statutory maximum, or

(ii) on conviction on indictment, to a fine;

(e) for a person guilty of any other offence by virtue of paragraph (c) above to be liable on summary conviction to a fine not exceeding such level on the standard scale as may be prescribed.

(2C) Regulations under this section may make different provision for different cases, including different provision in relation to different descriptions of hedgerow, different descriptions of person, different areas or localities or different circumstances.'.—*[Mr. Atkins.]*

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss the following: amendment (a) to the proposed amendment, leave out lines 2 to 4 and insert—

'(2A) Regulations under subsection (1) above may also make provision in relation to other hedgerows in England and Wales, but only to the extent necessary for the purpose of facilitating the protection of important hedgerows.'

Amendment (b) to the proposed amendment, in line 4, at end insert—

'( ) Regulations under subsection (1) above shall make provision for or with respect to appeals against determinations or decisions made, or notices given or served, under or by virtue of the regulations, and may include provision authorising or requiring any body or person to whom and appeal lies to consult prescribed persons with respect to the appeal in prescribed cases.'

Amendment (c) to the proposed amendment, leave out lines 11 to 14.

Government amendments Nos. 111 to 115.

Mr. Clifton-Brown: I am sorry to have to detain the House again. I have long been concerned with hedgerows and I should have preferred the issue to have been dealt with not by means of legislation. However, that battle is lost and the Government have introduced provisions in the Bill to deal with hedgerows.

The amendments would ensure that the provisions have as light a touch as possible. I should like the Government to specify clearly in their guidance what are considered important hedgerows. What is meant by important hedgerows is crucial. We do not want to specify every hedgerow; otherwise, landowners, farmers and others would have significant additional obligations placed on them.

In another place, Lord Ullswater said that an appeals mechanism would be introduced so that if someone who was notified about an important hedgerow disagreed with the designation, he could appeal against it. I should be grateful if my right hon. Friend could reassure me about the appeals mechanism to be included in the guidance.

Mr. Atkins: Amendments (a) to (c) would revise Government amendment No. 110 in two ways. Amendment (a) recasts subsection (2A). It would enable regulations to make provisions in relation to other hedgerows but only to the extent necessary for the purpose of facilitating the protection of important hedgerows. I hope I can reassure my hon. Friend. My amendment does not simply state that regulations may make provision about other hedgerows. If it did, I would understand and sympathise with my hon. Friend's sentiments. But my amendment goes further than that; it states in plain terms that the regulations may make such provision for the purpose of facilitating the protection of important hedgerows. I do not think that my hon. Friend's amendment adds anything to that, since the purpose of subsection (2A) is clearly expressed.

Amendments (b) and (c) relate to appeals, to which my hon. Friend referred briefly in his conclusion.

Mr. Morley: I do not want to delay the House by speaking on improvements in the way in which hedgerow legislation is evolving. I want to put it on record that we support the measures that the Minister is taking, but will the measures that he is moving apply to hedgerows in semi-urban and urban areas, which may be important?

Mr. Atkins: It is certainly not my intention to move into urban areas if I can possibly avoid it. There are grave concerns on both sides of the House about the implications of all that. Clearly, some exceptionally important hedgerows might have to be considered. In that sense, the hon. Gentleman may be reassured.

My hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton-Brown) referred to appeals. It was generally agreed in another place that rights of appeal should form an essential part of the scheme's arrangements. That is indeed our intention. We undertook to consider whether some provision on appeals should be included on the face of the Bill. Subsection (2B)(b) of amendment No. 110 does so in widely drawn terms, for the good reason that we cannot, at this stage, prejudge the terms of the scheme that emerges from consultation.

I can understand the purpose behind amendment (b), which states that provision for appeals has to be made

"against determinations or decisions made, or notices given or served, under . . . the regulations".

I am concerned, however, that its effect might be unfortunate. It might place a requirement on the Government to provide rights of appeal against all decisions and determinations. That would include a decision to allow a hedgerow to be removed, which is not what my hon. Friend intends.

We must wait until we are clear about how the arrangements will work in practice before we consider the means by which decision makers should be challenged. I do not think that there is much difference between my hon. Friend and me, and I hope that, in the circumstances, he will not press his amendments.

Amendment agreed to.

Amendments made: No. 111, in page 121, line 9, at end insert—

' "hedgerow" includes any stretch of hedgerow;'.

No. 112, in page 121, line 14, at end insert—

' "the planning Acts" has the same meaning as it has in the Town and Country Planning Act 1990 by virtue of section 336(1) of that Act;'.

No. 113, in page 121, line 15, leave out second 'prescribed' and insert

'specified, or of a description specified,'.

No. 114, in page 121, line 16, at end insert—

' "remove", in relation to a hedgerow, means uproot or otherwise destroy, and cognate expressions shall be construed accordingly;'.

No. 115, in page 121, line 18, at end insert—

'(6) Any reference in this section to removing, or carrying out an act in relation to, a hedgerow includes a reference to causing or permitting another to remove, or (as the case may be) carry out an act in relation to, a hedgerow.'.—*[Mr. Atkins.]*

Clause 107

POWERS OF ENFORCING AUTHORITIES AND PERSONS AUTHORISED BY THEM

Amendments made: No. 54, in page 134, line 17, at end insert—

'(c) a local authority for the purposes of Part IV of this Act or regulations under that Part;'.

No. 205, in page 134, line 38, leave out 'section 161' and insert 'sections 161 to 161C'.

No. 55, in page 134, line 46, leave out 'such authorities' and insert

'or transferred to, that authority'.

No. 56, in page 134, line 48, leave out second 'Part'.

No. 57, in page 134, line 49, leave out 'or' and insert—

'(aa) by or under regulations made by virtue of Part IV of this Act; or'.—*[Mr. Atkins.]*

Clause 112

POWER OF SECRETARY OF STATE TO DELEGATE HIS FUNCTIONS OF DETERMINING, OR TO REFER MATTERS INVOLVED IN, APPEALS

Amendments made: No. 220, in page 137, line 45, after '42B(5)' insert ', 46B'.

No. 206, in page 138, line 7, after '96' insert '161B'.—*[Mr. Atkins.]*

Clause 115

APPLICATION OF THIS ACT TO THE ISLES OF SCILLY

Amendments made: No. 197, in page 139, line 8, leave out 'section 76' and insert

'sections 76, 79 and 88'.

No. 198, in page 139, line 9, after 'section' insert 'or section 88 above'.

No. 199, in page 139, line 16, after 'functions' insert

'(other than functions under or by virtue of Part III or IV of this Act)'.

No. 200, in page 139, line 20, after 'III' insert 'or IV'.—*[Mr. Atkins.]*

Clause 118

MINOR AND CONSEQUENTIAL AMENDMENTS, TRANSITIONAL AND TRANSITORY PROVISIONS, SAVINGS AND REPEALS

Amendment made: No. 58, in page 142, line 43, leave out 'not mentioned in that Schedule but'.—*[Mr. Atkins.]*

Clause 123

SHORT TITLE, COMMENCEMENT, EXTENT, ETC.

Mr. Atkins: I beg to move amendment No. 59, in page 146, line 24, after '77' insert

', paragraph 6(2) of Schedule 7'.

Madam Deputy Speaker: With this, it will be convenient to discuss also the following amendments: No. 117, in schedule 7, page 173, line 42, leave out from beginning to end of line 5 on page 174 and insert—

'(a) one third local authority members;

(b) one third members appointed by the Secretary of State; and

(c) one third members elected from Parish councils which are entirely or partly within national park boundaries and which for the purpose of this election shall form one voting body.'.

Government amendment No. 62.

No. 253, in page 173, line 45, at end insert—

'(c) such number of members to be elected from amongst those persons whose main residence is within the boundaries of the National Park.'.

Government amendment No. 63.

No. 254, in page 174, line 3, leave out from 'to' to end of line 5 and insert

'the number of local authority members specified in the order; and to the number of members to be elected for amongst those persons whose main residence is within the boundaries of the National Park.'.

No. 118, in page 174, line 30, leave out

'have regard to the desirability of appointing'

and insert 'appoint'.

Government amendments Nos. 64 to 68.

Mr. Atkins: I should speak briefly to this amendment. In Committee, we dealt in preliminary terms with the structure of the national parks. I know that hon. Members on both sides of the House will want to respond to the Government amendments and I therefore want to put on record some points that may be of help to them.

There has been some interest in identifying the parish nominations to which we referred. We have received about 72 responses to the consultation exercise and the views expressed have been taken into consideration in reaching our decision to proceed with the change in the constitution of the new authorities.

The important point in all this is that concern has been expressed—certainly on Second Reading and on other occasions, I think—about the need to ensure that the national parks and those who live and work in them should be better represented than has been the case heretofore. I made an attempt in Committee to do just that, and I hope that this proposal will be acceptable to the House.

There has been some concern about parish nominations, but I can assure hon. Members that we are content for parishes in each park to decide, through a collective process agreed among themselves, a list of nominations to be put before the Secretary of State. The Secretary of State will retain the ultimate discretion—I have assured hon. Members that my right hon. Friend is most unlikely to challenge anything—and will make the ultimate appointments. This will be made clear when we seek nominations for parish appointments, and in a circular to be issued in due course.

Mr. McLoughlin: Will my right hon. Friend address amendment No. 118 which would remove the word "desirability" from the Bill?

Mr. Atkins: I shall be more than happy to address the amendment after my hon. Friend has spoken to it.

Mr. Morley: As on the issue of quiet enjoyment, which we have just debated, the Government have decided on this issue to go back on their word and to break the wide consensus on the recommendations of the Edwards committee. But there is less of an excuse for the Government in this case. This is not a case of a Bill being changed following a vote in another place or where the Government put a measure on the face of the Bill. The Government accepted the recommendations of the Edwards committee, but suddenly—again, at very short notice—decided that they were going to change their mind and break the consensus.

[Mr. Morley]

The Edwards committee consulted widely and looked at all of the various issues, and yet we now have new amendments rushed through following limited consultation. There has been no consultation at all with the countryside bodies that are involved in national parks. Why have the Government done this? How does the measure improve the representation of local people? Are these proposals wanted in the national parks? [HON. MEMBERS: "Yes."] I shall refer to the consultations, and Conservative Members ought to listen to what they say before making their views known.

If the measure is so important, why is it to apply only to national parks in England and not in Wales? Why are parish council appointees by the Secretary of State apparently to be exempt from the provisions of appointment for other nominees by the Secretary of State? On the face of it, they seem to have open-ended appointments, compared with those in other categories. Why is it—contrary again to the original promises—that the Countryside Commission will not be consulted about the nominees who go forward?

The response to the Government's consultation exercise was very interesting. I have had the opportunity to examine the responses, which I asked the Minister to place in the Library. Of those organisations that expressed an opinion, 40 were strongly opposed to the changes being put forward by the Minister tonight. Sixteen of those that responded and that expressed an opinion were in favour. Not surprisingly, all bar two of those were parish councils.

Mr. Atkins: That is unreasonable.

Mr. Morley: It is not unreasonable. If parish councils are asked whether they want representation on the bodies, most of them will be in favour. Before the Minister gets too excited, eight of those 16 that responded in favour made it clear that they were not happy with the process of selection, and that they were strongly opposed to direct appointment by the Secretary of State. Some of them said that they could not see how direct appointment or selection by the Secretary of State was going to improve local accountability in any way.

Some pointed out that large numbers of parish councils—there are more than 100 parish councils in the Peak district—led to organisational problems in terms of selection. There are virtually no parish councils in Northumberland, and I would be interested to know how the Minister will make the amendment work there if there are hardly any parish councils.

Mr. Peter Atkinson: I apologise if I misheard the hon. Gentleman, but I understood him to say that there are no parish councils in Northumberland.

Mr. Morley: Hardly any.

Mr. Atkinson: I can assure the hon. Gentleman that the national park area is covered by parish councils that are delighted by my right hon. Friend's proposals.

10.45 pm

Mr. Morley: That is not the response of the national parks. It is clear that in Northumberland only a small proportion of the population in the national park area is covered by parish councils.

The national parks have pointed out that there are organisational problems with the nomination and selection process. Some national parks do not have an adequate number of regional bodies representing parish councils—but where they do exist, not all the parish councils in the area belong to them. In some national parks forums have been established to deal with parish councils. We strongly support that approach if the forums are properly consulted and have a proper input into the decision-making of the national park authorities. It is an effective and sensible way to involve parish councils.

The benefit of such an approach was confirmed in the Edwards report. For the benefit of some hon. Members, I shall remind the House of what the Edwards committee said about parish council representation. It said that it did not support the proposition that there should be parish council appointees on each national park authority. Instead,

> to cater for the needs of parish councils and community councils, we argue that the consultation arrangements between national park authorities and the councils should be strengthened."

We have no objection to that as it seems reasonable. It continued:

> For example, there should be systematic consultation on planning applications and regular forums to explain the implications of policy developments and to hear the aspirations and problems of park communities. The appointment of community development officers in a number of park authorities is helpful in this respect."

There is no reason why the Minister and the Government should not follow the suggestion of the Edwards committee. It would be a far more effective way of involving parish councils and hearing their views, than plucking out through some mysterious magic circle a privileged number of people to sit on the new authorities.

Another point made by the parish councils was that where there are existing joint arrangements—such as in my constituency, where a number of parish councils cover a particular village school and there is a rotational system of representation on the school governing body—that sort of approach has often proved unsatisfactory to the parish councils. Again, they have expressed concern about the selection of nominees.

There is a genuine question whether the Government's amendments would improve local accountability. I do not think that the evidence is there to show that they would. Indeed, an examination of current national park committees shows that a high proportion of their members are also parish councillors. The proportion ranges from 60 per cent. of the members of the Snowdonia national park committee to 38 per cent. in the Yorkshire Dales. The average is between 25 and 30 per cent. for local government members who are also parish councillors. There is a link there.

Of course, good local authority members regularly attend the parish council meetings in their areas to report back—as should local Members of Parliament. I certainly attend my parish council meetings, give them an annual report and take questions from councillors. There is no reason why there cannot be that sort of accountability linked to the present system.

As two thirds of the members of national park authorities will be local government members, and in view of the guidance in the Bill that regard should be taken of councillors who represent wards within the new park authority areas—which is reasonable as the people

who serve on the new authorities should come from wards in the national parks—local representation is good and will be improved by the Bill's proposals.

It must be spelt out that national parks are just that. With 75 per cent. national funding, it is right that, as laid down in the Bill, one third of the places should be nationally appointed to reflect national concerns. However, those national appointments should be transparent and a register of nominations should be established and available for people to inspect. The amendments would reduce those national places. They would also reduce local government places, namely the local councillors responsible for raising finance for the national parks, which responsibility parish councils do not have. The amendments would reduce national members and give parish councillors some 18 per cent. of the places on a 22-member national park authority.

Why do that? The tensions between parishes and park authorities will not go away as a result of those proposals. From the responses that I have read, it seems that the tensions were primarily linked with planning disputes. I appreciate that some local parish councils feel that only local people should have a role on national park authorities. One parish council even said that not only should it be local people but "native" people, which was going a bit far. I do not know whether it meant that only ancient Britons or Celts should be allowed to sit on the national park authorities.

Most reasonable people would recognise that there must be a balance between all those who live in, use and depend on the national parks and those who use them for recreation. The amendments upset the sensible balance which the Edwards committee brought about. There does not seem to be even an attempt to consider other ways of dealing with the matter, such as co-opting parish councils, if that were felt desirable. Instead, the amendments seek to upset the two-thirds, one-third balance. Professor Edwards, who has given greater consideration to this matter than anyone in the House tonight, said in a recent letter to the Secretary of State that the proposal that we are discussing is

"counterproductive both in producing a sensibly balanced pluralism on Park Authorities and, politically, being perceived as moving from bodies with a clear majority of democratically elected representatives towards quangos which are currently viewed with deep suspicion. And for what?"

Indeed, for what? Perhaps this is the Government of the parochial party, prepared to put parochial interests before strategic balance. Or are the amendments yet another example of the Government's fatal addiction to quangos, given that nearly half the appointments would be under the patronage of the Secretary of State? I doubt whether any hon. Member believes hand on heart that the Government should appoint nearly half the members of those committees. Those should be local government bodies, but they are being turned into quangos under the patronage of the Secretary of State, whoever he or she may be.

The amendments are a travesty of democracy, unanimously rejected by the national park authorities, eight out of 10 of which are controlled by Conservative Members. For once, the Government got this matter right the first time, when they introduced the Bill. We strongly support the wording currently in the Bill. The amendments are a retrograde step that does nothing for local accountability.

Mr. Paul Tyler (North Cornwall): I speak with personal experience of how national parks have been and are run. In my misspent youth, I was an elected member of the Dartmoor national park committee for six years and its vice-chairman for five years, and I was proud of the work that that national park did. The problem then and now is that there is a democratic deficit in the running of national parks. Conservative Members from national park areas will agree with me.

It is extremely important that we are debating this issue, even at this late hour, and I am glad that a thorough debate, which I read, took place in Committee on the subject. I and my hon. Friends have put forward a solution in amendment No. 117, but the solution that we proposed in Committee was even better. I am sad that we did not have the support of all hon. Members from national park areas and other hon. Members who are concerned about the problem of democratic deficit in the running of our national parks. My hon. Friend the Member for Truro (Mr. Taylor) moved a simple amendment in Committee, that one third of the members of the new national park authorities should be directly elected by the people of the national parks. Then we could solve all the problems referred to in the House this evening and in Committee, about the use of devious mechanisms by which local representation could be achieved. Direct election is the answer.

I believe that the Minister was sympathetic to that proposal, because his objections about trying to find the right returning officer and the like were laughable. That proposal represented the best solution. It would have provided the right type of representation in all our national parks. Those elected would not be chosen because they happened to be the right parish councillor, at the right time, for whom no one could find another job. They would be elected because they specifically stood before their electorate and said, "I have something to say. I want to do something for our national park area."

Despite the widespread concern expressed about the Government's proposal to "appoint", as the hon. Member for Glanford and Scunthorpe (Mr. Morley) said, a proportion of parish councillors, sadly, in Committee Ministers refused to accept the simple proposal by my hon. Friend the Member for Truro. The Government have refused to listen to the many voices of dissent and have now gone back on their original proposal. They intend to extend the proportion of members of the national park authorities who will serve by virtue of quangodom, not of democracy. Accountability will not be enhanced, rather the appointee will still be responsible to the appointor—the Secretary of State—whatever his or her status in the local community.

The proposal to include a proportion of parish council members on the park authorities seems to have been made simply to try to pacify the fears of some Conservative Members. They are under considerable pressure, and rightly so, to extend the democratic accountability of the authorities. It ain't going to wash. The amendment will not achieve that end, and that must be our principal concern. The national park communities and the people

[Mr. Paul Tyler]

who are concerned about the lack of representation will be no more satisfied tomorrow morning, if the amendment is passed, than they were before.

As it stands, the Government amendment will not improve democratic accountability to any significant extent. It cuts the number of elected members, who can serve with a mandate, because they have been elected by the local community, and increases the number who will owe their place to the Secretary of State. The one third, one third, one third proposal of the Edwards report has been torn up at a stroke.

The amendment involves an important principle. It is not simply that of no taxation without representation, because if one makes a contribution to something of national importance such as the national parks, one should expect some representation. Yes, that is correct. So one has the Secretary of State's nominees, who are the national representatives on the park authorities. The top-tier local authorities in the surrounding area have a direct responsibility and financial interest in the future of the national parks, so they, too, should be represented. Equally, the residents themselves of those national parks should be directly represented by people of their choice, not the choice of the Secretary of State—however well advised—in London.

In reality, the process of accountability will not be improved. To whom will those new members be answerable? They certainly will not be answerable to the local community. It will be impossible for the local residents to identify by whom they are represented and to whom that member is responsible. Those new members may be parish councillors, but they will not be appointed to the national parks because of their electorate's confidence in their views about the national parks. They may well be appointed because, according to the law of Buggin's turn, they have not served on the authority before and it is about time that they did something really useful. The parish councils may want someone to be chosen who has an entirely negative view of the national park in order to put grist into the mill. That may have merit, but that is scarcely what the local communities are being asked to consider.

As my hon. Friend the Member for Truro and my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) have said, our party, and I believe most people living in the national parks, would prefer to see directly elected members on the park authorities. They would have to put their priorities and attitudes to the national park on the line before the electorate. That would ensure proper, informed local debate and a much greater sense of mandate and of accountability.

However, given that we accept, at this late hour, that the Government are unlikely to reconsider the option that we laid before the Committee—we did not press it to a vote because we hoped that they would come back with an endorsement of it—we have proposed, in amendment No. 117, a way by which we could at least ensure that there is some electoral responsibility amongst the members concerned, and that as a result they would be more democratically accountable.

We propose, in a simple amendment to the Bill, which I hope that Conservative Members from the national parks will support because I know that people in their districts will certainly support it, that those members who are appointed from parish councils should be elected by the parish councils meeting collectively. That is a simple, obvious mechanism for achieving the improvement that we seek in the Bill. It would mean that parish councils would simply come together into one voting body on one occasion for that specific purpose.

We know, from his contribution to the debate in Committee, that the Minister is sympathetic to the principle; the object—the need to improve democratic accountability. We know from the hon. Member for Glanford and Scunthorpe, the Labour spokesman, that, although he may prefer to return to a previous suggestion, he acknowledges the need to improve the present position and rejects, as we do, the Minister's half-hearted step in that direction because it may be interpreted equally well as a step backwards as a step forwards.

11 pm

The Minister said, in a letter to my hon. Friend the Member for Truro, following the Committee, that such a proposal will be suggested to parish councils for guidance. We cannot understand why it is possible to be as explicit as that and yet not place it in the Bill in that simple form. Incidentally, for the benefit of hon. Members from Wales, we do not understand why it is not possible to extend it to Wales. Surely the principles of democratic accountability apply as much in the Principality as they do in England.

However, the Minister said that the Government see no need to make that requirement on the face of the Bill. I believe that he must come forward in the House tonight and explain the logic of that extraordinary discrepancy. We disagree with him. Only by requiring an election in which all parish councils in the area of the national park participate can the Government even begin to claim that that is a real improvement in local representation and local accountability.

Mr. McLoughlin: I very much welcome the amendments that have been tabled by my right hon. Friends the Secretary of State and the Minister for the Environment and Countryside, who has direct responsibility for the Bill.

When my right hon. Friend the Minister for the Environment and Countryside wrote to me about those proposals as long ago as May, I decided to carry out my own consultation process. I therefore wrote to every parish council in the national park in my constituency—about 33 of them. If there is one criticism that had sometimes made itself felt, it was that there was no way in which to consult some of the parish councils directly.

I wrote because I believed that my right hon. Friend's proposals did go some way towards meeting some of the criticism that several of us made on Second Reading, to the effect that there should be a way of bringing about more local representation on the national parks. I reject any suggestion that somehow that does not go a great way towards bringing more people who live and work in the national parks on to the national park organisation. I believe that that is important and welcome.

Mr. Tipping: Will the hon. Gentleman give way?

Mr. McLoughlin: No, I will not, if the hon. Gentleman does not mind. He may make his speech, if he wishes, later.

I received several comments as a result of my consultation process with parish councils. Indeed, Hartington Middle Quarter parish council asked each of its councillors to write down their suggestions on what my right hon. Friend was saying. One comment was:

"I must congratulate the Minister on his forward-thinking ideas regarding Parish Councils and his proposal to involve them in conjunction with the National Park Authority and wholly support him."

Another one said:

"There are a lot of good ideas forwarded by the Minister but I am glad to see that people have realised that people also have to work and make a living in the National Parks."

A further one, which I shall read out, although modesty should perhaps have prevented me doing so, said:

"Our local M.P. has come up with some good ideas which we should support in any way we can."

[HON. MEMBERS: "Resign."] I could quote at length from a number of letters that warmly welcome the Government's proposals, but I see my hon. Friend the Whip on the Treasury Bench noting that the hour is late. Nevertheless, it is worth recording that I have received a letter from Monyash parish council, which says:

"It was resolved that the Parish Council fully support your efforts in this direction and hope that all your hard work comes to fruition".

The letter from Winster parish council states:

"It seems logical to me that people who are resident in an area obviously are more aware of local requirements than any outside bureaucrat however well intentioned that person may be".

Eyam parish council, Fenny Bentley parish council and Ashford with Sheldon parish council have made the same sorts of comments.

Mr. Morley: They are hardly likely to attack the proposals.

Mr. McLoughlin: I remind the hon. Gentleman that they are the people who live and work in national parks. It is right that they should have an important role in the decision-making process.

Mr. Morley: Did those parish councils say also that they support the idea that the Secretary of State will choose a few of their number at whim to serve on the new bodies?

Mr. McLoughlin: I have explained clearly to the parish councils the way in which the arrangement will work. They may make other suggestions, but the fact is that it is a move in the right direction. The hon. Member for Glanford and Scunthorpe (Mr. Morley) may shake his head, but in the past local councils with the bulk of nominations have appointed people who do not live in the area and who have nothing to do with it. That has led to great resentment. Derbyshire county council is an excellent example in that regard, because seven of the eight people whom it appointed to the bodies did not live anywhere near the national park. It is a move in the right direction. I would like to see fully elected national parks, but that is not an option before us this evening.

Mr. Tyler: That is not true; the House has before it precisely that option, which was also offered in Committee. Did the hon. Gentleman put the option of direct election to his correspondents?

Mr. McLoughlin: I introduced a ten-minute Bill in the House in an effort to improve local representation. I have been consistent in my approach to the issue. My right hon. Friend's proposal is moving in the direction of greater local representation, and the hon. Gentleman must accept that. He is trying to skimp over the issue—but that is what we expect from the Liberal Democrats.

Mr. John Greenway: I refer my hon. Friend to the enthusiasm for the measure expressed by parish councils in his constituency. Why does he believe that that is so? Is it because the voice of the parish councils is repeatedly ignored by district councils, county councils and existing national park committees?

Mr. McLoughlin: My hon. Friend is absolutely right. If the hon. Member for Glanford and Scunthorpe spoke to his parish councils, he would know that one of their biggest concerns is that, although they are consulted about planning applications, their views are often ignored. It is one way of making them a part of the process.

I shall conclude my remarks about this part of the Bill and then refer to amendment No. 118. The clerk of Beeley parish council writes:

"The beautiful villages and landscapes of the Peak District are host to thousands of visitors every year. The landscape of the region and the character of its villages are largely the result of the people who have lived and worked the land for centuries. It seems only just and fair that representatives of those people should be allowed some major control in the decision making processes, and not be in the hands of some separate body".

I think that that sums up very well the concerns of my constituents who live in national parks.

As I said earlier, my right hon. Friend's proposals are very welcome indeed. However, I draw his attention to my amendment No. 118. I interrupted my right hon. Friend earlier when he was speaking about quiet enjoyment of the countryside. I merely sought to stress that removing the words in question would clarify the law. I am still concerned about the wording of paragraph 2(4) of schedule 7, where it states that

"a principal council shall have regard to the desirability of appointing members of a council who represent wards or (in Wales) electoral divisions, situated wholly or partly within the relevant Park."

According to "Collins Dictionary of the English Language", the word "desirable" means

"Worthy of desire or recommendation . . . attractive."

What does desirable mean? What recourse will any member of a national park or an individual have, if councils wholly ignore that guidance? Why does such a mealy-mouthed word appear in the Bill? If such a course is desirable, why not state that it should be followed? I hope that my right hon. Friend can persuade me that some recourse exists, if that guidance is not followed by a council.

Mr. Dafis: Amendments Nos. 253 and 254 provide for direct elections and that option should be before the House. Twenty per cent. of the land area of Wales is designated as national parks. If some people have their way, current proposals would increase that figure to 30 per cent. There is considerable concern in Wales at the removal of one fifth of our country from local government control of land use and planning issues. It is essential that park boards are democratically accountable, particularly to park residents.

As I was not a member of the Standing Committee, this is my first opportunity to emphasise the considerable sense of alienation from committees felt by park residents. There is a strong belief that the needs of visitors are given

[Mr. Dafis]

priority over the rights of residents. Recently, an attempt was made by the national park in my constituency to force residents to remove static caravans that had been in situ for 25 years, which was strongly resented by park residents. People have also been prevented—absurdly, in my view—from pursuing legitimate business activities, on the grounds that they would contravene park priorities and that park amenities would be diminished.

That sense of grievance has been compounded by the park population being insufficiently represented on park committees. The Bill's provisions do not ensure adequate representation. Paragraph 2(4) of schedule 7 requires only that relevant councils—unitary authorities in Wales, after reorganisation—

"shall have regard to the desirability of appointing members of a council who represent wards or (in Wales) electoral divisions, situated wholly or partly within the relevant Park."

Although I would like to hear the Minister's comments, I shall not explore the question of what a council will be required to do to prove that it did

"have regard to the desirability of appointing members"

in that way. What would happen if it could be shown that a council had not fulfilled that requirement? In any case, that is only one consideration and not the overriding consideration. Sub-paragraph (8) makes political balance an important consideration.

If the number of local authority members on a park board is reduced for some reason—the Bill provides for that—the Secretary of State will determine who should go. The remainder of members are the Secretary of State's nominees anyway. That does not constitute a recipe for democratic accountability to those upon whom the policies of the national parks will have the strongest impact.

11.15 pm

My amendment provides that one third of the board members will be directly elected by residents. That is far superior to the Secretary of State's amendment which would increase the number of his nominees, although from among parish councillors or chairmen of parish councils. There is a good chance that such people will be Tories—or at least as good a chance as there could be these days. My amendment would establish the principle of direct elections to what is, in effect, a powerful local authority that covers 20 per cent. of the land area of Wales.

The elected representatives could be from community councils such as we have in Wales. They could be county councillors or members of residents associations or members of the general public. Parks make an important contribution to local employment. The elections would stimulate interest in the positive work of the parks, a great deal of which is excellent. That would go a long way towards eliminating the sense of alienation felt. There is a danger that the alienation of park residents from the boards will be intensified by the changes. I strongly urge the House to consider my amendments Nos. 253 and 254.

Mr. Harry Barnes (Derbyshire, North-East): My constituency forms part of the eastern border of the constituency of the hon. Member for West Derbyshire (Mr. McLoughlin) and sections of three parishes are in the Peak park area. My response to these matters is different from that of the hon. Gentleman. Eight parish councillors are represented on the board. They come from different areas but they have parish representation, and that is worth while.

As the House has heard, many parish councillors share other positions and represent authorities with wider representation and greater responsibilities than those of the parish. The hon. Member for West Derbyshire spoke about some 103 parishes in his area. In such a case, only limited bits of the Peak district are represented by any parish, and there is the problem of the interlinked wider considerations. We need experienced people from parish areas who can be drawn into much wider forms of representation.

In my constituency, areas such as Dronfield attract people precisely because they are on the edge of the Peak park, and people look to the park for recreation. It is entirely unfair to say that there should not be representation from authorities that represent people in such areas. Unfortunately, under the Bill, authorities such as North East Derbyshire district council, which might be able to qualify for representation on the board, will be placed in considerable financial difficulty.

Authorities will be precepted to take up a position. The situation might be so serious that, even when they become entitled to one place, they have to seek to instigate other provisions in the Bill to withdraw from that entitlement because they cannot afford the precepting. They will get a standard spending assessment grant of about £4,000 and, under the Bill, will be liable to be precepted by about £130,000. That is an inequitable arrangement and is a consequence of the Bill. It needs to be considered in terms of the granting of standard spending assessments, which are undoubtedly separate from the Bill but are very much part of the general framework.

Mr. Atkins: We have had an interesting debate. If I may say so yet again, it has been summed up by the fact that my right hon. and hon. Friends have spoken for people who live and work in the parishes in the national parks.

I do not take kindly to the hon. Member for Glanford and Scunthorpe (Mr. Morley) talking almost disparagingly about parish councils. He is on record as saying in Committee to my hon. Friends the Members for Hexham (Mr. Atkinson) and for Wyre (Mr. Mans) that he did not think that parish councils were truly democratic representatives. I can quote the necessary column in *Hansard* if the hon. Gentleman wishes me to do so, but I do not wish to delay proceedings unnecessarily.

Mr. Morley: Will the right hon. Gentleman give way?

Mr. Atkins: I shall not give way at this point. I shall continue to make the point as strongly as I can that we believe that parish councils should be better represented on parks committees. It is necessary to give them more representation. Of course, I understand why some of the county and district councillors do not like it: it is because we are giving more attention to people who live and work in the national parks, and that is what my right hon. and hon. Friends want.

Mr. Morley: Will the right hon. Gentleman give way?

Mr. Atkins: No.

I am sympathetic to the comments of hon. Member for North Cornwall (Mr. Tyler) on direct elections. His hon. Friend the Member for Truro (Mr. Taylor) will doubtless

have told him that we are sympathetic to that proposal. There are problems—he glossed over them. Some parishes are not, for example, wholly in a national park area and therefore there are difficulties about electoral rolls, but I have not ruled it out. One would want to try, if possible, to encourage that. I know that my hon. Friend the Member for West Derbyshire (Mr. McLoughlin) agrees with it.

The proposal is, however, more difficult than I can allow at this point, so the compromise is that my right hon. Friend the Secretary of State would have the ultimate discretion; but, as I said in my opening remarks, I do not anticipate that he would exercise that discretion. It is merely a residual power. That is probably the only difference between us.

Several hon. Members *rose—*

Mr. Atkins: I do not want to give way. If hon. Members will allow, we have had a good debate, we had a great debate about this subject in Committee and I do not need to persuade the House any more that my amendment is the right one.

Mr. Matthew Taylor: I hoped to be allowed by the Minister to intervene briefly because I raised the issue in Committee and he has not explained one simple point. Why does he prefer a request that parish councils and the national park come together to make a selection rather than a requirement in the Bill, which is the purpose of the amendment tabled by my hon. Friend the Member for North Cornwall (Mr. Tyler)? Given that the Minister seems to believe that that is the appropriate mechanism, I cannot understand why he does not want to say so. I hope that he will respond to that point.

Mr. Atkins: We said in Committee that we were keen that the collective county associations of parish councils would choose, from their number, representatives to serve on the national park representing such councils. In those circumstances, the only difference between us is the point about whether there should be the Secretary of State's discretion.

Mr. Taylor *rose—*

Mr. Atkins: I shall give way, but I do not want to prolong this debate. We want to get on.

Mr. Taylor: That is not the issue between us, because I am willing to accept, if necessary, that the Secretary of State should be left with the discretion. I am not clear as to why it should not be a requirement that the parish councils representing the national park areas come together rather than merely a recommendation in the Minister's regulations.

Mr. Atkins: It is simply that that is what exists now. I did not want to be too prescriptive or over-bureaucratic. At the moment, all the county associations meet and this is just another part of that process. I hope that the hon. Gentleman will not press me too far on this matter. I take the point that is being made by the hon. Gentleman and his hon. Friend the Member for North Cornwall. I want to give more power to the parish councils, but I cannot go as far as the hon. Gentleman wishes me to go.

Mr. Morley: I am anxious to set the record straight. I made no disparaging remarks about parish councils. The difference is that the Opposition want to ensure that the views of all those who live in and use national parks are made known. Given the state of the Government, any of my parish councils could do a far better job than them.

Mr. Atkins: That was a completely useless intervention. My hon. Friends who were members of the Committee will recall that the hon. Gentleman made disparaging remarks about parish councils. He said that they were not truly democratic representations of local people. He was quite wrong. The message that will go to all parish councils is that the Labour party does not think that they are truly democratic. That is on the record.

Question put, That the amendment be made:—

The House divided: Ayes 164, Noes 56.

Division No. 184] **[11.25 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Bates, Michael
Batiste, Spencer
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowis, John
Brandreth, Gyles
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Cran, James
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Elletson, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
French, Douglas
Gallie, Phil
Garnier, Edward
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hannam, Sir John
Harris, David
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Legg, Barry
Leigh, Edward
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maitland, Lady Olga
Mans, Keith
Martin, David *(Portsmouth S)*
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Monro, Sir Hector
Nelson, Anthony

Neubert, Sir Michael
Nicholls, Patrick
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pickles, Eric
Powell, William *(Corby)*
Richards, Rod
Riddick, Graham
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Shaw, David *(Dover)*
Shepherd, Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Twinn, Dr Ian
Walden, George
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wilshire, David
Wolfson, Mark

Tellers for the Ayes:
Mr. Sydney Chapman and
Mr. Timothy Wood.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Beggs, Roy
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Cann, Jamie
Clapham, Michael
Clark, Dr David *(South Shields)*
Coffey, Ann
Connarty, Michael
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Denham, John
Dixon, Don
Dobson, Frank
Dowd, Jim
Foster, Rt Hon Derek
Foulkes, George
Godman, Dr Norman A
Graham, Thomas
Heppell, John
Hill, Keith *(Streatham)*
Home Robertson, John
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark)*
Ilsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Kilfoyle, Peter
Kirkwood, Archy
Lewis, Terry
Llwyd, Elfyn
McAvoy, Thomas
McMaster, Gordon
Mahon, Alice
Marek, Dr John
Martin, Michael J *(Springburn)*
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morley, Elliot
Mudie, George
Oakes, Rt Hon Gordon
O'Brien, William *(Normanton)*
Pike, Peter L
Ross, William *(E Londonderry)*
Ruddock, Joan
Salmond, Alex
Simpson, Alan
Skinner, Dennis
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Tyler, Paul
Wallace, James
Wise, Audrey

Tellers for the Noes:
Mr. Andrew F. Bennett and
Mr. Harry Barnes.

Question accordingly agreed to.

Amendment made: No. 201, in page 146, line 39, at end insert—

'( ) The power conferred by subsection (4) above includes power to modify any enactment contained in this or any other Act.'.—*[Mr. Atkins.]*

Schedule 1

THE ENVIRONMENT AGENCY

Ms Ruddock: I beg to move amendment No. 30, in page 149, line 6, at end insert—

'(2A) The Agency may, in accordance with the provisions of the Local Government Pension Scheme Regulations 1995—

(a) pay such pensions to or in respect of any persons who are or have been its officers or employees, and

(b) make such payments towards provision for the payment of such pensions,

as it may, with the approval of the Secretary of State determine.'.

Madam Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 31, in page 149, line 8, leave out 'pensions'.

No. 32, in page 149, line 12, leave out 'pensions'.

No. 33, in page 149, line 15, leave out 'pensions'.

No. 34, in page 149, line 16, at end insert—

'(3A) For the purpose of exercising its functions under this paragraph as respects the management of any pension fund maintained by it, the Agency shall establish a Committee, not less than half the members of which shall be appointed after consultation with such organisations as appear to the Agency to be representative of the interests of its employees.'.

No. 35, in page 149, line 17, leave out 'sub-paragraph' and insert 'sub-paragraphs (2A) and'.

No. 36, in page 149, line 17, after 'pensions', insert 'or'.

No. 37, in page 149, line 19, after 'pensions', insert

'or, as the case may be,'.

No. 38, in page 149, line 21, at end insert—

'(5) The Agency shall secure that—

(a) so far as possible the terms and conditions of employment which apply to its employees are consistent throughout its area in respect of employees whose duties are similar or demand similar levels of skill,

(b) appropriate systems are established and maintained for the assessment of those duties and those levels, and

(c) appropriate arrangements are established and maintained for the representation of its employees, as respects matters affecting their terms and conditions of employment, by such organisations as are representative of its employees or, in a case where only some of its employees are affected, those employees.'.

No. 39, in schedule 22, page 340, line 13, at end insert—*'Local Government Pension Scheme Regulations 1995*—

219. At the end of Part I of Schedule B1 to the Local Government Pension Scheme Regulations 1995 (which lists the employers whose employees are eligible to be members of the Scheme) there shall be inserted the words "The Environment Agency".'.

Ms Ruddock: The amendment is extremely important, because it is the only one that has come before the House tonight that concerns the potential employees of the agency. In Committee, we faced many difficulties in trying to bring the concerns of potential employees to the attention of Ministers. However, because of the lateness of the hour, I shall not make a speech in support of the amendments. I shall merely explain their purpose. Having said that, I hope that the Minister will not give the matter any less attention. I am deeply concerned, as are my hon. Friends, about the terms and conditions awaiting employees who join the new agency.

Around 9,000 people will be transferred from the existing local government waste regulation authorities, from Her Majesty's inspectorate of pollution and the National Rivers Authority. Their futures are extremely important. The purpose of the amendments is to tackle one of the difficulties for people who transfer. Many of them are in senior positions, all are very skilled, and they are at varying stages of their careers, as well as being of varying ages.

The purpose of the amendments is, first, to make all employees of the agency eligible to be members of the local government pension scheme. Secondly, it is to restrict the agency to the provision of the local government pension scheme as opposed to any other scheme for future employees, while recognising and accepting that HMIP employees have special concerns as members of the chiefs of the civil service pension fund. Thirdly, the amendments would place an obligation on the agency to establish a joint pension committee by agreement with the relevant employee representative organisations.

The intention is to safeguard the pension rights of the potential employees of the agency. Of course, the transfer will be covered by the Transfer of Undertakings (Protection of Employment) Regulations 1981. There are therefore perfect precedents for the way in which a joint pension committee should be set up by agreement.

Despite having outlined the case in very few words, I hope that I have stressed the considerable importance of the amendments and our concerns for employees.

Mr. Atkins: I am grateful to the hon. Lady for the spirit in which she moved the amendment. Of course I listened carefully, as these are important matters.

I confirm that the agency will, through secondary legislation, be designated as an administering authority for the local government pension scheme. That will allow all eligible employees to join the scheme, but we do not need the Bill to so designate the agency. The usual procedure of an amendment to the relevant statutory instrument, which will be subject to consultation with relevant parties, will be sufficient.

Furthermore, the amendments would restrict the agency's freedom to offer alternative pension arrangements to individual staff who do not wish to join the LGPS. Nor would it be appropriate to require the agency to establish a committee as proposed in amendment No. 34. LGPS regulations already require administering authorities to act prudently in the management of their funds, and the statutory limits that apply to LGPS administering authorities ensure that requirement.

As for amendment No. 38, the agency will inherit a wide variety of terms and conditions of employment. It will undoubtedly wish to draw up systems of pay, grading, terms and conditions which are more consistent than those which it inherits, but the legislation should not prevent the agency from adopting variations to take account of factors such as the job market.

Ms Ruddock: In case he was not going to cover this point, may I ask the Minister to refer to people who are placed on short-term, fixed-term or temporary contracts?

Mr. Atkins: As the hon. Lady knows, these are highly technical matters, but no less important for that. If she would like me to spell out the details by way of correspondence, I should be more than happy to do so.

I can now do no better than suggest that the hon. Lady withdraw the amendment in due course.

Ms Ruddock: In view of the Minister's remarks and his promise to write to me in some detail, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 60, in page 149, line 24, leave out 'Water Resources Act 1991' and insert '1991 Act'.

No. 61, in page 149, line 28, leave out 'Water Resources Act 1991' and insert '1991 Act'.—*[Mr. Atkins.]*

Schedule 6

THE SCOTTISH ENVIRONMENT PROTECTION AGENCY

Amendment made: No. 221, in page 173, line 23, leave out paragraph 19.—*[Mr. Atkins.]*

Schedule 7

NATIONAL PARK AUTHORITIES

Amendments made: No. 62, in page 173, line 45, at end insert—

'(2A) In the case of a National Park authority for a National Park in England, such number as may be specified in the relevant order of the number of members of the authority to be appointed by the Secretary of State shall be parish members.'.

No. 63, in page 174, line 3, leave out from 'shall' to end of line 5 and insert '—

(a) as respects any National Park authority for a National Park in England, be two less than the number of local authority members specified in the order; and

(b) as respects any National Park authority for a National Park in Wales, be equal to half the number of local authority members specified in the order.

(4) As respects any National Park authority for a National Park in England, the number specified in the relevant order as the number of parish members to be appointed by the Secretary of State shall be one less than one half of the total number of the members of the authority to be appointed by the Secretary of State.

(5) Accordingly—

(a) in the case of a National Park authority for a National Park in England, the effect of the relevant order shall be such that the total number of members of the authority will be an even number which is not a whole number multiple of four; and

(b) in the case of National Park authority for a National Park in Wales, the number of local authority members specified in the relevant order shall be an even number.'.

No. 64, in page 175, leave out line 6 and insert—

'Parish members of English National Park authorities

2A.—(1) The parish members of an English National Park authority shall be appointed by the Secretary of State.

(2) A person shall not be appointed as a parish member of an English National Park authority unless he is—

(a) a member of the parish council for a parish the whole or any part of which is comprised in the relevant Park; or

(b) the chairman of the parish meeting of a parish—

(i) which does not have a separate parish council; and

(ii) the whole or any part of which is comprised in the relevant Park.

(3) Subject to the following provisions of this Schedule, where a person who qualifies for his appointment by virtue of his membership of a parish council, is appointed as a parish member of an English National Park authority, he shall hold office from the time of his appointment until he ceases to be a member of that parish council.

(4) Sub-paragraph (3) above shall have effect so as to terminate the term of office of a person who on retiring from any parish council immediately becomes such a member again as a newly elected councillor; but a person who so becomes a member again shall be eligible for re-appointment to the National Park authority.

(5) Subject to the following provisions of this Schedule, where a person who qualifies for his appointment by virtue of his being the chairman of a parish meeting, is appointed as a parish member of an English National Park authority, he shall hold office from the time of his appointment until he ceases to be the chairman of that parish meeting.

(6) Sub-paragraph (5) above shall have effect so as to terminate the term of office of a person who is elected to succeed himself as chairman of any parish meeting; but a person who so becomes the chairman again shall be eligible for re-appointment to the National Park authority.

(7) Subject to the provisions of this Schedule, a parish member of an English National Park authority shall hold office in accordance with the terms of his appointment.

(8) In this paragraph, "English National Park authority" means a National Park authority for a National Park in England.

Members (other than parish members) appointed by the Secretary of State'.

No. 65, in page 175, line 24, at end insert—

'(5) This paragraph shall not apply to persons appointed as parish members of a National Park authority for a National Park in England or to their appointment as such members.'.

No. 66, in page 175, line 46, after 'him' insert

', other than any parish member of a National Park authority for a National Park in England,'.

No. 67, in page 175, line 50, at end insert—

'(3) The Secretary of State may remove from office any parish member of a National Park authority for a National Park in England either—

(a) by giving that member such written notice of the termination of his appointment as the Secretary considers appropriate; or

(b) in such other manner as may be provided for in the terms of that member's appointment;

but a parish member shall only be removed from office in the manner mentioned in paragraph (a) above where the Secretary of State considers it appropriate to do so in consequence of the provisions of any order for varying either the area of the relevant Park or the number of parish members of the National Park authority in question.'.

No. 68, in page 176, line 10, after 'represented;' insert—

'(cc) as respects a National Park authority for a National Park in England—

(i) any parish council for, or parish meeting of, a parish the whole or any part of which is comprised in the relevant Park;

(ii) any committee or sub-committee of any such parish council or any committee of any such parish meeting; or

(iii) any joint committee on which any such parish council or parish meeting is represented;'.

No. 202, in page 176, line 26, after 'from' insert '"of".—*[Mr. Atkins.]*

Schedule 10

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO NATIONAL PARKS

Amendments made: No. 69, in page 190, line 15, at end insert—

'( ) For section 88 of that Act (application to areas of outstanding natural beauty of provisions relating to National Parks) there shall be substituted—

"Functions of certain bodies in relation to areas of outstanding natural beauty

88.—(1) The following provisions of this Act, that is to say—

(a) paragraph (e) of subsection (4) of section six,

(b) section nine,

(c) subsection (1) of section sixty-two,

(d) subsection (5) of section sixty-four, and

(e) subsections (5) and (5A) of section sixty-five,

shall apply in relation to areas of outstanding natural beauty as they apply in relation to National Parks.

(2) In paragraph (e) of subsection (4) of section six of this Act as it applies by virtue of the last foregoing subsection, the expression "appropriate planning authority" means a local planning authority whose area consists of or includes the whole or any part of an area of outstanding natural beauty and includes a local authority, not being a local planning authority, by whom any powers of a local planning authority as respects an area of outstanding natural beauty are exercisable, whether under this Act or otherwise.

(3) The provisions of section 4A of this Act shall apply to the provisions mentioned in paragraphs (a) and (b) of subsection (1) of this section for the purposes of their application to areas of outstanding natural beauty as the provisions of the said section 4A apply for the purposes of Part II of this Act.

(4) A local planning authority whose area consists of or includes the whole or any part of an area of outstanding natural beauty shall have power, subject to the following provisions of this section, to take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty or so much thereof as is included in their area.

(5) Nothing in this Act shall be construed as limiting the generality of the last foregoing subsection; but in so far as the provisions of this Act confer specific powers falling within that subsection those powers shall be exercised in accordance with those provisions and subject to any limitations expressed or implied therein.

(6) Without prejudice to the powers conferred by this Act, subsection (4) of this section shall have effect only for the purpose of removing any limitation imposed by law on the capacity of a local planning authority by virtue of its constitution, and shall not authorise any act or omission on the part of such an authority which apart from that subsection would be actionable at the suit of any person on any ground other than such a limitation."'.

No. 70, in page 191, line 41, leave out

'in paragraph (b) of subsection (1)'

and insert '—

(a) at the beginning of subsection (1) there shall be inserted the words "Subject to section 67 of the Environment Act 1995 (planning authority functions under National Parks legislation to be functions of National Park authorities in certain cases),"; and

(b) in paragraph (b) of that subsection,'.

No. 71, in page 191, line 43, at end insert—

'( ) In subsection (3) of that section, for the words "sections 9 and 11" there shall be substituted the words "section 9".'.

No. 72, in page 191, leave out from beginning of line 44 to end of line 2 on page 192.

No. 73, in page 201, line 11, leave out '2' and insert

'1, at the beginning of the subsection which that paragraph substitutes for subsection (1) of section 184 of the 1972 Act, there shall be inserted the words "Subject to section 67 of the Environment Act 1995 (planning authority functions under National Parks legislation to be functions of National Park authorities in certain cases),".

(2) In paragraph 2 of that Schedule,'.—*[Mr. Atkins.]*

Schedule 11

AIR QUALITY: SUPPLEMENTAL PROVISIONS

Amendment made: No. 74, in page 204, line 34, at end insert—

'(oo) similar to any provision made by section 79 of the Road Traffic Offenders Act 1988 (statements by constables in fixed penalty cases);

(op) for presuming, in any proceedings, that any document of a prescibed description purporting to have been signed by a person to whom a fixed penalty notice has been issued has been signed by that person;'.—*[Mr. Atkins.]*

Schedule 13

REVIEW OF OLD MINERAL PLANNING PERMISSIONS

Amendments made: No. 75, in page 207, line 29, at end insert

'; and where any such permission authorises the carrying out of development consisting of the winning and working of minerals but only in respect of any particular mineral or minerals, that permission shall not be taken, for the purposes of this Schedule, as relating to any other mineral in, on or under the land to which the permission relates.'.

No. 76, in page 220, line 33, at beginning insert

'Subject to sub-paragraph (4) below,'.

No. 77, in page 220, line 39, leave out 'an active' and insert 'a'.—*[Mr. Atkins.]*

Schedule 15

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO FISHERIES

Amendments made: No. 78, in page 239, line 10, at end insert—

'. After subsection (1A) of section 39 of that Act (application of Act to River Esk in Scotland) there shall be inserted—

"(1B) Sections 31 to 34 and 36(2) of this Act shall, subject to the modifications set out in subsection (1C) below, apply throughout the catchment area of the River Esk in Scotland but a water bailiff shall exercise his powers under those sections as so applied only in relation to an offence—

(a) against this Act;

(b) against section 1 of the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951; or

(c) which is deemed to be an offence under this Act by virtue of section 211(6) of the Water Resources Act 1991,

which he has reasonable cause to suspect has been committed in a place to which this Act applies by virtue of subsection (1)(b) above.

(1C) The modifications referred to in subsection (1B) above are—

(a) references in sections 31 to 34 of this Act to "this Act" shall be construed as including references to section 1 of the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 (as applied to the River Esk by section 21 of that Act); and

(b) in section 33—

(i) references to a justice of the peace shall be construed as including references to a sheriff; and

(ii) in subsection (2), the reference to an information on oath shall be construed as including a reference to evidence on oath.".'.

No. 79, in page 239, line 22, at end insert—

'. In subsection (3) of section 43 of that Act (extent of Act to Scotland), after the words "(1A)" there shall be inserted the words ", (1B), (1C)".'.—*[Mr. Atkins.]*

Schedule 16

POLLUTION OF RIVERS AND COASTAL WATERS IN SCOTLAND: AMENDMENT OF THE CONTROL OF POLLUTION ACT 1974

Amendments made: No. 222, in page 244, line 14, leave out from 'person' to 'shall' in line 15.

No. 223, in page 244, line 19, leave out

'if the mine or part of the mine'

and insert

'to the owner or former operator of any mine or part of a mine if the mine or part'.—*[Mr. Atkins.]*

Schedule 20

DELEGATION OF APPELLATE FUNCTIONS OF THE SECRETARY OF STATE

Amendments made: No. 80, in page 252, line 48, leave out 'delegation' and insert 'appointment'.

No. 81, in page 253, line 30, leave out 'or 66(5)' and insert ', 66(5) or 78S(3)'.—*[Mr. Atkins.]*

Schedule 21

APPLICATION OF CERTAIN OTHER ENACTMENTS TO THE CROWN

Amendments made: No. 24, in page 255, line 26, at end insert—

'PART I: ENACTMENTS RELATING TO ENGLAND AND WALES'.

No. 25, in page 257, line 39, at end insert—

'PART II: ENACTMENTS RELATING TO SCOTLAND

The Sewerage (Scotland) Act 1968

. For section 55 of the Sewerage (Scotland) Act 1968 (Crown application) there shall be substituted—

"Application of Act to Crown

55.—(1) Subject to the provisions of this section, this Act shall bind the Crown.

(2) No contravention by the Crown of any provision made by or under this Act shall make the Crown criminally liable; but the Court of Session may, on the application of a sewerage authority, declare unlawful any act or omission of the Crown which constitutes such a contravention.

(3) Notwithstanding anything in subsection (2) above, any provision made by or under this Act shall apply to persons in the public service of the Crown as it applies to other persons.

(4) If the Secretary of State certifies that it appears to him, as respects any Crown premises and any powers of entry exercisable in relation to them specified in the certificate, that it is requisite or expedient that, in the interests of national security, the powers should not be exercisable in relation to those premises, those powers shall not be exercisable in relation to those premises.

(5) Nothing in this section shall be taken as in any way affecting Her Majesty in her private capacity.

(6) In this section "Crown premises" means premises held by or on behalf of the Crown.".'.

No. 26, in page 258, line 12, at end insert—

'The Water (Scotland) Act 1980

. After section 110 of the Water (Scotland) Act 1980 there shall be inserted—

"Application of Act to Crown

110A.—(1) Subject to the provisions of this section, this Act shall bind the Crown.

(2) No contravention by the Crown of any provision made by or under this Act shall make the Crown criminally liable; but the Court of Session may, on the application of a water authority, declare unlawful any act or omission of the Crown which constitutes such a contravention.

(3) Notwithstanding anything in subsection (2) above, any provision made by or under this Act shall apply to persons in the public service of the Crown as it applies to other persons.

(4) If the Secretary of State certifies that it appears to him, as respects any Crown premises and any powers of entry exercisable in relation to them specified in the certificate, that it is requisite or expedient that, in the interests of national security, the powers should not be exercisable in relation to those premises, those powers shall not be exercisable in relation to those premises.

(5) Nothing in this section shall be taken as in any way affecting Her Majesty in her private capacity.

(6) Subject to subsections (4) and (5) above, the powers conferred by sections 16 to 18 above shall be exercisable in relation to land in which there is a Crown interest only with the consent of the appropriate authority.

(7) In this section—

"the appropriate authority" has the same meaning as it has in section 253(7) of the Town and Country Planning (Scotland) Act 1972;

"Crown interest" means an interest belonging to Her Majesty in right of the Crown, or belonging to a government department or held in trust for Her Majesty for the purposes of a government department;

"Crown premises" means premises held by or on behalf of the Crown.

(8) The provisions of subsection (7) of section 253 of the Town and Country Planning (Scotland) Act 1972 (questions relating to Crown application) as to the determination of questions shall apply for the purposes of this section.".

The Local Government etc. (Scotland) Act 1994

. After section 125 of the Local Government etc. (Scotland) Act 1994 there shall be inserted—

"Application of Part II to Crown

125A.—(1) Subject to the provisions of this section, this Part of this Act shall bind the Crown.

(2) No contravention by the Crown of any provision made by or under this Part of this Act shall make the Crown criminally liable; but the Court of Session may, on the application of a new water and sewerage authority, declare unlawful any act or omission of the Crown which constitutes such a contravention.

(3) Notwithstanding anything in subsection (2) above, any provision made by or under this Part of this Act shall apply to persons in the public service of the Crown as it applies to other persons.

(4) Nothing in this section shall be taken as in any way affecting Her Majesty in her private capacity.

(5) Subject to subsection (4) above, the powers conferred by section 99 above shall be exercisable in relation to land in which there is a Crown interest only with the consent of the appropriate authority.

(6) In this section—

"the appropriate authority" has the same meaning as it has in section 253(7) of the Town and Country Planning (Scotland) Act 1972;

"Crown interest" means an interest belonging to Her Majesty in right of the Crown, or belonging to a government department or held in trust for Her Majesty for the purposes of a government department;

"Crown premises" means premises held by or on behalf of the Crown.

(7) The provisions of subsection (7) of section 253 of the Town and Country Planning (Scotland) Act 1972 (questions relating to Crown application) as to the determination of questions shall apply for the purposes of this section.".'.— *[Mr. Atkins.]*

Schedule 22

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 82, in page 260, line 34, leave out '52(3)' and insert '7(8)'.

No. 83, in page 260, line 34, after '1958' insert

'(definitions etc. for the purposes of section 7) in paragraph (i) of the definition of "statutory water undertakers" for the words "National Rivers Authority" there shall be substituted the words "Environment Agency".

(2) In section 52(3) of that Act'.

No. 84, in page 263, line 15, at end insert—

'The Prevention of Oil Pollution Act 1971

14A.—(1) The Prevention of Oil Pollution Act 1971 shall be amended in accordance with the following provisions of this paragraph.

(2) After section 11 (duty to report discharge of oil into waters of harbours) there shall be inserted—

"Certain provisions not to apply where a discharge or escape is authorised under Part I of the Environmental Protection Act 1990

11A.—(1) The provisions of sections 2(1) and (2A), 3(1) and 11(1) of this Act shall not apply to any discharge which is made under, and the provisions of section 11(1) of this Act shall not apply to any escape which is authorised by, an authorisation granted under Part I of the Environmental Protection 1990.

(2) This section does not extend to Northern Ireland."

(3) In section 25(1) (power to extend certain provisions of the Act to the Isle of Man etc.), after the words "other than section 3" there shall be inserted the word ", 11A".'.

No. 85, in page 266, line 50, at end insert—

' . In section 62(2)(a) of that Act (exceptions to restrictions on the operation of loudspeakers in streets), as it has effect in relation to England and Wales, for the words "National Rivers Authority" there shall be substituted the words "Environment Agency".'.— *[Mr. Atkins.]*

Amendment proposed: No. 224, in page 269, line 14, at end insert—

'( ) After section 38 there shall be inserted—

"General review of consents

38A.—(1) If it appears appropriate to the Secretary of State to do so he may at any time direct SEPA to review—

(a) the consents given under section 34 of this Act; or

(b) any description of such consents,

and the conditions (if any) to which those consents are subject.

(2) A direction given by virtue of subsection (1) above—

(a) shall specify the purpose for which; and

(b) may specify the manner in which,

the review is to be conducted.

(3) After carrying out the review, SEPA shall submit to the Secretary of State its proposals (if any) for—

(a) the modification of the conditions of any consent reviewed pursuant to the direction; or

(b) in the case of any such consent which is unconditional, subjecting the consent to conditions.

(4) Where the Secretary of State has received any proposals under subsection (3) above in relation to any consent he may, if it appears appropriate to him to do so, direct SEPA, in relation to that consent—

(a) to make modifications of the conditions of the consent; or

(b) in the case of an unconditional consent, to subject the consent to conditions.

(5) A direction given by virtue of subsection (4) above may direct SEPA to do, in relation to any such consent, only—

(a) any such thing as SEPA has proposed should be done in relation to that consent; or

(b) any such thing with such modifications as appear to the Secretary of State to be appropriate.".'.—[*Mr. Atkins.*]

Madam Deputy Speaker: With this, it will be convenient to discuss also the following amendments: Government amendment No. 225.

No. 119, in page 310, line 19, at end insert—

'129A. After section 88(2) of that Act (Defence to principal offences in respect of authorised discharges) there shall be inserted—

"(2A) Nothing in any consent given under this chapter shall be treated for the purposes of subsection (1) above as authorising a discharge of any significant quantity of poisonous, noxious or polluting matter or any solid waste matter other than is specified in that consent.".'.

Government amendments Nos. 101 to 103 and 109.

11.45 pm

Sir Cranley Onslow (Woking): I wish to speak briefly on this group of amendments, in particular my amendment No. 119.

I am grateful to my right hon. Friend the Minister for the Environment and Countryside for his patience and courtesy, and for the way in which he has dealt with this Bill and the improvements that I have tried to make to it. Also, this is the first opportunity that I have had to congratulate him on his admission to the Privy Council.

It may seem churlish of me to point out that, in spite of the courtesy that my right hon. Friend has shown me in Committee and subsequently in written exchanges, he has not been able to satisfy the National Rivers Authority, which is very concerned about a problem that has arisen. It has been legally advised that it cannot prosecute a discharge consent holder in respect of a pollution incident, no matter how serious, if the pollution is caused by substances that are not identified in, or limited by, the terms of the consent.

The Minister has seen the letter from the chairman of the NRA on the subject, and will know the details behind the position. I can summarise it by saying that the noble Lord Crickhowell is still of his original opinion that, of the two possible options for solving that problem, the legislative option is better than the administrative solution that the Government seem to be proposing.

The House should know that that situation has arisen, and I hope that hon. Members will share my view that the NRA and the Environment Agency must be free to prosecute when a pollution incident occurs because of a discharge of unconsented or uncontrolled substances. The proposal embodied in the Government amendments does not deal with that problem.

My right hon. Friend the Minister will no doubt deploy a number of arguments against my proposal, which is for legislative change, but I hope that he will not pray in aid the fact that the proposal that he has advanced will be no burden on the agency.

The House should know that there are 95,500 consents on the register, of which 14,800 are currently monitored because of their potential or actual environmental significance. If the solution that the Government propose in the amendment is accepted, the cost of monitoring consents will be more than £1 million, and a great deal of NRA manpower and resources will have to be applied. I simply want to put the facts on the record, because it may well be that the matter will come up again for consideration in another place. But it would be wrong for the House to think that there is a solution yet to this tiresome problem.

Mrs. Helen Jackson: I associate myself with comments of the right hon. Member for Woking (Sir C. Onslow). The Minister said in Committee that he was not an unreasonable man, and that, if it was clear from further discussions with the NRA that there was a major problem with redrafting all the existing discharge consents, he would be prepared to consider that.

The Minister will know of the press release issued on 24 June by the NRA, in which the director of water management, Clive Swinnerton, said that the loopholes we are talking about here have effectively turned the NRA's discharge consents—which are intended to control pollution by setting limits on what the holders can discharge into rivers—into licences to pollute.

Dr. Swinnerton said that he felt the Government's proposal will place an impossible burden on the NRA, and added that it was vital that an amendment to close the loophole be immediately included in the Bill. It would have been nice if immediately were to mean tonight, but I am disappointed that the Government have not taken on board their further discussions with the NRA.

As hon. Members have placed the matter on record tonight, it may be taken up in another place before the Bill ends up as legislation. I am sure that the Minister will agree that there is an unresolved issue here, which needs to be resolved before the Bill becomes law.

Mr. Atkins: I am extraordinarily grateful to my right hon. Friend the Member for Woking (Sir C. Onslow). A compliment from one such as he—particularly on matters relating to such a distinguished body as the Privy Council—is one to be treasured, and I do so.

In relation to his amendment, my right hon. Friend was kind enough to say that he and I have tried to address this matter together—so far, regrettably, without the success that my right hon. Friend apparently required. The effect of amendment No. 119 would be to change the law, but not in the largely declaratory manner suggested. In fact, the amendment would have the potential to change overnight the requirements placed on dischargers, without

[Mr. Atkins]

any prior consultation and with unpredictable consequences, the precise effect of which would depend on the wording of the discharge consents.

The amendment would leave dischargers throughout the country uncertain as to their legal responsibilities and about the threat of prosecution. I need hardly say that that would be highly controversial. Not surprisingly, the representatives of some major dischargers were concerned about the potential effects of the amendments. Any approach on these matters therefore needs to be thought through fully.

In relation to the letter to which my right hon. Friend referred, I have had an opportunity through his kindness to be able to seek some advice. The figures in the NRA letter are inevitably based on assumptions, and the estimates made by the NRA seem to be at the top end, as it admits. It is far from clear whether all the consents need to be reviewed, and the NRA accepts that some types of consent are likely to be more significant than others. In particular, it is not clear whether descriptive consents would need to be reviewed, and those form the bulk of current consents.

The amount of effort involved will clearly depend on the degree of standardisation in consents, and it is not unreasonable to assume that there will be a high degree of standardisation within regions and between dischargers of the same type. Before issuing any direction to the NRA, they would clearly want to consider how the amount of effort involved could be minimised. The fundamental point remains: that the easiest or cheapest course of action is not necessarily the right one.

I assure my right hon. Friend that I shall keep a close eye on this issue, about which I know he feels strongly. The representations that he has made to me will be conveyed to those who make the decisions in these matters. In those circumstances, I hope that he will understand why I ask him not to press his amendment No. 119.

Amendment agreed to.

Amendments made: No. 225, in page 269, line 15, at end insert—

'( ) in subsection (1), in each of paragraphs (b) and (c), for the words "the preceding section" there shall be substituted the words "section 38 of this Act";'.

No. 226, in page 273, line 38, leave out

'if the mine or part of the mine'

and insert

'to the owner or former operator of any mine or part of a mine if the mine or part'.

No. 227, in page 274, leave out lines 33 and 34 and insert—

'(aa) requirements for consultation, before the service of a works notice, with persons other than the person on whom that notice is to be served;

(b) steps to be taken for the purposes of any consultation required under subsection (4) above or regulations made by virtue of paragraph (aa) above;'.

No. 228, in page 274, line 37, at end insert—

'(5A) A works notice shall not be regarded as invalid, or as invalidly served, by reason only of any failure to comply with the requirements of subsection (4) above or of regulations made by virtue of paragraph (aa) of subsection (5) above.'.

No. 229, in page 274, line 47, after 'or' insert 'former'.

No. 230, in page 275, line 10, at end insert—

'Grant of, and compensation for, rights of entry etc.

46AA.—(1) A works notice may require a person to carry out operations in relation to any land or waters notwithstanding that he is not entitled to carry out those operations.

(2) Any person whose consent is required before any operations required by a works notice may be carried out shall grant, or join in granting, such rights in relation to any land or waters as will enable the person on whom the works notice is served to comply with any requirements imposed by the works notice.

(3) Before serving a works notice, SEPA shall reasonably endeavour to consult every person who appears to it—

(a) to be the owner or occupier of any relevant land, and

(b) to be a person who might be required by subsection (2) above to grant, or join in granting, any rights,

concerning the rights which that person may be so required to grant.

(4) A works notice shall not be regarded as invalid, or as invalidly served, by reason only of any failure to comply with the requirements of subsection (3) above.

(5) A person who grants, or joins in granting, any rights pursuant to subsection (2) above shall be entitled, on making an application within such period as may be prescribed and in such manner as may be prescribed to such person as may be prescribed, to be paid by the person on whom the works notice in question is served compensation of such amount as may be determined in such manner as may be prescribed.

(6) Without prejudice to the generality of the regulations that may be made by virtue of subsection (5) above, regulations by virtue of that subsection may make such provision in relation to compensation under this section as may be made by regulations by virtue of subsection (4) of section 35A of the Environmental Protection Act 1990 in relation to compensation under that section.

(7) In this section—

"relevant land" means—

(a) any land or waters in relation to which the works notice in question requires, or may require, operations to be carried out; or

(b) any land adjoining or adjacent to that land or those waters;

"works notice" means a works notice under section 46A of this Act.'.

No. 231, in page 275, line 49, at end insert—

'(6) This section is subject to section 112 of the Environment Act 1995 (delegation or reference of appeals).'.

No. 232, in page 277, line 49, at end insert—

'( ) In section 56(1) (interpretation of Part II), the following definition shall be inserted in the appropriate place in alphabetical order—

"operations" includes works;".'.—

No. 86, in page 280, line 21, at end insert—

'The Local Government (Miscellaneous Provisions) Act 1976

30A. In section 44 of the Local Government (Miscellaneous Provisions) Act 1976 (interpretation of Part I of that Act) after subsection (1A) (certain provisions of that Act, including section 16 (obtaining information about land), to have effect as if the Broads Authority were a local authority) there shall be inserted—

"(1B) Section 16 of this Act shall have effect as if the Environment Agency were a local authority.".'.

No. 87, in page 281, line 24, at end insert—

'(3) In section 122(2) of that Act (matters to which, so far as practicable, regard is to be had by local authorities in exercising their functions under the Act) after paragraph (b) there shall be inserted—

"(bb) the strategy prepared under section 79 of the Environment Act 1995 (national air quality strategy);".'.

No. 88, in page 282, leave out lines 18 to 29 and insert—

'(6) Subsection (2) of that section (disclosure of information between certain authorities) shall cease to have effect.'.

No. 89, in page 284, line 6, at end insert—

' . In Schedule 4 to that Act (other powers etc. of licence holders) in paragraph 4(1)(b) (power for certain bodies to execute works involving alterations of electric lines or plant) for the words "National Rivers Authority" there shall be substituted the words "Environment Agency".'.

No. 90, in page 286, line 29, at end insert—

'(2) At the end of subsection (12) of that section (definition of "relevant enactments" for the purposes of subsection (2)) there shall be added "; and

(g) section 86 of the Environment Act 1995.".'.

No. 91, in page 291, line 22, at end insert—

' . After section 35 of that Act there shall be inserted—

"Compensation where rights granted pursuant to section 35(4) or 38(9A)

35A.—(1) This section applies in any case where—

(a) the holder of a licence is required—

(i) by the conditions of the licence; or

(ii) by a requirement imposed under section 38(9) below,

to carry out any works or do any other thing which he is not entitled to carry out or do;

(b) a person whose consent would be required has, pursuant to the requirements of section 35(4) above or 38(9A) below, granted, or joined in granting, to the holder of the licence any rights in relation to any land; and

(c) those rights, or those rights together with other rights, are such as will enable the holder of the licence to comply with any requirements imposed on him by the licence or, as the case may be, under section 38(9) below.

(2) In a case where this section applies, any person who has granted, or joined in granting, the rights in question shall be entitled to be paid compensation under this section by the holder of the licence.

(3) The Secretary of State shall by regulations provide for the descriptions of loss and damage for which compensation is payable under this section.

(4) The Secretary of State may by regulations—

(a) provide for the basis on which any amount to be paid by way of compensation under this section is to be assessed;

(b) without prejudice to the generality of subsection (3) and paragraph (a) above, provide for compensation under this section to be payable in respect of—

(i) any effect of any rights being granted, or

(ii) any consequence of the exercise of any rights which have been granted;

(c) provide for the times at which any entitlement to compensation under this section is to arise or at which any such compensation is to become payable;

(d) provide for the persons or bodies by whom, and the manner in which, any dispute—

(i) as to whether any, and (if so) how much and when, compensation under this section is payable; or

(ii) as to the person to or by whom it shall be paid,

is to be determined;

(e) provide for when or how applications may be made for compensation under this section;

(f) without prejudice to the generality of paragraph (d) above, provide for when or how applications may be made for the determination of any such disputes as are mentioned in that paragraph;

(g) without prejudice to the generality of paragraphs (e) and (f) above, prescribe the form in which any such applications as are mentioned in those paragraphs are to be made;

(h) make provision similar to any provision made by paragraph 8 of Schedule 19 to the Water Resources Act 1991;

(j) make different provision for different cases, including different provision in relation to different persons or circumstances;

(k) include such incidental, supplemental, consequential or transitional provision as the Secretary of State considers appropriate.".'.

No. 92, in page 292, line 53, at end insert—

'(14) This section shall have effect subject to section 36A below."

. After section 36 of that Act there shall be inserted—

"Consultation before the grant of certain licences

36A.—(1) This section applies where an application for a licence has been duly made to a waste regulation authority, and the authority proposes to issue a licence subject (by virtue of section 35(4) above) to any condition which might require the holder of the licence to—

(a) carry out any works, or

(b) do any other thing,

which he might not be entitled to carry out or do.

(2) Before issuing the licence, the waste regulation authority shall serve on every person appearing to the authority to be a person falling within subsection (3) below a notice which complies with the requirements set out in subsection (4) below.

(3) A person falls within this subsection if—

(a) he is the owner, lessee or occupier of any land; and

(b) that land is land in relation to which it is likely that, as a consequence of the licence being issued subject to the condition in question, rights will have to be granted by virtue of section 35(4) above to the holder of the licence.

(4) A notice served under subsection (2) above shall—

(a) set out the condition in question;

(b) indicate the nature of the works or other things which that condition might require the holder of the licence to carry out or do; and

(c) specify the date by which, and the manner in which, any representations relating to the condition or its possible effects are to be made to the waste regulation authority by the person on whom the notice is served.

(5) The date which, pursuant to subsection (4)(c) above, is specified in a notice shall be a date not earlier than the date on which expires the period—

(a) beginning with the date on which the notice is served, and

(b) of such length as may be prescribed in regulations made by the Secretary of State.

(6) Before the waste regulation authority issues the licence it must, subject to subsection (7) below, consider any representations made in relation to the condition in question, or its possible effects, by any person on whom a notice has been served under subsection (2) above.

(7) Subsection (6) above does not require the waste regulation authority to consider any representations made by a person after the date specified in the notice served on him under subsection (2) above as the date by which his representations in relation to the condition or its possible effects are to be made.

(8) In subsection (3) above—

"owner", in relation to any land in England and Wales, means the person who—

(a) is for the time being receiving the rack-rent of the land, whether on his own account or as agent or trustee for another person; or

(b) would receive the rack-rent if the land were let at a rack-rent,

but does not include a mortgagee not in possession; and

"owner", in relation to any land in Scotland, means a person (other than a creditor in a heritable security not in possession of the security subjects) for the time being entitled to receive or who would, if the land were let, be entitled to receive, the rents of the land in connection with which the word is used and includes a trustee, factor, guardian or curator and in the case of public or municipal land includes the persons to whom the management of the land is entrusted.".'

No. 93, in page 293, line 7, at end insert—

'(3) After subsection (6) of that section (cases where an application for modification is deemed to have been rejected) there shall be added—

"(7) This section shall have effect subject to section 37A below."

. After section 37 of that Act there shall be inserted—

"Consultation before certain variations

37A.—(1) This section applies where—

(a) a waste regulation authority proposes to modify a licence under section 37(1) or (2)(a) above; and

(b) the licence, if modified as proposed, would be subject to a relevant new condition.

(2) For the purposes of this section, a "relevant new condition" is any condition by virtue of which the holder of the licence might be required to carry out any works or do any other thing—

(a) which he might not be entitled to carry out or do, and

(b) which he could not be required to carry out or do by virtue of the conditions to which, prior to the modification, the licence is subject.

(3) Before modifying the licence, the waste regulation authority shall serve on every person appearing to the authority to be a person falling within subsection (4) below a notice which complies with the requirements set out in subsection (5) below.

(4) A person falls within this subsection if—

(a) he is the owner, lessee or occupier of any land; and

(b) that land is land in relation to which it is likely that, as a consequence of the licence being modified so as to be subject to the relevant new condition in question, rights will have to be granted by virtue of section 35(4) above to the holder of the licence.

(5) A notice served under subsection (3) above shall—

(a) set out the relevant new condition in question;

(b) indicate the nature of the works or other things which that condition might require the holder of the licence to carry out or do but which he could not be required to carry out or do by virtue of the conditions (if any) to which, prior to the modification, the licence is subject; and

(c) specify the date by which, and the manner in which, any representations relating to the condition or its possible effects are to be made to the waste regulation authority by the person on whom the notice is served.

(6) The date which, pursuant to subsection (5)(c) above, is specified in a notice shall be a date not earlier than the date on which expires the period—

(a) beginning with the date on which the notice is served, and

(b) of such length as may be prescribed in regulations made by the Secretary of State.

(7) Before the waste regulation authority issues the licence it must, subject to subsection (8) below, consider any representations made in relation to the condition in question, or its possible effects, by any person on whom a notice has been served under subsection (3) above.

(8) Subsection (7) above does not require the waste regulation authority to consider any representations made by a person after the date specified in the notice served on him under subsection (3) above as the date by which his representations in relation to the condition or its possible effects are to be made.

(9) A waste regulation authority may postpone the service of any notice or the consideration of any representations required under the foregoing provisions of this section so far as the authority considers that by reason of an emergency it is appropriate to do so.

(10) In subsection (3) above, "owner" has the same meaning as it has in subsection (3) of section 36A above by virtue of subsection (8) of that section.".'.

No. 94, in page 293, line 9, leave out '(12)' and insert

'(9) (power to require certain measures to be taken where licence suspended) there shall be inserted—

"(9A) A requirement imposed under subsection (9) above may require the holder of a licence to carry out works or do other things notwithstanding that he is not entitled to carry out the works or do the thing and any person whose consent would be required shall grant, or join in granting, the holder of the licence such rights in relation to the land as will enable the holder of the licence to comply with any requirements imposed on him under that subsection.

(9B) Subsections (2) to (8) of section 36A above shall, with the necessary modifications, apply where the authority proposes to impose a requirement under subsection (9) above which may require the holder of a licence to carry out any such works or do any such thing as is mentioned in subsection (9A) above as they apply where the authority proposes to issue a licence subject to any such condition as is mentioned in subsection (1) of that section, but as if—

(a) the reference in subsection (3) of that section to section 35(4) above were a reference to subsection (9A) above; and

(b) any reference in those subsections—

(i) to the condition, or the condition in question, were a reference to the requirement; and

(ii) to issuing a licence were a reference to serving a notice, under subsection (12) below, effecting the requirement.

(9C) The authority may postpone the service of any notice or the consideration of any representations required under section 36A above, as applied by subsection (9B) above, so far as the authority considers that by reason of an emergency it is appropriate to do so."

(2) After subsection (12) of that section (revocations and suspensions etc. to be effected by service of notice)'.

No. 179, in page 298, leave out lines 2 to 7 and insert—

' "(1A) No matter shall constitute a statutory nuisance to the extent that it consists of, or is caused by, any land being in a contaminated state.

(1B) Land is in a "contaminated state" for the purposes of subsection (1A) above if, and only if, it is in such a condition, by reason of substances in, on or under the land, that—

(a) harm is being caused or there is a possibility of harm being caused; or

(b) pollution of controlled waters is being, or is likely to be, caused;

and in this subsection "harm", "pollution of controlled waters" and "substance" have the same meaning as in Part IIA of this Act.".'.

No. 203, in page 299, line 8, leave out

'Subject to sub-paragraph (5) below,'.—*[Mr. Atkins.]*

Amendment proposed: No. 95, in page 303, line 26, at end insert—

' . After section 93 of that Act (interpretation of Part III) there shall be inserted—

"PART IIIA

PROMOTION OF THE EFFICIENT USE OF WATER

Duty to promote the efficient use of water

93A.—(1) It shall be the duty of every water undertaker to promote the efficient use of water by its customers.

(2) The duty of a water undertaker under this section shall be enforceable under section 18 above—

(a) by the Secretary of State; or

(b) with the consent of or in accordance with a general authorisation given by the Secretary of State, by the Director.

(3) Nothing in this Part shall have effect to authorise or require a water undertaker to impose any requirement on any of its customers or potential customers.

Power of Director to impose requirements on water undertakers

93B.—(1) The Director may require a water undertaker, in its performance of its duty under section 93A above, to—

(a) take any such action; or

(b) achieve any such overall standards of performance,

as he may specify in the document imposing the requirement.

(2) Where the Director, in the document imposing a requirement on a water undertaker under subsection (1) above, stipulates that any contravention of the requirement by the undertaker will be a breach of its duty under section 93A above, any contravention of that requirement by the undertaker shall be a breach of that duty.

(3) Without prejudice to the generality of subsection (1) above, a requirement under that subsection may—

(a) require a water undertaker to make available to its customers or potential customers such facilities as may be specified in the document imposing the requirement;

(b) require a water undertaker to provide or make available to its customers or potential customers such information as may be specified in the document imposing the requirement, and may specify the form in which, the times at which or the frequency with which any such information is to be provided or made available.

(4) In exercising his powers under this section in relation to any water undertaker the Director shall have regard to the extent to which water resources are available to that undertaker.

(5) Before imposing any requirement on a water undertaker under subsection (1) above the Director shall consult that undertaker.

(6) Nothing in this section authorises the Director to impose any requirement on a water undertaker which has or may have the effect of authorising or requiring that undertaker to impose any requirement on any of its customers or potential customers.

Publicity of requirements imposed under section 93B

93C.—(1) Where, under section 93B(1) above, the Director imposes any requirement on a water undertaker, the Director may arrange for that requirement to be publicised in any such manner as he may consider appropriate for the purpose of bringing it to the attention of that undertaker's customers.

(2) Without prejudice to the generality of subsection (1) above, the Director may arrange for such publicising of the requirement as is mentioned in that subsection by—

(a) himself publicising the requirement or causing it to be publicised; or

(b) directing the undertaker to inform or arrange to inform its customers of the requirement.

Information as to compliance with requirements under section 93B

93D.—(1) Where a water undertaker is subject to any requirement imposed under section 93B(1) above, the Director may arrange for there to be given to the customers of that undertaker at any such times or with such frequency, and in any such manner, as he may consider appropriate, such information about the level of performance achieved by the undertaker in relation to that requirement as appears to the Director to be expedient to be given to those customers.

(2) Without prejudice to the generality of subsection (1) above, the Director may arrange for such giving of information as is mentioned in that subsection by—

(a) himself disseminating the information or causing it to be disseminated; or

(b) directing the undertaker to give or arrange to give the information to its customers.

(3) At such times and in such form or manner as the Director may direct, a water undertaker shall provide the Director with such information as may be specified in the direction in connection with the undertaker's performance in relation to any requirement imposed upon the undertaker under section 93B(1) above.

(4) A water undertaker who fails without reasonable excuse to do anything required of him by virtue of subsection (3) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.".'.— *[Mr. Atkins.]*

Mrs. Helen Jackson: This amendment would place a new duty on the Environment Agency to conserve water supplies. Many people, not just in the House but outside it, are amazed that the Government should seek to include an important new duty in the Bill at this stage, without any discussion in Committee of how it relates to the requirement to conserve water that is placed on customers, companies and sewerage undertakers. People are amazed that the Government are introducing this amendment at this late hour of three minutes to midnight.

Having read the amendment and received some briefing on it from the House of Commons Library, I believe that it is important to understand that it places a duty on the water authorities to ensure that conservation of water is undertaken by water customers. Why is the duty to conserve water being placed on domestic customers first and foremost, and not on companies? Both companies and customers should have a duty to conserve water supplies. Because the duty is placed only on customers in their homes, there could be a danger to public health if pressure is put on people to conserve water, especially if that pressure is exerted through prices being pushed up above the level that people can afford.

We want some assurance that the amendment would not involve an extension of compulsory metering. We are relieved that new section 93A(6) says that the clause should not be interpreted as a way for the director general to impose on water companies a requirement to make domestic customers conserve water in a particular way. Will the Minister assure me that that subsection ensures that water companies' customers will continue to have a choice in how they are charged for water services? Will he also reassure me that that is precisely what is meant by the answer that I was given two days ago by the Minister, who has now left the Chamber—

Mr. Atkins: No, I have not.

Mrs. Jackson: I beg the Minister's pardon. His answer said that it is for water companies to decide the most appropriate method of charging in their areas. That is

[Mrs. Jackson]

particularly important in areas such as Yorkshire, where the water undertaker is keen to allow all customers of water and sewerage services to choose the charging method to be imposed on them.

12 midnight

As the Secretary of State and Ministers are aware, many people who live in new properties that were built after water privatisation in 1989 and have no rateable value are not given the choice of paying for their water by a notional property value or by metering, but must pay a metered charge. That has caused a great deal of aggravation in many parts of the country. The issue is still not resolved and we shall discuss it in the House under the auspices of the water group next Wednesday, when we have a water day to consider charging systems. It will then be clear that many of the major water and sewerage undertakers are not happy with the fact that we are moving towards compulsory metering.

If the Minister reassures us that amendment No. 95 does not lead us in that direction, members of the water group and many Opposition Members can return to their constituents and say that the pressure that they have put on the Government against compulsory metering has at last been recognised in amendment No. 95 and that responsibility for conservation will not be at the expense of extra costs on domestic households, who need adequate water supplies.

Sir Paul Beresford: I reassure the hon. Member for Sheffield, Hillsborough (Mrs. Jackson) that the amendment seeks to promote increased efficiency in the use of water by customers and we believe that the water companies are in the best position to do that. I assure her that the amendment does not allow compulsory metering, but it would allow the director general to require water companies to offer facilities and information to their customers, which will encourage them to take informed decisions about the efficient use of their water.

Amendment agreed to.

Amendment proposed: No. 96, in page 303, line 26, at end insert—

' . After section 101 of that Act (which provides for the determination of certain details in relation to requisitioned sewers) there shall be inserted—

"Provision of public sewers otherwise than by requisition

Further duty to provide sewers

101A.—(1) Without prejudice to section 98 above, it shall be the duty of a sewerage undertaker to provide a public sewer to be used for the drainage for domestic sewerage purposes of premises in a particular locality in its area if the conditions specified in subsection (2) below are satisfied.

(2) The conditions mentioned in subsection (1) above are—

(a) that the premises in question, or any of those premises, are premises on which there are buildings each of which, with the exception of any shed, glasshouse or other outbuilding appurtenant to a dwelling and not designed or occupied as living accommodation, is a building erected before, or whose erection was substantially completed by, 20th June 1995;

(b) that the drains or sewers used for the drainage for domestic sewerage purposes of the premises in question do not, either directly or through an intermediate drain or sewer, connect with a public sewer; and

(c) that the drainage of any of the premises in question in respect of which the condition specified in paragraph (a) above is satisfied is giving, or is likely to give, rise to such adverse effects to the environment or amenity that it is appropriate, having regard to any guidance issued under this section by the Secretary of State and all other relevant considerations, to provide a public sewer for the drainage for domestic sewerage purposes of the premises in question.

(3) Without prejudice to the generality of subsection (2)(c) above, regard shall be had to the following considerations, so far as relevant, in determining whether it is appropriate for any sewer to be provided by virtue of this section—

(a) the geology of the locality in question or of any other locality;

(b) the number of premises, being premises on which there are buildings, which might reasonably be expected to be drained by means of that sewer;

(c) the costs of providing that sewer;

(d) the nature and extent of any adverse effects to the environment or amenity arising, or likely to arise, as a result of the premises or, as the case may be, the locality in question not being drained by means of a public sewer; and

(e) the extent to which it is practicable for those effects to be overcome otherwise than by the provision (whether by virtue of this section or otherwise) of public sewers, and the costs of so overcoming those effects.

(4) Guidance issued by the Secretary of State under this section may—

(a) relate to how regard is to be had to the considerations mentioned in paragraphs (a) to (e) of subsection (3) above;

(b) relate to any other matter which the Secretary of State considers may be a relevant consideration in any case and to how regard is to be had to any such matter;

(c) set out considerations, other than those mentioned in paragraphs (a) to (e) of subsection (3) above, to which (so far as relevant) regard shall be had in determining whether it is appropriate for any sewer to be provided by virtue of this section;

(d) relate to how regard is to be had to any such consideration as is mentioned in paragraph (c) above;

(e) without prejudice to paragraphs (a) to (d) above, relate to how a sewerage undertaker is to discharge its functions under this section.

(5) Before issuing guidance under this section the Secretary of State shall consult—

(a) the Environment Agency;

(b) the Director; and

(c) such other bodies or persons as he considers appropriate;

and the Secretary of State shall arrange for any guidance issued by him under this section to be published in such manner as he considers appropriate.

(6) Subject to the following provisions of this section, the duty of a sewerage undertaker by virtue of subsection (1) above shall be enforceable under section 18 above—

(a) by the Secretary of State; or

(b) with the consent of or in accordance with a general authorisation given by the Secretary of State, by the Director.

(7) Any dispute between a sewerage undertaker and an owner or occupier of any premises in its area as to—

(a) whether the undertaker is under a duty by virtue of subsection (1) above to provide a public sewer to be used for any such drainage of those premises as is mentioned in that subsection;

(b) the domestic sewerage purposes for which any such sewer should be provided; or

(c) the time by which any such duty of the undertaker should be performed,

shall be determined by the Environment Agency, and may be referred to the Environment Agency for determination by either of the parties to the dispute.

(8) The Environment Agency—

(a) shall notify the parties of the reasons for its decision on any dispute referred to it under subsection (7) above; and

(b) may make any such recommendations, or give any such guidance, relating to or in connection with the drainage of the premises or locality in question as it considers appropriate.

(9) The decision of the Environment Agency on any dispute referred to it under subsection (7) above shall be final.

(10) A sewerage undertaker shall only be taken to be in breach of its duty under subsection (1) above where, and to the extent that, it has accepted, or the Environment Agency has determined under this section, that it is under such a duty and where any time accepted by it, or determined by the Environment Agency under this section, as the time by which the duty is to that extent to be performed has passed.".'.—[*Mr. Atkins.*]

Madam Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 266, in page 303, line 26, at end insert—

'94A. In section 94 of that Act (general duty to provide sewerage system) at the end of subsection 1 shall be added—

—"; (c) to make provision for the reception, treatment and disposal of the contents of cesspools and septic tanks (whether inside its area or elsewhere).".'.

Government amendments Nos. 97, 105 and 108.

Mrs. Helen Jackson: Will the amendment make it easier or more difficult for my constituents and those of many other hon. Members on both sides of the House who live in rural areas to gain access to the wherewithal to be connected to mains sewerage? A minority of householders are not connected to mains water supplies, but many of my constituents and those of other hon. Members are not connected to mains sewerage systems. The amendment is designed to get rid of the Government grant regime that has been used to help meet the connection costs of new sewerage services.

Sir Paul Beresford: The hon. Lady is right. The purpose of the amendment is to make easier the provision of first-time connection to mains sewerage of existing premises.

Mrs. Jackson: I am grateful to the Minister, but I am not clear how the loss of the Government grant regime will make it easier for customers and water undertakers to finance the connections.

Sir Paul Beresford: The amendment puts a new requirement on sewerage undertakers to provide the public sewers to be used for domestic purposes by premises in any locality in their area, in particular where the existing system has had adverse effects on the environment or an amenity.

Mrs. Jackson: What about the costs? I am sure that we all recognise that water and sewerage undertakers have a duty, in this day and age, to provide mains sewerage to all residents, but at a cost. Who is to bear that cost? That question must be answered before the Opposition will allow the amendment to be passed.

Sir Roger Moate (Faversham): I want to speak to amendment No. 266, which has been grouped with Government amendment No. 96. I am conscious of the hour, so I shall not speak at great length, although the subject is of considerable importance.

Amendment No. 266 is virtually the last amendment to this large Bill, so I feel like the man at the end of the lord mayor's show. As I am dealing with the contents of cesspools and septic tanks, that is probably an appropriate reference.

I was asked to table the amendment by the Kent Association of District Councils because a serious problem in my constituency, as well as in other parts of Kent and the south-east, and probably nationally, affects thousands of people with cesspools or septic tanks. I have 1,400 such households in my constituency, and I expect that there are thousands across the country. I do not suppose that there is an national association of septic tank or cesspool owners, but if there were, it would deluge other hon. Members with its complaints.

The problem is that in recent years the costs have risen, in many cases by between 300 and 400 per cent. I assure the House that that increase poses a serious problem to the householders affected. All other charges levied by sewerage undertakers are regulated by the Government watchdog, Ofwat. The reception of the contents of septic tanks and cesspits is not so regulated. The problem has affected the south-east in particular, but I suspect that it is experienced nationwide.

The amendment would enable Ofwat to regulate prices charged by the privatised water companies for the reception of such contents at their waste water treatment plants. At the moment, I understand that no power exists to regulate those prices. Ofwat has attempted to do that, but its jurisdiction has been successfully disputed by the water companies.

The amendment would resolve the problem and spell it out that the treatment of the contents of cesspools and septic tanks should come within the power and control of the regulator. That is its purpose.

I hope that my hon. Friend the Minister can accept the amendment. It is sensible and simple. If he cannot accept it, will he at least tell us that efforts are being made to resolve the problem and to extend the power of Ofwat? If he cannot even do that, will he at least try to do something to solve that serious problem?

Mr. Morley: What about the cesspits?

Sir Paul Beresford: I shall leave it to the Opposition to look into the cesspits.

If I may answer the hon. Member for Sheffield, Hillsborough (Mrs. Jackson) first, amendment No. 97 inserts a new subsection (3A) into section 142 of the Water Industry Act 1991 and a new subsection (3A) into section 143 of the 1991 Act, which would provide that the costs of complying with the new requirement by the sewerage undertaker will be recoverable by a charges scheme only and spread across customers generally within the area of that undertaker. That acknowledges that there

[Sir Paul Beresford]

will be wider benefits to the local environment beyond those enjoyed by the household connected to the mains sewers.

My hon. Friend the Member for Faversham (Sir R. Moate) is correct that it is a problem that is being looked into by the Director General of Water Services. He does not have a jurisdiction and he is considering whether he should suggest that that should happen. However, he has to take into account the fact that in some areas—obviously not in my hon. Friend's area—there is competition in the form of the private sector, so he has to reflect whether, by inhibiting or setting charges, he ruins the effect of competition. I am sure that, of the Members of the House, my hon. Friend would be one who would not wish that to happen.

Amendment agreed to.

Amendments made: No. 97, in page 306, line 5, at end insert—

' .—(1) Section 142 of that Act (powers of undertakers to charge) shall be amended in accordance with the following provisions of this paragraph.

(2) In subsection (2) (manner in which charging powers to be exercised) for the words "subsection (3)" there shall be substituted the words "subsections (3) and (3A)".

(3) After subsection (3) (restriction on charging by agreement for trade effluent functions) there shall be inserted—

"(3A) The power of a sewerage undertaker to charge, by virtue of subsection (1) above, for any services provided in the course of carrying out its duty under section 101A(1) above shall be exercisable only by or in accordance with a charges scheme under section 143 below."

. In section 143 of that Act (charges schemes) after subsection (3) (charges which may be imposed in certain cases) there shall be inserted—

"(3A) A sewerage undertaker is under a duty to ensure that any charges scheme made by the undertaker, so far as having effect to recover the undertaker's costs of providing a sewer by virtue of its duty under section 101A(1) above, causes those costs to be borne by the undertaker's customers generally; and a sewerage undertaker's duty under this subsection shall be enforceable under section 18 above—

(a) by the Secretary of State; or

(b) with the consent of or in accordance with a general authorisation given by the Secretary of State, by the Director."

. Section 151 of that Act shall cease to have effect.'.

No. 98, in page 306, leave out lines 23 to 25 and insert—

'(2) In subsection (3)(a) of that section (exception for disclosure of information for purposes of functions under certain enactments)—

(a) for the words "the NRA" there shall be substituted the words "the Environment Agency, the Scottish Environment Protection Agency"; and

(b) for the words "or the Water Act 1989" there shall be substituted the words ", the Water Act 1989, Part I or IIA of the Environmental Protection Act 1990 or the Environment Act 1995".

(3) In subsection (4), in paragraph (a) (which provides that nothing in subsection (1) shall limit the matters which may be included in reports made by specified bodies under specified enactments)—

(a) for the words "the NRA" there shall be substituted the words "the Environment Agency, the Scottish Environment Protection Agency"; and

(b) for the words "or of the Water Resources Act 1991" there shall be substituted the words ", Part I or IIA of the Environmental Protection Act 1990, the Water Resources Act 1991 or the Environment Act 1995".

No. 207, in page 316, leave out lines 42 and 43 and insert—

'(aa) requirements for consultation, before the service of a works notice, with persons other than the person on whom that notice is to be served;

(b) steps to be taken for the purposes of any consultation required under subsection (4) above or regulations made by virtue of paragraph (aa) above;'.

No. 208, in page 316, line 46, at end insert—

'(5A) A works notice shall not be regarded as invalid, or as invalidly served, by reason only of any failure to comply with the requirements of subsection (4) above or of regulations made by virtue of paragraph (aa) of subsection (5) above.'.

No. 192, in page 317, line 4, at end insert 'former'.

No. 209, in page 317, line 25, at end insert—

'Grant of, and compensation for, rights of entry etc.

161AA.—(1) A works notice may require a person to carry out works or operations in relation to any land or waters notwithstanding that he is not entitled to carry out those works or operations.

(2) Any person whose consent is required before any works or operations required by a works notice may be carried out shall grant, or join in granting, such rights in relation to any land or waters as will enable the person on whom the works notice is served to comply with any requirements imposed by the works notice.

(3) Before serving a works notice, the Agency shall reasonably endeavour to consult every person who appears to it—

(a) to be the owner or occupier of any relevant land, and

(b) to be a person who might be required by subsection (2) above to grant, or join in granting, any rights,

concerning the rights which that person may be so required to grant.

(4) A works notice shall not be regarded as invalid, or as invalidly served, by reason only of any failure to comply with the requirements of subsection (3) above.

(5) A person who grants, or joins in granting, any rights pursuant to subsection (2) above shall be entitled, on making an application within such period as may be prescribed and in such manner as may be prescribed to such person as may be prescribed, to be paid by the person on whom the works notice in question is served compensation of such amount as may be determined in such manner as may be prescribed.

(6) Without prejudice to the generality of the regulations that may be made by virtue of subsection (5) above, regulations by virtue of that subsection may make such provision in relation to compensation under this section as may be made by regulations by virtue of subsection (4) of section 35A of the Environmental Protection Act 1990 in relation to compensation under that section.

(7) In this section—

"prescribed" means prescribed in regulations made by the Secretary of State;

"relevant land" means—

(a) any land or waters in relation to which the works notice in question requires, or may require, works or operations to be carried out; or

(b) any land adjoining or adjacent to that land or those waters;

"works notice" means a works notice under section 161A above.'.

No. 210, in page 318, line 13, at end insert—

'(6) This section is subject to section 112 of the Environment Act 1995 (delegation or reference of appeals).'.

No. 211, in page 318, line 36, at end insert—

'150A. In section 162 of that Act (other powers to deal with foul water or pollution) in subsection (1) (which refers to section 161 of that Act) for the words "section 161" there shall be substituted the words "sections 161 to 161C".'.

No. 99, in page 322, leave out lines 43 to 46 and insert—

'150.—(1) Section 204 of that Act (restriction on disclosure of information with respect to any particular business) shall be amended in accordance with the following provisions of this paragraph.

(2) In subsection (2)(a) (exception for disclosure of information for purposes of functions under certain enactments)—

(a) for the words "the Authority" there shall be substituted the words "the Agency, the Scottish Environment Protection Agency"; and

(b) for the words "or the Water Act 1989" there shall be substituted the words ", the Water Act 1989, Part I or IIA of the Environmental Protection Act 1990 or the 1995 Act".

(3) In subsection (3), in paragraph (a) (which provides that nothing in subsection (1) shall limit the matters which may be included in reports made by specified bodies under specified enactments)—

(a) after sub-paragraph (i), there shall be inserted—

"(ia) the Scottish Environment Protection Agency;"; and

(b) for the words "or that Act of 1991" there shall be substituted the words ", Part I or IIA of the Environmental Protection Act 1990, that Act of 1991 or the 1995 Act".

(4) In paragraph (b) of that subsection, after the words "that Act" there shall be inserted the words "of 1991".'.

No. 100, in page 323, line 36, leave out '(local inquiries)' and insert '(inquiries and other hearings)'.

No. 212, in page 324, line 9, after '(b)' insert—

'(i) after the words "161" there shall be inserted the words "to 161C"; and

(ii)'.

No. 101, in page 324, line 31, leave out from beginning to 'there' and insert—

'168A. In Schedule 10 to that Act (discharge consents) after paragraph 7 (restriction on variation and revocation of consent and previous variation) there shall be added—

"General review of consents

8.—(1) If it appears appropriate to the Secretary of State to do so he may at any time direct the Authority to review—

(a) the consents given under paragraphs 2 and 5 above, or

(b) any description of such consents,

and the conditions (if any) to which those consents are subject.

(2) A direction given by virtue of sub-paragraph (1) above—

(a) shall specify the purpose for which, and

(b) may specify the manner in which,

the review is to be conducted.

(3) After carrying out a review pursuant to a direction given by virtue of sub-paragraph (1) above, the Authority shall submit to the Secretary of State its proposals (if any) for—

(a) the modification of the conditions of any consent reviewed pursuant to the direction, or

(b) in the case of any unconditional consent reviewed pursuant to the direction, subjecting the consent to conditions.

(4) Where the Secretary of State has received any proposals from the Authority under sub-paragraph (3) above in relation to any consent he may, if it appears appropriate to him to do so, direct the Authority to do, in relation to that consent, anything mentioned in paragraph 6(2)(b) or (c) above

(5) A direction given by virtue of sub-paragraph (4) above may only direct the Authority to do, in relation to any consent,—

(a) any such thing as the Authority has proposed should be done in relation to that consent, or

(b) any such thing with such modifications as appear to the Secretary of State to be appropriate."

169. For that Schedule'.

No. 102, in page 324, line 41, at end insert—

'(1A) Regulations made by the Secretary of State may make provision for enabling the Agency to direct or determine that any such advertising of an application as is required under sub-paragraph (1)(b) above may, in any case, be dispensed with if, in that case, it appears to the Agency to be appropriate for that advertising to be dispensed with.'.

No. 103, in page 329, line 54, at end insert—'

'General review of consents

8A.—(1) If it appears appropriate to the Secretary of State to do so he may at any time direct the Agency to review—

(a) the consents given under paragraph 3 or 6 above, or

(b) any description of such consents,

and the conditions (if any) to which those consents are subject.

(2) A direction given by virtue of sub-paragraph (1) above—

(a) shall specify the purpose for which, and

(b) may specify the manner in which,

the review is to be conducted.

(3) After carrying out a review pursuant to a direction given by virtue of sub-paragraph (1) above, the Agency shall submit to the Secretary of State its proposals (if any) for—

(a) the modification of the conditions of any consent reviewed pursuant to the direction, or

(b) in the case of any unconditional consent reviewed pursuant to the direction, subjecting the consent to conditions.

(4) Where the Secretary of State has received any proposals from the Agency under sub-paragraph (3) above in relation to any consent he may, if it appears appropriate to him to do so, direct the Agency to do, in relation to that consent, anything mentioned in paragraph 7(2)(b) or (c) above

(5) A direction given by virtue of sub-paragraph (4) above may only direct the Agency to do, in relation to any consent,—

(a) any such thing as the Agency has proposed should be done in relation to that consent, or

(b) any such thing with such modifications as appear to the Secretary of State to be appropriate.'.

No. 104, in page 337, line 46, at end insert—

' . In section 34(1) of that Act (which, with certain exceptions, makes it an offence to disclose certain trade secrets) after paragraph (b) (no offence where disclosure made in accordance with directions) there shall be inserted—

"(bb) under or by virtue of section *(Disclosure of information)* of the Environment Act 1995, or'.

No. 27, in page 339, line 7, leave out

'42, 46 and 56(1) to (4)'

and insert

'42B, 46 to 46C and 56(1) to (3)'.

No. 28, in page 339, line 19, at end insert—

'( ) In Schedule 13 to that Act (minor and consequential amendments) in paragraph 75(27) (which amends certain provisions of the Sewerage (Scotland) Act 1968) for the words from the beginning to "premises)" there shall be substituted the words "In section 53 (notices to be in writing)".'.—*[Mr. Atkins.]*

Schedule 23

TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

Amendment made: No. 105, in page 347, line 42, at end insert—

'The Water Industry Act 1991

.—(1) Where, before the coming into force of the repeal by this Act of section 151 of the Water Industry Act 1991 (financial contributions to rural services), the Secretary of State has received an application from a relevant undertaker for a contribution under that section, he may, notwithstanding the coming into force of that repeal—

(a) give any such undertaking for any contribution sought by that application as he could have given under that section prior to the coming into force of that repeal;

(b) make any payments provided for in an undertaking given by virtue of this sub-paragraph.

(2) Notwithstanding the coming into force of the repeal by this Act of that section—

(a) the Secretary of State may make any payments provided for in an undertaking given by him under that section prior to the coming into force of that repeal;

(b) subsection (4) of that section (withholding and reduction of contributions) shall—

(i) continue to have effect in relation to contributions which the Secretary of State, before that repeal of that section, gave an undertaking under that section to make; and

(ii) have effect in relation to contributions which the Secretary of State has, by virtue of sub-paragraph (1) above, undertaken to make.'.—*[Mr. Atkins.]*

Schedule 24

REPEALS AND REVOCATIONS

Amendments made: No. 106, in page 357, line 29, column 3, leave out '7(8)' and insert '7(2) and (8)'.

No. 213, in page 359, column 3, leave out line 35.

No. 107, in page 361, line 16, column 3, at end insert—

'(aa) paragraph 1(13);'.

No. 108, in page 362, line 7, column 3, at end insert—

'Section 151.'.

No. 109, in page 365, line 58, after '42(11)(a)' insert ', 168A'.—*[Mr. Atkins.]*

Order for Third Reading read.—[Queen's consent and Prince of Wales's consent signified.]

12.11 am

The Secretary of State for the Environment (Mr. John Gummer): I beg to move, That the Bill be now read the Third time.

We come to the end of the discussions on the Environment Bill. It is a substantial piece of legislation, which makes progress in environmental protection on a broad front. The Bill has been further strengthened during its Commons stage in ways that I believe have been widely welcomed.

I acknowledge the scope for disagreement on the details of the Bill, but I believe that the House and the country will recognise that the Bill is an important milestone, which further marks the Government's commitment to responsible environmental protection. I believe that it is a Bill that has properly sought to place sustainable development as the centrepiece of what we seek to do, and I much welcome the comments on both sides of the House that have enabled us to bring much of it forward with a common degree of support.

I believe that, in future, people will look back to the Bill as representing a major change and a considerable milestone on the march towards a society in which the environment takes a very much more central place in our consideration.

I commend the Bill to the House.

12.12 am

Ms Ruddock: First, I wish to place on record my sincere thanks to all my right hon. and hon. Friends who have contributed so substantially to the preparation of our scrutiny of the Bill. I also want to thank the local authority associations and the many conservation groups and green organisations that have helped us again to provide opposition to many of the things that are wrong with the Bill and helped us to tackle the Government and obtain greater clarity where that has been necessary.

The Bill began with a great deal of promise, especially the establishment of the environment agencies and the national park authorities, both of which the Labour party had advocated in the past and which we supported in the Bill.

After many months of debate, the Bill is now 365 pages long and contains 123 clauses and 24 schedules. It has not had the scrutiny that it deserved, a result not of any lack of diligence by the Opposition, but of the late and excessive tabling of amendments by the Government and the lack of clarity at times in ministerial replies. As the Secretary of State said, there have been additions and improvements to the Bill—not least in the areas of air quality, contaminated land, old mineral planning permissions and hedgerows. But, sadly, the Bill remains fatally flawed. The cost-benefit duties imposed on the agencies fundamentally undermine their central purpose and their aim. Everywhere in the passage of the Bill we have seen the pressure of commercial interests lead to changes in the Bill and to conflicts that we believe will not be resolvable in practice.

We have outlined the fact that polluters have potential recourse to the law, and nothing that the Ministers have said has allayed the fears of the Opposition and of many of the conservation bodies with great expertise in that area. The cost-benefit duty remains and it is a very deep concern as the Bill reaches its concluding stages in the House.

On the issues of contaminated land, old minerals, abandoned mines and, perhaps worst of all, today's removal of quiet enjoyment from the purposes of national parks, commercial interests have been put ahead of the interests of the environment. For all those reasons, we believe that the balance that the Government claim to have sought may result in conflict. If that is so, only the environment will be the loser.

Because of our concerns, we considered very carefully whether to vote against Third Reading. We shall not do so tonight because we remain committed to many of the ideas that are contained within the Bill. We shall abstain tonight, but our consolation is that, by the time the agencies come into operation, we can expect to be the Government, charged with the conservation and enhancement of our shared environment.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

STATUTORY INSTRUMENTS, &c.

Madam Deputy Speaker (Dame Janet Fookes): With permission, I shall put together the motions relating to statutory instruments.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.),

LOCAL GOVERNMENT FINANCE

That the Special Grant Report (No. 14) (Grants to Surrey Police Authority and Receiver of the Metropolitan Police District) (House of Commons Paper No. 474), which was laid before this House on 7th June, be approved.

BUYING AGENCY TRADING FUND

That the draft Buying Agency Trading Fund (Extension) Order 1995, which was laid before this House on 8th June, be approved.

COMPANIES (FEES)

That the Companies (Fees) (Amendment) Regulations 1995 (S. I., 1995, No. 1423), dated 27th May 1995, a copy of which was laid before this House on 6th June, be approved.—*[Mr. Burns.]*

Question agreed to.

PETITION

Planning Application (Cirencester)

12.17 am

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): Madam Deputy Speaker, I beg leave to present a petition to the House, which is signed by approximately 2,500 people who are mainly residents in and around the town of Cirencester in Gloucestershire, against a planning application for an out-of-town retail warehouse development. The petition reads:

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

The Humble Petition of residents of Gloucestershire

Sheweth

That planning permission for the proposed non-food retail development at Kingsmeadow, Cirencester, by Bannertown Developments Ltd., within the county of Gloucestershire is sought and that the residents of Gloucestershire are opposed to this proposed scheme.

Wherefore your Petitioners pray that your honourable House will call upon the Secretary of State for the Environment to ensure that planning consent is refused for the said scheme.

And your Petitioners, as in duty bound will ever pray, &c

I beg leave to present the petition.

To lie upon the Table.

Socially Necessary Railway Services

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

12.18 am

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I am pleased to be able to secure a debate this evening on the question of socially necessary services in the context of the rail privatisation fiasco.

Transport problems in Wales are heavily influenced by the peculiarities of population distribution, with the vast majority of the 2.8 million inhabitants living in four counties in the south of Wales. The most congested area for traffic is thus the south-east, apart from individual large towns elsewhere, such as Aberystwyth, Bangor and Carmarthen. The difference between the south-east and the rest of Wales can be seen through the relative population densities. For example, in Cardiff there are 23 people per hectare, there are seven per hectare in Swansea and only 0.2 in Meirionnydd in my constituency and in Powys. In fact, 62 per cent. of the population live in only 17 per cent. of the land mass. As such, public transport problems, requirements and policy objectives vary considerably between widely diverse urban and rural areas. Urban areas face road congestion and peak period overcrowding on public transport, while rural Wales has an underlying need for basic mobility. While that degree of diversity requires separate policies superimposed on the public transport and road network—particularly in rural and coastal areas—there is an annual influx of tourists, who arrive primarily by car or coach but who come by public transport in some areas.

The modal split in passenger movements has changed significantly over the past 40 years. There has been a rapid increase in car ownership. In the 1960s, car ownership rates began to rise, due partly to increased consumer spending power and partly to the decline in public transport services in rural areas. Car ownership has doubled since 1968, to a total of just over 1 million. In Wales, that growth has been accompanied by a continuing downward trend in bus and rail passenger loadings, reflecting changes in the British Isles as a whole.

While car travel has increased tenfold, bus travel has halved. The number of rail journeys has also fallen, but passenger kilometres have increased by 5 per cent.—primarily due to British Rail concentrating on inter-urban and cross-country business, with the decline in rural branch lines, as passengers make fewer but longer journeys.

Rail services are needed for basic mobility, especially in rural areas, and as a means of reducing congestion and pollution as part of an integrated transport policy in urban areas. In transport expenditure generally, a number of options may be open—but in the case of train or bus passenger services, there are three. They are to retain the service in its present form, close the service, or rationalise the network by amending or merging routes—or both.

There is good evidence that the first option is realistic. Service improvements such as the introduction of new class 158s on the service west of Llanelli in Dyfed to replace diesel multiple units resulted in a 50 per cent. rise in customers. A further increase has been halted by the inadequate capacity of the one-car class 153s and two-car sets provided.

[Mr. Elfyn Llwyd]

All other European socially necessary services are subsidised, many to a level far in excess of that in Britain. In Britain, the subsidy is 13 per cent. but it is 28 per cent. in Sweden, 36 per cent. in France, 48 per cent. in Germany, 58 per cent. in Portugal—which we are often told by Ministers is struggling economically—and a staggering 80 per cent. in Italy. Those figures emphasise the trend against socially necessary services and the retention of vital subsidies in Britain. One must inevitably conclude either that British Rail train operating companies are extremely efficient or that the Government are oblivious to the financial needs of socially necessarily railways. It may be that both are true to some degree.

The only railway likely to be profitable is one that is intensely used, with high-load factors. That will never be true of rural railways or of large commuter rail systems. In rural areas, single-track operation often prevents intensive use, and low-population densities do not provide the high-load factor. In urban areas such as Cardiff or south-east England, demand patterns have a high morning and evening peak, with infrastructure and rolling stock capacity far in excess of off-peak demand. Therefore, capital investment may receive an adequate pay-off during only four hours, Monday to Friday. The size of towns in Wales means that inter-city or inter-town operations may not be as financially viable as some of England's primary routes.

Despite that, many initiatives on, for example, the valley lines from Cardiff, the Bridgend-Maesteg line, the north Wales main line and lines in south-west Wales have increased patronage following track and rolling stock investment.

In the evaluation of rail investment, the central London rail study uses techniques to justify construction of, for example, the Jubilee line extension and crossrail, which include the transfer of passengers from cars to rail. That has three consequences. The first is reduced journey time; the second is reduced car usage and road congestion; and the third is increased rail revenue. However, the social benefits of reduced journey time, reduced overcrowding and reduced car flows and not the cash flow increase have justified crossrail.

The Department of Transport has accepted the issue of transfer to rail as a basis for social benefit where the transfer is on a large scale. In rural areas, the numbers are much smaller, with no major impact on road travel, but the Government have failed to consider the demand not at present, but at potential levels if capacity is increased. The former Secretary of State said that even if there were a 10 per cent. increase in rail passengers, it would represent only a 0.4 per cent. reduction in road travel within the British Isles if they had all transferred from cars. However, the comparison related to all road trips including those that were not possible by rail.

In a comment on the Welsh Office report, the Cardiff region public transport study, published in June 1994, the Minister of State admitted that the investment options were of a "one-off" nature and that continuing high levels of investment in public transport had not been considered. The impact on fare pegging and privatisation form the core of the debate. The new railway set-up involves an infrastructure company, Railtrack plc, which has two divisions covering Wales and which the Government intend to privatise at a price of between £1.5 billion and £4 billion. The variation is a result, on the one hand, of the 8 per cent. return that any potential buyer of Railtrack will see as a minimum and, on the other, the amount of rail access charge that the new train operating companies will be able to afford.

Rail services in the British Isles from 28 May have been provided by companies wholly owned by British Rail but which form the basis of the franchises to be offered to private companies. In Wales, they are: Cardiff Railways Company Ltd.; Central Trains Ltd. to Aberystwyth and Pwllheli; Great Western Trains Ltd., that is, InterCity services to south Wales; InterCity West Coast Ltd., again InterCity services to mid and north Wales; and North-West Regional Railways Ltd., for local services north of Wales; and South Wales and West Railways Ltd.

The majority of those services receive up to 40 per cent. of their income from subsidy. Imposed on this unwieldy structure is the Government's newly introduced scheme to peg fare increases over the next four years to below the current rate of inflation. That presents the Government with a set of financial policy objectives which are not fully compatible. The first objective is to restrict fare increases to below the rate of inflation. The second is an 8 per cent. rate of return on the assets owned by Railtrack. The third is the Government's long-term policy to reduce railway subsidy, which has been their stated policy for 15 years. The fourth is to maintain the network and services at the present level after privatisation. That objective has often been repeated in the House.

There has been no Treasury statement providing a guarantee of funding to achieve the increase in subsidy that the fare pegging policy will require and depend upon. In any event, the Treasury would guarantee expenditure only up to, I believe, four years. The Secretary of State recently told me in an answer that Government funding would be available to meet the commitment. That was a blanket reply and contained no further detail. I am a bit wary of that kind of reply.

Even if the Government believe that lower fares will increase patronage, which in itself is a welcome policy that should be supported, new investment in train capacity will be required, and both capital and revenue subsidies will be necessary. If fare increases are pegged, normal cost increases facing the train operating companies may not be met. Without that ability to meet costs, the potential franchisees and their financial backers will not find the proposal to run trains on the new basis sufficiently attractive and, in consequence, will not wish to invest or to bid for the franchise. They will also be concerned about the lack of Treasury guarantees on the operating subsidies over the seven-year franchise period, when, as I have said, 40 per cent. of some companies' income will come from that source.

Companies can therefore be covered in one of two ways. First, the Government can increase their subsidy to private train companies, but that again begs the questions: why did British Rail not receive such funds, does that not conflict with the Government's long-held desire to reduce subsidy, and has the Treasury said yes, or what is the position? Secondly, access charges imposed by Railtrack on train operating companies could be reduced, but that would reduce the company's income and therefore the price that the Government would be likely to achieve for Railtrack.

The increases in subsidy following the fares pegging policy will presumably be in addition to that required to meet present levels of service on socially necessary services. An indication from the Secretary of State for Transport that actual figures currently being paid to each train operating unit or train operating company to meet social and pricing costs will be published, I believe, by the franchising director will be extremely helpful.

One broad conclusion that one can draw is that it is clear that, although the Government have stated policies on continuing to fund socially necessary rail services, those funds are not guaranteed in the medium and longer term. I see the Minister shaking his head. I have asked the question time and again without receiving real detail. If they could not subsidise British Rail, I doubt whether they will do it under the new regime. I hope that he will reply in detail on that point because I have hitherto failed to elicit any details.

In consequence, train operating companies and Railtrack will both have great difficulty in planning and forecasting budgets more than one or two years ahead, which frankly is a hopeless position for any sort of business. The structure of their networks leaves Wales's services on the periphery of all this. When profits are down as a result of reductions in revenue payments by the Treasury, those services are likely to be reduced first. I again ask the Minister for a guarantee on that very point because many people in Wales and beyond believe, as I do, that, "What Beeching started, Mawhinney will finish."

I do not overstate the case when I say that, beyond doubt, two lines in my constituency are socially necessary and the loss of either, or even the depletion of services, would be a bitter below to my constituents. The Conwy Valley line is extremely important to my constituents because it is the means of transport for many people travelling to and from work. It is a real lifeline, but with the closure of Trawsfynydd nuclear power station, the line has lost £900,000 in revenue per annum and will therefore have to be substantially subsidised.

I cannot understand why the Government find subsidising environmentally sound forms of transport such a problem. Common sense dictates that rail transport is much better than large numbers of cars. The Government's stance is regressive and damaging. Will the Minister give an assurance that that line will be termed socially necessary and its service expanded? I trust that he will be able to do so.

The Cambrian line is again an important line. By coincidence, it is similar to the Conwy Valley line in that it is a scenic route—they are probably the two most scenic routes in the British Isles. The Cambrian line is also used daily and takes thousands of visitors during the five-month holiday period. I remind the Minister that tourism is, after all, the largest employer in Wales, employing some 95,000 people, and that it is vital to the economy of my constituency of Meirionnydd Nant Conwy. The Cambrian line is vital to the economic well-being of mid and west Wales and must be preserved and expanded at all costs. I seek a similar assurance that the line will be retained and that it will be guaranteed adequate subsidy. It is vital to many thousands of people in Wales.

I continue to oppose most vehemently and for good reason the premise that railways should be privatised. If the Government will not abandon those plans, even at the eleventh hour, they must appreciate the importance of those lines to a large part of Wales. I urge the Minister to put aside dogmatic prejudices, to think again and, for once, to listen to the people of Wales.

12.35 am

Mr. Paul Tyler (North Cornwall): I am grateful to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) and to the Minister for allowing me to make a brief contribution to the debate.

I want to make one central point. It is a coincidence that the hon. Member for Meirionnydd Nant Conwy and I both represent far-flung, peripheral parts of the United Kingdom, but there are socially necessary services in other main parts of the United Kingdom and it is important to recognise that.

I want to concentrate on a matter that I know is causing concern to a great many people who are anxious about the future of the railway network following privatisation. I am talking about the position of an intermediary station such as, for example, Castle Cary. That station serves a wide rural hinterland and it is not immediately adjacent to any major centre of population. It is extremely important that we remember that, when we are talking about socially necessary services we are talking not just about a service that runs from A to B, but about a service that is provided at intermediary stations. That is particularly important when such stations provide an excellent railhead for a large, scattered rural area. If we did not have that railhead, there would have to be more road traffic in local towns.

In the case of Castle Cary, it is evident that if one cut out the intermediary stations, one may find it impossible to justify running the Taunton to Reading line and vice versa, which you, Madam Deputy Speaker, and I know well. After a certain time, any franchisee could find that without those services being provided to the intermediary stations as part of the passenger service requirements, it would be economically desirable or more profitable simply to run the Bristol route with, perhaps in the next generation of locomotion, electrification and faster trains.

We would then find that the intermediary areas would have to suffer a poorer service—probably with older rolling stock and older locomotives—and the total journey time for those of us in the far-flung wild west would deteriorate.

A simple point to add to the trenchant criticisms, comments and suggestions of the hon. Member for Meirionnydd Nant Conwy, which I endorse entirely, is that we should also be looking at the socially necessary services on main lines which serve important areas of our country.

12.37 am

The Minister for Railways and Roads (Mr. John Watts): I congratulate the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) on initiating a debate on this important subject and I welcome the opportunity it provides to reaffirm the Government's commitment to safeguard socially necessary passenger rail services and their quality.

Passenger service requirements will provide for the first time a contractually guaranteed level of train services. A key feature of PSRs is that they will guarantee the future of every line and every station on the existing network. Those are important points in reply to the concerns raised

[Mr. John Watts]

by the hon. Members for Meirionnydd Nant Conwy and for North Cornwall (Mr. Tyler). PSRs will guarantee the future of every line and every station on the network.

In setting the passenger service requirement for each franchise, the franchising director will specify service standards, including the frequency of trains, the stations that they serve, journey times, first and last trains and weekend services. This is not a case of officials in London simply deciding what they think is good for passengers throughout the country. PSRs are subject to an unprecedented level of consultation with the users of services, through both local authorities and rail users' consultative committees. For the first time, passenger representatives have an opportunity to comment on the services that they would like operators to provide.

The outcome of the consultations on the first three PSRs—for Great Western, LTS Rail and South West trains—demonstrates that the franchising director has listened to representations. In all cases, he has added safeguards to the final PSRs as compared with the drafts that he issued for consultation. For example, he has included new commitments on first and last trains, a tightening of maximum journey times and more connections. I believe that those results demonstrate the value of that approach.

Hon. Members will know that consultations are currently under way on four more PSRs—for InterCity east coast, midland main line, Network South Central and ScotRail. Over a period, there will of course be PSRs for each of the 25 train operating companies. I am confident that the outcome of the consultations will be as satisfactory as those on the first three.

Passenger service requirements are based on the timetable being operated by British Rail at the time of franchising, but hon. Members will understand that the PSR is not itself a timetable, but sets the guaranteed level of service. I wish to emphasise that for services that are not commercially attractive—those are the general subject of the debate—the PSR is likely to provide for broadly the existing level of service. We recognise the crucial role that the railway plays in servicing communities throughout the country, and there will be clear and explicit safeguards for socially necessary services that cannot stand alone commercially. The House will know that the total subsidy budget for the current year will be about £1.7 billion. However, where the service, or part of it, is commercially attractive the PSR is likely to be at a lower level than the existing standard of service, in order to provide operators with the opportunity to develop new and varied services within that assured framework.

The security of passenger services is not dependent simply on commercial viability. The franchising process provides for the first time important safeguards for socially necessary services. Perhaps the best example that I can cite is the draft PSR for ScotRail, the first specification to be set in relation to largely rural and regional services.

Apart from the highly commercial Edinburgh to Glasgow route, the ScotRail PSR includes virtually every service in the May 1995 timetable. That is a contractual guarantee of service levels for the next seven years. Such a level of security for social rail services has never been given before, and that gives a firm indication of the comfort that PSRs will offer to those dependent on regional rail services, and underlines the Government's commitment to the national rail network.

When he opened the debate the hon. Member for Meirionnydd Nant Conwy referred to levels of subsidy to railways in other countries. However, such crude comparisons are not necessarily instructive, because the level of debt of various foreign railways is on the whole much greater than that of British Rail. If he examines the funding of French railways, for example, the hon. Gentleman will find that the apparent high level of subsidy is actually needed to fund debt charges on their substantially greater debt.

The hon. Gentleman also referred to my right hon. Friend's predecessor as Secretary of State when he said that even if there were a substantial increase in the use of the railway either for passengers or for freight, its impact would be small in terms of mitigating road traffic growth. That is a fact, but it does not mean that we consider that such transfers from road to rail are not worth while in themselves.

The hon. Gentleman also mentioned fares policy. Simply because fares are to be limited to ensure that passengers enjoy some of the benefits of the greater efficiencies that will result from transferring the railways to the private sector, there is no reason to assume that that will necessarily increase the cost of subsidy. In the franchising arena, as opposed to the subsidising of a monolithic nationalised industry, the difference is that potential operators will bid competitively for subsidy to secure the right to operate the services. That competitive bidding process will help to keep the demand for subsidy down.

Far from providing an uncertain future for rail operators, my experience of talking to the train operating companies leads me to believe that they can see substantial benefits in having a financial regime that is settled for seven years ahead. They know the framework within which to plan their fares because it has been laid down by the franchising director for the next seven years. They tell me that that is a far greater degree of certainty in their budgeting than they have ever had before.

I share the hon. Gentleman's hope that one of the consequences of this beneficial fares regime will be to encourage passengers who are currently using the railway to continue to do so. I also hope that it may encourage other people to start to use the railway.

The hon. Gentleman expressed concern that there is no guarantee from my colleagues in Great George street about future levels of funding. That is, of course, true. However, the hon. Gentleman will also be aware that the Treasury never guarantees future levels of funding for any part of the Government's expenditure. In theory, my right hon. and learned Friend the Chancellor of the Exchequer could decide when he announces the public expenditure plans in November, along with his Budget, to cut in half the funding for the national health service. However, the hon. Gentleman knows that that is not a political reality.

Mr. Tyler: Not near an election.

Mr. Watts: Not at any time. Similarly, the hon. Member for Meirionnydd Nant Conwy will recognise the political realities of a substantial undermining of funding for the railways.

Mr. Llwyd: That is the core point of the debate. I am on a wing and prayer on this issue. The Minister says in all sincerity that there will be no cuts and that the subsidy is safe. I know that the Treasury does not normally guarantee a subsidy. I am afraid to say, however, that experience of this Government shows that they say one thing now and a different thing next year. There was, for example, to be no increase or broadening of valued added tax. As soon as the election went by, such a broadening came in. I am rather concerned about empty promises; that is the point.

Mr. Watts: This is not an empty promise. One of the other realities that the hon. Gentleman must recognise is that the contracts entered into between the franchising director and the train operator impose responsibilities and obligations on both parties. The franchising director, having entered into a contract to supply grant in support of a franchise, is committed to it. That will be one of the realities that has to be faced in any decisions that might be made about funding.

The hon. Gentleman over-emphasises the impact of the capping regime for fares on the revenues of the railways. I do not accept that it is by any means a given fact that the capping regime will reduce the revenues of the rail operators. Indeed, the financial structure that a franchise will face gives it every incentive to increase its revenue by encouraging more people to travel and to operate additional services to give the facility for more people to travel. The major costs of any operator will be covered in the contract for the passenger service requirement and additional services can be operated at marginal cost. There is every reason for franchisees to seek to expand their services and no reason to contract—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned accordingly at twelve minutes to One o'clock.

House of Commons

Thursday 29 June 1995

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

ACCOMMODATION LEVEL CROSSINGS BILL *[Lords] (By Order)*

Order for Third Reading read.

To be read the Third time on Thursday 6 July.

QUEEN MARY AND WESTFIELD COLLEGE BILL *(By Order)*

(Queen's Consent, on behalf of the Crown, signified.)

Order for Third Reading read.

To be read the Third time on Monday 3 July at 7 o'clock.

LONDON LOCAL AUTHORITIES (NO. 2) BILL *[Lords] (By Order)*

Order for consideration read.

To be considered on Thursday 6 July.

CITY OF WESTMINSTER BILL *[Lords] (By Order)*

Order for consideration read.

To be further considered on Thursday 6 July.

BELL'S BRIDGE ORDER CONFIRMATION BILL

Read the Third time, and passed.

Oral Answers to Questions

NORTHERN IRELAND

Rail Privatisation

1. **Mr. Foulkes:** To ask the Secretary of State for Northern Ireland what assessment he has made of the impact of the privatisation of British Rail on the economy of Northern Ireland. [29801]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Malcolm Moss): None.

Mr. Foulkes: That is a pathetic answer, but typical. The Minister must be aware of the economic and strategic importance of the line to Stranraer, not only for south-west Scotland but for Northern Ireland. Will he seek some assurances from British Rail that that line will continue if the ill-thought-out privatisation of British Rail goes ahead?

Mr. Moss: The question of the Stranraer rail link is a matter for the Secretary of State for Transport. As far as Northern Ireland is concerned, we have decided not to carry out an assessment of the impact of rail privatisation for the following reasons: most business between Northern Ireland and Great Britain is road-based, for logistical reasons. We believe that privatisation will result in a more efficient rail system in Great Britain, thereby offering welcome choice for Northern Ireland businesses.

Mr. Clifford Forsythe: The Minister will be well aware that, even though many cars travel between Larne and Stranraer, a considerable number of foot passengers travel from Belfast to Glasgow and vice versa. They use the line that was mentioned by the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), and it is an essential line for that reason.

When the Minister consults his hon. Friends in the Scottish Office, will he also remember that the terminal facilities at Stranraer are vastly inferior to those available in Larne? Perhaps he would discuss obtaining some funds from Europe to update those facilities in Stranraer, which would help the economy of Scotland and Northern Ireland.

Mr. Moss: I am pleased to reassure the hon. Gentleman that the future of the Stranraer rail link is part of the minimum service requirement. It is included in the proposed ScotRail franchise, and that is currently out for consultation. The hon. Gentleman said that foot passengers use the ferry, but only about 1 per cent. of passengers travelling from Northern Ireland ports arrive at those ports by rail, and only about 10 per cent. of passengers travelling from Northern Ireland ports to Great Britain complete their journey by rail.

Economic Outlook

2. **Mr. Spring:** To ask the Secretary of State for Northern Ireland what is his assessment of the economic outlook for the Province. [29802]

The Minister of State, Northern Ireland Office (Mr. Michael Ancram): The outlook is very encouraging. Employment and output are rising and unemployment is falling. Business confidence and investment intentions are at high levels. New opportunities are opening up for tourism and inward investment, and exports are increasing as our indigenous companies expand. With continuing peace, Northern Ireland's economic prospects are the best that they have been for a generation.

Mr. Spring: Is my hon. Friend aware that unemployment in Northern Ireland has reached its lowest levels since 1981, that manufacturing output increased by 7 per cent. last year and that exports from Northern Ireland are growing faster than the United Kingdom average? Will my hon. Friend join me in welcoming the announcement of the proposed £100 million investment in the Province by a major supermarket chain which will bring with it 2,000 new jobs? Finally, I suggest that much of that success is due to the wholly improved atmosphere in Northern Ireland which is due in large part to the initiatives undertaken by my right hon. and learned Friend and by my right hon. Friend the Prime Minister.

Mr. Ancram: I am very grateful to my hon. Friend for those remarks and I certainly endorse the welcome that he gave to the investment that we are now seeing. I thank him for highlighting the improvements that are occurring in the Northern Ireland economy. It is indicative of how much things have improved that not only has unemployment

fallen to its lowest levels since 1981 but also, as of March this year, the number of those in employment has reached a record high. That figure speaks for itself. It is evident that enormous opportunities are available to the people of Northern Ireland in terms of economic growth if peace is sustained and political stability can be achieved. That is what the people of Northern Ireland are asking of their political representatives.

Mr. Beggs: Does the Minister agree that permanent peace will provide a prize in economic terms in which all law-abiding people in Northern Ireland can share? Does he accept that the new investment arising from the successful conferences held in Belfast and Washington, which were promoted by Prime Minister Major and President Clinton, will be of greatest economic benefit if the new jobs created are accessible to both sections of the community so that all can share in the prosperity that follows?

Mr. Ancram: I am grateful to the hon. Gentleman for making that point. It is absolutely right to underline the fact that peace is the key to future growth and prosperity in Northern Ireland. It is not just temporary peace that will achieve that outcome, but confidence that the peace is permanent. At the end of the day, that can be underlined only by the creation of political stability through political agreement.

I also endorse the hon. Gentleman's comments that inward investment, particularly as a result of the two conferences to which he referred, will bring the greatest degree of confidence to the community in Northern Ireland if the benefits of that investment are shared as widely as possible.

Mr. Peter Robinson: Does the Minister accept that the economy of Northern Ireland would be boosted considerably if Shorts, as part of the Westland team, were successful in securing the Ministry of Defence's order for attack helicopters with its Apache version? Does the Minister recognise that that would open the way for Starstreak to be used in the United States? Does he accept that the Government should push from within the Cabinet to ensure that the order goes to Westland and that Shorts benefits as a result?

Mr. Ancram: Again, I am grateful to the hon. Gentleman for those remarks. I agree with what he has said and I assure him that my right hon. and learned Friend the Secretary of State has been talking to the appropriate people in this instance, in particular Commerce Secretary Brown.

Peace Process

3. **Mr. Winnick:** To ask the Secretary of State for Northern Ireland if he will make a statement on the latest position over the peace process. [29803]

The Secretary of State for Northern Ireland (Sir Patrick Mayhew): We wish to establish beyond doubt that the permanence of peace is truly intended. Therefore, we continue to press Sinn Fein and the loyalist parties alike to address the decommissioning of arms and to continue with exploratory dialogue to that end.

Mr. Winnick: Can the Secretary of State explain what he meant in his letter last week in *The Times* when he said that the future prospects of Northern Ireland have already been much damaged by the quarrelling among Tory Members of Parliament? Is the Secretary of State satisfied that whoever happens to be elected leader of the Tory party in due course—be it in the first, second or any other ballot—will be committed fully to the peace process and to the framework document? Does he agree that the peace process is far too precious to be sacrificed through Tory quarrelling and civil war in the party ranks?

Sir Patrick Mayhew: I am afraid that the hon. Gentleman, very uncharacteristically, is engaging in party political games on a subject that is far too serious for that. Of course everybody in the present Government is fully committed to what has come to be called the peace process, and of course it is the case that instability in the position of any Prime Minister having the commitment demonstrated by my right hon. Friend has a deleterious effect. The hon. Gentleman knows perfectly well what I mean. If he does not, he can read my article in *The Daily Telegraph* today.

Rev. Ian Paisley: No doubt the Secretary of State read his own piece in *The Daily Telegraph* today, but did he read the report of the release of an IRA prisoner who was found guilty in Germany? Did he read the outrageous remarks made by the judge, who said that prisoner was being released although guilty because of the connotations of the peace process? The judge said also that the Roman Catholic people of Northern Ireland had a desire to bomb their way into a united Ireland and that there was never any religious or civil liberty in Northern Ireland for Roman Catholic people. Will the right hon. and learned Gentleman do something to correct the German authorities about the present situation?

Sir Patrick Mayhew: It is important that the true facts about Northern Ireland, its democratic status and the applicability of the rule of law there should always be made clear at home and abroad. As to the first part of the hon. Gentleman's question, tempting though it is I do not believe that I should depart from my rule of not commenting on judicial decisions.

Mr. Trimble: Can the Secretary of State assure the House and the people of Northern Ireland that the peace process and political considerations will not be allowed to interfere with the normal operation of the criminal justice system—so that when, as is likely now that we have had peace for some time, witnesses are prepared to come forward and give positive identification in respect of specific criminal acts, the normal processes will be followed? If so, there would be no further repetitions of the reported incident in which a leading member of the IRA identified as the trigger man by a witness was released in breach of normal procedures, simply because the police feared that the Northern Ireland Office would be upset if a major provo were charged.

Sir Patrick Mayhew: The answer to the first part of the hon. Gentleman's question is, of course. The remaining parts of his question proceed on a number of premises that I do not accept. The Northern Ireland prosecution system, as I recall from the many years that I had responsibility for it, is entirely independent and impartial. The Law Officers of the Crown are there to ensure that it remains so. I am certain that my hon. and learned Friends will do so.

Mr. Hunter: Is my right hon. and learned Friend aware of widespread support for his insistence that the

provisionals cannot take part in substantive talks unless there is acceptable progress on decommissioning and for his assertion that substantive talks can start without the involvement of the provisionals?

Sir Patrick Mayhew: I gave that assurance. A certain amount of turmoil resulted from a remark that I made when doorstepped a couple of days ago. I have looked at the transcript and it seems entirely orthodox, and in fact rather trite. It was put to me that Mr. McGuinness has said that there was not a snowball's chance in hell of decommissioning until a political settlement had occurred—to which I replied, if that was the case, the political talks process would continue in the absence of Sinn Fein. I cannot believe that anybody in the House wishes that I had replied otherwise.

Dr. Hendron: Does the Secretary of State agree that the peace process cannot be considered meaningfully without taking account of prisoners? I make no apology for raising this matter over and over again. Many believe, as I do, that Private Lee Clegg will be released shortly. If that happens, will the Secretary of State ensure that Patrick Kane, Sean Kelly and Michael Timmons, who did not kill anyone, will be released forthwith? While the right hon. and learned Gentleman is doing that, will he consider the question of Irish prisoners in Britain, have them returned to Northern Ireland and look with generosity at the whole question of republican and loyalist prisoners? Some of us, at least in Northern Ireland, could truly say that there but for the grace of God go I, depending on the environment at that time.

Sir Patrick Mayhew: The hon. Gentleman raises five or six items, on each of which, perfectly properly, he feels strongly. He cannot expect me to deal with them all.

It is extremely important to note the distinction of the jurisdiction of the Secretary of State under statute in the case of a power to release upon licence someone who has been sentenced to life imprisonment, and the absence of any jurisdiction on the part of the Secretary of State to second-guess the finding of a court as to guilt or innocence.

I must not comment in response to the hon. Gentleman's question upon the other case that he mentioned, and I do not propose to do so. These matters arouse great passions and feelings and it is important that they should be dealt with in a cool and analytical way. That is not to ignore the human aspects of any of them.

Mr. Peter Bottomley: Will my right hon. and learned Friend accept an endorsement of his remarks following the death of Senator Gordon Wilson, whose contribution to an end of violence was an example to all people? Will he accept also that although there is reason to be cautiously pessimistic about the continuation of the period of no more deaths since the tragic murder of Frank Kerr of Newry, Gordon Wilson's courage in meeting the IRA, although he thought afterwards that it had been a failure, may have been one of the triggers for success?

Sir Patrick Mayhew: I endorse what my hon. Friend has said. I think that anyone who knows the family of Senator Gordon Wilson, or even of it, will wish to extend profound sympathy to his widow. He was a wonderful man. He left no avenue unexplored in a search for peace after having demonstrated most extraordinary human qualities following the death of his daughter in Enniskillen.

Ms Mowlam: May I, on behalf of the Opposition, pay tribute to the life and work of Gordon Wilson and offer our condolences to his wife, Jean? My hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) is not with us this afternoon because he is attending Gordon Wilson's funeral in Enniskillen on behalf of the Opposition.

Does the Secretary of State agree that political progress will be achieved only through dialogue, and that it is imperative that all parties involved avoid vetoes and retain flexibility to create a climate in which progress can be made on the basis of the joint framework document?

Sir Patrick Mayhew: First, we would like to offer warmest congratulations to the hon. Lady on her marriage. It is important in politics, as in marriage, to seek consent and to try to avoid imposition. It is by that simple rubric that both in our marriage and in our politics the Government will proceed.

Mr. Robathan: The House knows how well my right hon. Friend the Prime Minister and my right hon. and learned Friend the Secretary of State and his team have done in carrying forward the peace process. However, should some or all terrorists return to violence, is my right hon. and learned Friend able to assure the House that the security forces are in a position to reinforce as necessary, that their intelligence is up to speed and that they will not be taken by surprise should there be a return to violence?

Sir Patrick Mayhew: My hon. Friend raises important questions. I can answer in the affirmative. Nothing that has been done to adjust the security response to the threat since the ceasefires is irreversible. There can be a reverse in a short number of days, and that is important. Of course we want to reach the point when, by actions as well as words, we can be confident that the permanence of peace is what is truly intended.

Human Rights

4. **Mr. Soley:** To ask the Secretary of State for Northern Ireland what new proposals he has to legislate for human rights in Northern Ireland. [29804]

Sir Patrick Mayhew: It is my intention that legislation on the general lines of the Race Relations Act 1976 should be introduced in Northern Ireland. We will also be considering, in the context of the talks process, how civil, political, social and cultural rights might best be further protected.

Mr. Soley: I am grateful for that answer. May I urge on the Secretary of State that he and his Department give careful thought to the possibility of a Bill of Rights for Northern Ireland, which could go some way to reassure all sections of the community that in the future, whatever that holds, civil and human rights will be preserved and enhanced?

Sir Patrick Mayhew: I am grateful to the hon. Gentleman, who has long taken close interest in these matters. We have said for a long time that we would be prepared to enhance protection for human rights in Northern Ireland. There is obviously a passage in each of

the framework documents that bears upon that. If all the parties were to agree that the best means of such protection were a Bill of Rights, the Government would obviously take account of that view in the light of prevailing circumstances. At this juncture, we would not wish to rule anything out or in.

Mr. Stephen: Does my right hon. and learned Friend agree that the most important human right of all is the right to life? Is not it remarkable that there has been freedom for such a long time from sectarian killing and destruction in Northern Ireland, a situation that many people thought would never happen? Is not that due in large measure to the brilliant negotiating skills of our right hon. Friend the Prime Minister?

Sir Patrick Mayhew: I very warmly endorse what my hon. Friend has just said. I do not believe that any body of opinion in Northern Ireland would disagree with what he has said, both as to the Prime Minister's skill, and certainly his commitment, and as to the level of surprise that what has come about in the past 10 months has occasioned. The right to life is the most fundamental human right of all, and one must always continue to stress that, not least when discussing the activities of people who presume to impose punishment without charge, without trial and without appeal.

Mr. Maginnis: Will the Secretary of State confirm for the record that the Ulster Unionist party tabled specific and detailed proposals for a Bill of Rights at the very start of the 1992 inter-party talks and was the only party to do so, but that neither the Irish Government nor the leader of the Social Democratic and Labour party showed any interest in discussing those proposals?

In the light of the decision by the IRA's northern command to embark upon what it calls "a rolling resumption" of violence, how does the Secretary of State envisage that he will be able to sustain human rights for the greater number of people in Northern Ireland?

Sir Patrick Mayhew: First, I confirm that the hon. Gentleman's party did introduce substantial proposals for a Bill of Rights. I readily acknowledge that. The question of a Bill of Rights gives rise to an interesting debate, which is not all one way but, as I said, and I now repeat, if everyone agrees upon it, that will obviously weigh heavily with the Government.

As to the hon. Gentleman's assertion, I and my right hon. Friend the Minister of State, Northern Ireland Office are grateful to the hon. Gentleman for meeting my right hon. Friend last night and making him aware of information that has come to him. That is the only source of such information in the Government's possession at the moment, but I simply say that if anyone in Northern Ireland has any intention to return to violence, that will meet with outrage from the people of Northern Ireland. I can assure the hon. Gentleman and the House that the security forces will take all appropriate precautions to ensure that it is thwarted.

Mr. Mallon: I associate myself with the remarks about Senator Gordon Wilson, who was a friend and a colleague and someone for whom I had enormous respect. That is also the view of my colleagues.

Does the Secretary of State agree that in any society based on human rights there are two principles—one is the principle of equality before the law and the other is the principle that those who govern and those who are governed at all times and in all circumstances uphold the primacy of the law?

Does the Secretary of State further agree that if he makes a decision in the Clegg case, an Executive decision made by a politician on the advice of civil servants, which overrules a decision of the Northern Ireland High Court, the Northern Ireland Court of Appeal and the House of Lords, that, in effect, will devalue and demean the whole process of law in Northern Ireland?

Will the Secretary of State accept from me that at this moment that would be tantamount to throwing a lighted match on to a tinder-box in Northern Ireland and, moreover, would rub salt in the wounds of those who have served long sentences according to due process, not according to Executive decision? Will the Secretary of State answer that? Does he uphold the primacy of the law and will he in this case?

Sir Patrick Mayhew: Of course I will. I have no intention of overruling, nor have I any jurisdiction to overrule, the decision of the High Court, the Court of Appeal, or the House of Lords. The hon. Gentleman is confusing that notion with the concept of the jurisdiction that Parliament has conferred upon the holder of my office—as it has conferred it on the Home Secretary in Great Britain—to deal with the question of whether a sentence for life should mean for the whole of someone's natural life or not. I imagine that there are many people in prison of whom the hon. Gentleman has some knowledge—though very little sympathy, I feel sure—whom he would not wish to see languish in prison for the rest of their natural lives simply because that is the character of the sentence that has been imposed upon them. He can be perfectly certain that any individual case that falls within my jurisdiction will be dealt with in the best way that seems to me to accord with the rule of law and the jurisdiction conferred upon me by Parliament.

At the risk of going on for too long—I hope I am not—I can say that of course we uphold the concept of equality before the law. That does not mean to say that every individual case receives equal treatment in terms of years or whatever. It means that the same considerations are applied, but does not mean that the identical result appears in every case. If that were the case, the individual circumstances would be neglected

Ms Mowlam: In view of the breadth of the issues that have been raised in the House this afternoon, and the strength of feeling about decommissioning and prisoners, would the Secretary of State give a commitment to the House to bring those matters up in his discussions with the Tanaiste tomorrow and tell the House a little more about the nature of the study group set up with Dublin following the Cannes meeting earlier in the week?

Sir Patrick Mayhew: The proceedings of intergovernmental conferences are always confidential and I think that it is right that they should remain confidential. It is very important that the two Governments, who have now established a long practice and experience of talking freely and frankly with each other, should be able to do so in circumstances of confidentiality. Most things that are relevant to the jurisdiction of each Government get discussed.

Education Plans

5. **Rev. Martin Smyth:** To ask the Secretary of State for Northern Ireland what plans he has for future relations between grammar schools and education and library boards. [29805]

Mr. Ancram: The Government have proposed that the recurrent funding of voluntary grammar schools in Northern Ireland should in future be undertaken by the education and library boards. No change is proposed to the governance of these schools, which will remain under the sole management of their boards of governors. Representations on these proposals have been received and will now be carefully considered before any final decisions are reached.

Rev. Martin Smyth: Does the Minister accept that some people on the governing bodies of the grammar schools are concerned that the relationship that they have had with the Department may alter, especially in the light of those grammar schools which are already controlled by the boards? When a board, in the case of, for example, Wellington college, recommends a major modernisation, the Department sets it aside and cannot even yet tell us when it will get the funding to upgrade that school's premises.

Mr. Ancram: I have had representations from a number of quarters, including representatives of the Governing Bodies Association and from far further afield. I will wish to take full account of those representations including, I should add, representations from the hon. Gentleman's party, which supported the proposals. I wish to take all those representations away and give them the fullest consideration. In the proposals, we were seeking an administrative simplification of the system, not to alter any of the relationships in terms of control. Were I, following my consideration of the representations, to think that the proposals were going further than intended, I would take it into account.

Inward Investment

6. **Mr. McGrady:** To ask the Secretary of State for Northern Ireland what is his current assessment of potential inward investment to Northern Ireland. [29806]

Mr. Ancram: The climate for investment in Northern Ireland from overseas has been greatly enhanced by a sustained absence of violence. It is expected that a continuation of peace will result in an increased flow of inward investment.

Mr. McGrady: I thank the Minister for his reply but, in the context of his earlier reply to the hon. Member for Bury St. Edmunds (Mr. Spring), is he not deeply concerned about the gross inequality in the distribution of job creation in Northern Ireland? The southern part of Northern Ireland has been neglected by inward investment projects. He will be aware that, for the years 1990 to 1995, 39 projects were created, but none in my constituency of South Down; in fact, only 3 per cent. of the inward investment visits of the past 10 years have come to South Down. Will the Minister take direct action to redress that inequality through a new inward investment strategy, allied perhaps to a decentralisation of jobs from Government Departments to the more rural areas?

Mr. Ancram: The hon. Gentleman knows that I am not responsible for that particular aspect, but I shall certainly ensure that Lady Denton is made aware of his remarks. He will have heard me say that it is very much the intention of the Government to ensure that the benefits in terms of inward investment which will, we hope, flow from a sustained peace will be shared by all parts of the community in Northern Ireland. That deals with the sort of points that he raised.

Rev. William McCrea: Surely the Minister can understand the feelings of a number of hon. Members considering the inequality of the distribution of prosperity and jobs, bearing in mind the fact that very little has been directed towards the likes of Mid-Ulster. Prosperity and jobs have been directed to the Foyle constituency or to Belfast, West, to the neglect of Belfast, East and the constituency that I have the privilege to represent. Surely there should be proper equality of distribution. Bearing in mind the shots that were fired in Downpatrick last night, does the Minister agree that it is only with a clear renunciation of violence and the proper decommissioning of weapons that we shall make real progress in the Province?

Mr. Ancram: The hon. Gentleman has already heard what I had to say about the importance of peace in terms of achieving the type of inward investment that we want. I hear what he says and he has heard what I have to say about trying to ensure that the benefits of peace are enjoyed across the community. Clearly, in terms of inward investment, there has to be some recognition of the fact that those coming to invest will be attracted to certain areas. The job of the Government is to ensure that, as far as possible, the areas that require investment are given sufficient exposition to make them attractive to investors.

Mr. William Ross: Does the Minister agree that, although inward investment in the retail industry is welcome in that it increases choice, what Northern Ireland really needs is more investment in manufacturing industry? Will he therefore support the efforts made recently in Washington and at the earlier conference in Belfast to ensure a significant increase in investment in manufacturing industry, not only from the United States but from Great Britain and further afield?

Mr. Ancram: We are as aware of the importance of trying to attract manufacturing industry, with its export potential, as of the other basic industry which is clearly going to flourish—tourism. There has to be a balance to ensure that the benefits of the prosperity that can be achieved through peace are spread as widely as possible.

Mr. John Marshall: Does my hon. Friend agree that inward investment in Northern Ireland is greatly encouraged by the fact that we have not signed up to the social chapter or the minimum wage?

Mr. Ancram: I could not have put it better myself.

Mr. Spellar: Does the Minister agree that job retention and job creation are a crucial part of economic development in Northern Ireland? In that context, is he aware that the recent round of compulsory competitive tendering in the Down Lisburn health and social services trust resulted in the loss of 55 jobs and that more than 80 per cent. of those affected were women? That is a pattern repeated in trusts all over Northern Ireland and is a direct result of the Government's policies. Is the Minister aware

that we have recently been advised that the policy appraisal and fair treatment guidelines, which are intended to ensure that departmental policies have no adverse impact on, among other things, one gender as compared to another, do not apply to market testing in the health service? Does he accept that it does not help—

Madam Speaker: Order. The question is about inward investment. Will the hon. Gentleman relate his question more to inward investment, which is what it is all about?

Mr. Spellar: Does the Minister accept that it does not help inward investment policy for the Government to be seen to be ignoring their own PAFT guidelines?

Mr. Ancram: I find it difficult to relate the hon. Gentleman's question to inward investment, so I can reply only that the inward investment in health goes to patients, to ensure that they get the best care possible.

Integrated Education

7. **Mr. Barnes:** To ask the Secretary of State for Northern Ireland if he will make a statement on Government policy on, and progress towards, integrated education in Northern Ireland. [29807]

Mr. Ancram: The Government remain fully committed to supporting the development of integrated education and have recently approved proposals for a further four grant-maintained integrated schools. In addition, I have approved a proposal for an existing controlled primary school to become a controlled integrated school from next September. That brings to 28 the total number of integrated schools in Northern Ireland.

Mr. Barnes: The Minister will be aware that a survey showed that only 12 per cent. of Catholic and Protestant students at Queen's university had friends from the other community. However, the figure for Lagan college is 44 per cent. That makes a solid case for integrated education. I am pleased to hear about the measures that the Minister has mentioned, but is there not a case for turning mobile provision into permanent schools and for adding to capital investment in new schools?

Mr. Ancram *rose—[Interruption.]*

Madam Speaker: Order. Before the Minister answers, may I ask that conversations be a little less noisy? [HON. MEMBERS: "Hear, hear."] It is all very well to say, "Hear, hear," but you are all having very loud conversations.

Mr. Ancram: I am grateful to the hon. Gentleman for his welcome for Government policy. We have long recognised the important role that integrated education can play in bringing the two parts of the community together. Indeed, in the schools that I mentioned in my answer about 5,000 pupils are now involved in integrated education. At the moment, the impetus comes largely from new integrated schools being set up, but the Government want to encourage existing schools to become integrated. I was delighted to be able to announce in my answer that that had happened recently with one primary school—it is in Portaferry—and I hope that there will be many more such schools.

Mr. Cyril D. Townsend: I commend the Government on their work in that important area and encourage them to press on. Is the Minister aware of the 1991 report that says that children who attend such schools are unlikely to become involved with paramilitary organisations when they leave?

Mr. Ancram: I am grateful to my hon. Friend for making that point. There is no doubt that the more that children from both parts of the community are encouraged to get together at an early age, not only through integrated education but through other policies such as education for mutual understanding, the less likely they are in future to succumb to the sort of divisions to which their parents have succumbed.

Democracy

8. **Mr. Molyneaux:** To ask the Secretary of State for Northern Ireland when he intends to make a start on restoring accountable democracy to the people of Northern Ireland. [29808]

Sir Patrick Mayhew: Our aim is to strengthen accountable democracy through local institutions allowing all elected political representatives to exercise local responsibility and accountability—the sooner the better. But that should take place on a basis that has first been agreed through political dialogue involving the main Northern Ireland parties.

Mr. Molyneaux *rose—[Interruption.]*

Madam Speaker: Order.

Mr. Molyneaux: I am reluctant to interrupt the conversations to which you referred earlier, Madam Speaker, but perhaps I have your permission to do so. *[Interruption.]*

Madam Speaker: Order. Come along now, let us have some order in the House. It is all very well hon. Members giving me their support when I ask for order, but it does not happen.

Mr. Molyneaux: I am indebted to you, Madam Speaker.

As the four constitutional parties have been engaged since 14 July 1987—eight years ago—with the Secretary of State and his two distinguished predecessors, does he feel that he can now proceed to reward those parties and that ministerial diligence and patience by giving us at long last some real influence over the affairs of our Province?

Sir Patrick Mayhew: That would be well deserved indeed, but it must be done on the basis that the right hon. Gentleman and the other parties—*[Interruption.]* I knew that that would receive approval. It must be done on the basis that the right hon. Gentleman and the leaders of the other parties have agreed; otherwise, if I seek to impose it, it will not stick. So I welcome the evidence that the right hon. Gentleman and the leader of the Social Democratic and Labour party are beginning to come together.

Arms Decommissioning

9. **Dr. Spink:** To ask the Secretary of State for Northern Ireland what progress has been made on the decommissioning of arms and explosives held by paramilitary organisations in Northern Ireland. [29809]

The Minister of State, Northern Ireland Office (Sir John Wheeler): The Government have made clear the practical necessity for progress in the decommissioning of illegally held arms and explosives in order to build an adequate foundation of trust and confidence for inclusive political talks. The exploratory dialogue continues to provide the right forum in which to discuss these issues.

Dr. Spink: I am grateful for that robust response. Can my right hon. Friend assure the House that the Government will continue to be guided by the three-point plan which his right hon. and learned Friend the Secretary of State outlined in his Washington speech? The three points are that there will be clear agreement on the principle of decommissioning, that there will be agreement on the means by which that decommissioning will be achieved and that there will be practical evidence that the decommissioning is under way.

Sir John Wheeler: I am glad to give my hon. Friend the assurance he seeks. I can assure the House that the Government have no intention of departing from those three conditions.

PRIME MINISTER

Engagements

Q1. **Mr. Austin Mitchell:** To ask the Prime Minister if he will list his official engagements for Thursday 29 June. [29831]

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Mitchell: The President of the Board of Trade said on radio yesterday that the Prime Minister consulted him about his barmy decision to hold a leadership lollipop scramble. Is that correct? If it is correct, is it not rather like inviting Lucrezia Borgia to provide the wine at the party?

The Prime Minister: The fact is that I informed my right hon. Friend.

Mr. Devlin: Is my right hon. Friend aware of the absolute horror with which the one third of the north-east's GPs who are currently budget holders will greet Labour's proposals? Do not the proposals show that the Labour party is completely against any form of success and innovation?

The Prime Minister: I agree with my hon. Friend about that. Everyone in the House wishes to ensure that the national health service is successful, and that it can continually provide a better service and treat more patients. I do not believe that the proposals introduced by the right hon. Member for Derby, South (Mrs. Beckett), the Opposition spokesman on health, will achieve that.

"There have been enormous changes in the NHS reorganisations and Labour should be wary of threatening more wholesale organisational change."

[Interruption.] I am interested to see that Labour Members disagree. Those were not my words but the words of the Socialist Health Association.

Mr. Blair: As we now know that the former Secretary of State for Wales strongly disagreed with the whole direction of Government policy, should he not have resigned from the Cabinet a long time ago, irrespective of the leadership issue? If that is right, should not the present members of the Government who, we well know, agree with the former Secretary of State for Wales also resign?

The Prime Minister: The right hon. Gentleman misunderstands the situation. As I understand it, my right hon. Friend the Member for Wokingham (Mr. Redwood) resigned from the Cabinet because he was devastated that I had resigned as leader of the Conservative party.

Mr. Blair: I wonder whether that is the view of all the members of the Cabinet; I rather doubt it. Does the right hon. Gentleman recall saying that the leadership election would clear the air? Surely all that has become clear is the divisions, the hatred and the anarchy that exist within his party. Is it not the case now that whoever leads the Conservative party will, in effect, lead not one party, but two? Those divisions can never be reconciled.

The Prime Minister: The right hon. Gentleman certainly has a cheek, since 40 per cent. of his party voted against him when he was elected leader recently. *[Interruption.]* The right hon. Member for Kingston upon Hull, East (Mr. Prescott), the deputy leader of the Labour party, said 1 million. I did not realise that a million people voted against the right hon. Gentleman. Perhaps they did.

Sir Teddy Taylor: To be serious, does the Prime Minister agree that one of the most worrying aspects of the leadership contest is that it is distracting attention from the remarkable technical and engineering achievement of the reopening tomorrow, only three weeks after a devastating fire, of Southend pier? Is my right hon. Friend the Prime Minister, in a spirit of unity, prepared to congratulate the Liberal Democrat, Labour and Conservative councillors of Southend-on-Sea, who have worked in the spirit of the battle of Britain to restore one of Britain's great national assets?

The Prime Minister: I enjoy the odd battle myself, so I am entirely happy to congratulate my hon. Friend and all those whom he mentioned on the success at Southend pier. It is amazing what can be done under good government.

Q2. **Mr. Foulkes:** To ask the Prime Minister if he will list his official engagements for Thursday 29 June. [29832]

The Prime Minister: I refer the hon. Member to the reply I gave some moments ago.

Mr. Foulkes: Will the Prime Minister tell us what word he would legitimately use to describe those Cabinet Ministers who, while professing loyalty to him, are setting up telephone lines in campaign offices for the second round of the election?

The Prime Minister: I have no knowledge of that. I can say that the speed at which these matters can be done is a tribute to privatisation.

Madam Speaker: Mr. Julian Brazier.

Mr. Brazier *rose—[Interruption.]*

Madam Speaker: Order. The House must come to order. This is great fun.

Mr. Brazier: Will my right hon. Friend tell the House why it is that, of the 10 cases considered earlier this month

by the Northern Ireland review board, nine, including a number of former IRA and Ulster Defence Association terrorists, have now been told the outcome of their review at least in outline? Why has Private Lee Clegg alone not been told the outcome of his review and when is he likely to be told?

The Prime Minister: Any decision in the case of Private Clegg, first, will be reached as soon as possible and, secondly, will be advised to Private Clegg before any further statement is made.

Q3. **Mr. Tyler:** To ask the Prime Minister if he will list his official engagements for Thursday 29 June. [29833]

The Prime Minister: I refer the hon. Member to the reply I gave some moments ago.

Mr. Tyler: If the Prime Minister is so keen to avoid prejudging the outcome of the Scott inquiry, why does he keep suggesting that he and his colleagues, including the Minister of Agriculture, Fisheries and Food, have no case to answer? Is it not now time to put up or shut up?

The Prime Minister: I set up the Scott inquiry and I have made the point repeatedly that I will consider the Scott inquiry when it has reported. I have no intention of being tempted down the route that the hon. Gentleman suggests.

Q4. **Sir Peter Tapsell:** To ask the Prime Minister if he will list his official engagements for Thursday 29 June. [29834]

The Prime Minister: I refer my hon. Friend to the reply I gave some moments ago.

Sir Peter Tapsell: May I ask my right hon. Friend, to whose support as leader of our party I am fully committed, and before the long years that lie ahead in which he should have ample time to give me a job, whether, in view of Chancellor Kohl's ardent, continued support for a single currency or a core currency, both of which would of course be dominated by Germany, my right hon. Friend will ensure that, as leader of any Government whom he heads, no decision will be taken to join either of those organisations until the British people have been given an opportunity to say whether they regard it as being in their long-term interest by means of a referendum?

The Prime Minister: I am grateful for my hon. Friend's offer of support, which has been made both publicly and privately, and I welcome that.

Hon. Members: What about a job?

Madam Speaker: Order.

The Prime Minister: On a referendum, let me set out the position for the House. The first thing of course would be for the Cabinet to determine whether the country should enter into a single currency. If the Cabinet decides that it does not believe that it is right to enter into a single currency, the question of a referendum does not arise, although, as I have said in the past, were the Cabinet to decide that it did wish to proceed, as my hon. Friend says, there would be a serious question to be asked about a referendum. I repeat what I have said in the House before: I do not propose to rule one out.

Q5. **Mr. Bennett:** To ask the Prime Minister if he will list his official engagements for Thursday 29 June. [29835]

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Bennett: In the course of his busy day, has the Prime Minister had a chance to consider the Employment Select Committee report on the pay and remuneration of people in the gas, electricity and water, now privatised, utilities? Is that not a disgraceful example of greed, and is it not high time that he took action to curb those pay increases, or is it that perhaps he is looking, if the worst comes to the worst, to move to the City with a pay increase?

The Prime Minister: I have no intention of responding at all to the latter part of the hon. Gentleman's question, which, knowing him, he may come to regret in due course.

On the Select Committee's report, no, of course I have not had the opportunity of reading it in full yet, but I understand that, like me, it believes that pay rises and remuneration packages should be justified by company performance and affordability. But from what the hon. Gentleman says, it is clear that he speaks for the bulk of his party and that Labour's industrial policy is becoming clearer. It will be, yet again, the Whitehall-knows-best attitude, a commissar in every boardroom and no changes from what we have seen in the past. So much for the charade of ditching clause IV.

Dame Elaine Kellett-Bowman: Can my right hon. Friend find time to consider the remarkable similarity between Henry Ford and the new model Labour party? He may recall that Henry Ford said that one could have any colour for one's car, provided it was black. The new-look modern Labour party says that one may have any candidate one wants, provided she is female, particularly if she happens to be the chairwoman of Lancashire county council.

The Prime Minister: There is, of course, in addition to those similarities, one difference, I suggest to my hon. Friend: persistently, Henry Ford tended to win.

Q6. **Mr. Hoon:** To ask the Prime Minister if he will list his official engagements for Thursday 29 June. [29836]

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Hoon: In the light of the recent local and by-election results, what advice would the Prime Minister give to those Conservative Members who try to get mortgage protection insurance, only to be told that their future career prospects are so uncertain as to be uninsurable? Has the Prime Minister tried to get such insurance lately?

The Prime Minister: No, I have not, nor do I need it.

Mr. Clifton-Brown: Does my right hon. Friend recall the time under the last socialist Government when Britain was regarded as the sick man of Europe and we could take only £50 on each trip abroad? Does he

agree that the Government should retain the influence of this country in the rest of the world and not close off any options in relation to Europe or elsewhere before we need to do so?

The Prime Minister: I certainly recall the time when we could take only £50 abroad on holiday under the last Labour Government. Of course, that point is not that relevant because under the last Labour Government very few people had £50.

Q7. **Mr. McAvoy:** To ask the Prime Minister if he will list his official engagements for Thursday 29 June. [29837]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. McAvoy: When speaking to Tory party chairmen recently, the Prime Minister resorted to the language of Gerald Ratner in describing the processes of the European Union. Does the right hon. Gentleman accept that he and the Tory Government are also trying to sell cheap and tawdry products to the British people? At the next general election, under whatever Tory leader, the Tories will pay the same price as Gerald Ratner.

The Prime Minister: I think that the hon. Gentleman may be referring to a private remark that appeared to have been bugged by the BBC at some stage over the weekend. I have learnt that, from time to time, one mike can be left on by mistake. However, I suggest to the hon. Gentleman that he take no notice of that. He should concentrate on the fact that under this Government the changes that we have seen in prospects and prosperity for the future are greater than any that we have seen for many years. Not within his adult lifetime has this country ever faced the benign economic prospect for the future that we can today honestly offer the British people.

Business of the House

3.31 pm

Mrs. Ann Taylor (Dewsbury): Will the Leader of the House please state the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The business for next week will be as follows:

MONDAY 3 JULY—Opposition Day [15th allotted day]. There will be a debate entitled "Public Service or Private Markets in Healthcare: the Choice before Britain" on an Opposition motion.

Motion on the Education (Assisted Places) Regulations.

The Chairman of Ways and Means is expected to name opposed private business for consideration at 7 o'clock.

TUESDAY 4 JULY—Progress on remaining stages of the Pensions Bill *[Lords]*.

WEDNESDAY 5 JULY—Until 2.30 pm, there will be debates on the motion for the Adjournment of the House.

Conclusion of remaining stages of the Pensions Bill *[Lords]*.

Proceedings on the following Bills, which are consolidation measures:

Merchant Shipping Bill *[Lords]*

Shipping and Trading Interests (Protection) Bill *[Lords]*

Goods Vehicles (Licensing of Operators) Bill *[Lords]*

Statute Law (Repeals) Bill *[Lords]*

Motion on the Northern Ireland Act 1974 (Interim Period Extension) Order.

THURSDAY 6 JULY—Motions on the structural and boundary change orders. Details will be given in the *Official Report*.

FRIDAY 7 JULY—The House will not be sitting.

MONDAY 10 JULY—Opposition Day [16th allotted day].

There will be a debate on an Opposition motion. Subject to be announced.

The House will also wish to know that the following European Standing Committee will meet at 10.30 am on Wednesday 5 July, as follows:

European Standing Committee B, European Community Documents 6398/94 relating to cinema and television films; COM (94) 523 relating to films policy.

[Wednesday 5 July:

European Standing Committee B—Relevant European Community document: 6398/94, Cinema and Television Films; COM (94) 523, Films Policy. Relevant reports of the European Legislation Committee: HC 48-xx (1993-94), HC 48-xxvi (1993-94); and HC 70-xix (1994-95).

Thursday 6 July:

Structural and boundary change orders—Relevant orders: Wiltshire (Borough of Thamesdown) (Structural Change) Order; Staffordshire (City of Stoke-on-Trent) (Structural and Boundary Changes) Order; Durham (Borough of Darlington) (Structural Change) Order; Derbyshire (City of Derby) (Structural Change) Order; Bedfordshire (Borough of Luton) (Structural Change) Order; Buckinghamshire (Borough of Milton Keynes) (Structural Change) Order; Dorset (Boroughs of Poole and Bournemouth) (Structural Change) Order; East Sussex (Boroughs of Brighton and Hove) (Structural Changes) Order; Hampshire (Cities of Portsmouth and Southampton) (Structural Change) Order.]

In the following week, the provisional proposed business is: on Monday 10 July and Tuesday 11 July, the 16th and 17th allotted Opposition days; on Wednesday 12 July, the debate that I have already announced on the economy; on Thursday 13 July, subject to the progress of business in another place, consideration of any amendments that may be received to the Licensing (Sunday Hours) Bill and the Criminal Appeal Bill, and, in addition, the Appropriation (No. 2) (Northern Ireland) Order will be set down for consideration; and, on Friday 14 July, private Members' Bills.

The House will have noticed that there is rather more business that may run after 10 o'clock in this statement than has been customary in recent months. I hope that hon. Members will acknowledge and, indeed, accept that that is not unconnected with the indication that I am able to give the House that, subject to the progress of business, it will be proposed that the House should rise for the summer recess on Friday 21 July.

Mrs. Taylor: May I thank the Leader of the House for that information on future business as far as he knows it? On this somewhat momentous day, will he join me in asking you, Madam Speaker, as the first woman to occupy your position, to send a message of congratulations on our behalf to Lisa Clayton, the first British woman to complete a lone, non-stop, around-the-world voyage in her boat, the Spirit of Birmingham?

On the information that the right hon. Gentleman has given us, what is the status of the business that he has announced, especially from Tuesday onwards? Is that business provisional and conditional on the outcome of the Conservative leadership election, or does he speak with the authority of both candidates? If so, will the economic debate, which he confirmed will take place on 12 July, be a new Budget debate and would he care to speculate on who might open that debate for the Government?

Also, in view of the contempt shown for the House by the Prime Minister and others last Thursday, what steps will the Leader of the House take to ensure that the House is kept fully informed of the constitutional implications of any uncertainty that may arise next Tuesday as a result of the Conservative leadership ballot, especially in the event of a second or subsequent ballot, or, indeed, of the Prime Minister receiving only a bare and unconvincing majority?

Does the Leader of the House acknowledge that, constitutionally, the Prime Minister should be able to command a majority in the House and the support and confidence of the country, and that what the British people want is not an internal contest in the Conservative party, but a general election?

Mr. Newton: I think that I can deal with all that relatively easily. First, on the hon. Lady's initial request that you, Madam Speaker, should convey the congratulations of the House to Lisa Clayton, I am sure that that would command unanimous support. As far as the rest of her questions are concerned, I shall say simply this. I understand why she felt that she had to ask them, but they are pretty silly questions and I do not intend to answer them.

Mr. Michael Alison (Selby): May I draw the attention of my right hon. Friend to early-day motion 1267 on the prosecution of British paedophile tourists, which has been signed by at least 140 right hon. and hon. Members from both sides of the House and is likely to acquire further signatures in the next few days and weeks?

[*That this House notes that over 300 members from all parts of the House have recently expressed their deep concern at reports about citizens of developed countries travelling overseas as tourists to procure child prostitutes and pornography in poor countries in Africa, India, and Asia; noting further that the Governments of Australia, Belgium, France, Germany, New Zealand, Norway, Sweden and the United States of America have legislated, or are in the process of legislating, to give their domestic courts jurisdiction to prosecute such residents and nationals for sexual offences inflicted on children abroad; further noting that prosecutions under such legislation have proved feasible, urges Her Majesty's Government to give British courts extra-territorial jurisdiction for prosecuting such offences committed by British nationals abroad either by enacting the Private Member's Sexual Offences (Amendment) Bill [Lords], or by introducing a comparable government measure.*]

In particular, will my right hon. Friend note the two options at the end of the early-day motion, including the possibility of the Government introducing a measure that would give effect to its aims? Could he arrange for the Home Secretary to monitor progress on the Bill and, if necessary, make a statement in the House about what Government action may be forthcoming?

Mr. Newton: My right hon. Friend will be well aware that the Government share his concern about the activities of western tourists travelling overseas to procure child prostitutes and are considering whether effective measures could be taken to tackle that problem. I am sure that my right hon. and learned Friend the Home Secretary will look carefully at both the suggestions in the early-day motion and the remarks that my right hon. Friend made.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): First, will the Leader of the House confirm that the 16th and 17th Opposition Supply days that he announced will give him an opportunity to allow my right hon. Friend the leader of the Liberal Democrats to choose the subject for one of those two days, as it is now time that a Supply day was allocated to one of the minority parties? Secondly, will he look at the possibility of bringing forward at an early date a by-election writ to fill the vacancy in Littleborough and Saddleworth? If that is not done before the summer recess, it will leave electors in that constituency unrepresented for an untoward period of time. Thirdly, will he look at early-day motion 1258 in the name of my hon. Friend the Member for Orkney and Shetland (Mr. Wallace)?

[*That an humble Address be presented to Her Majesty, praying that the Roads (Transitional Powers) (Scotland) Order 1995 (S.I., 1995, No. 1476), dated 8th June 1995, a copy of which was laid before this House on 9th June, be annulled.*]

The Leader of the House will be aware that the Roads (Transitional Powers) (Scotland) Order contains detrunking orders for a raft of roads throughout the length and breadth of Scotland and it would be to the advantage of hon. Members on both sides of the House if we could debate that important order before the summer recess.

Mr. Newton: The hon. Gentleman will acknowledge that the last matter that he raised is for discussion through the usual channels and I am sure that he is pursuing that. The second matter is clearly not for me to discuss on the Floor of the House, but I shall bring his remarks to the attention of those who may be concerned with moving the writ. On his first question, the answer is yes. My only doubt is how those two days will be allocated among the various Opposition parties.

Sir Anthony Grant (Cambridgeshire, South-West): Has my right hon. Friend seen early-day motion 1322, in the name of the right hon. Member for Chesterfield (Mr. Benn) and a number of other less significant Members of Parliament, seeking the dissolution of Parliament?

[*That an Humble Address be presented to Her Majesty, as follows: 'Most Gracious Sovereign We, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Northern Ireland, in Parliament assembled, beg leave to seek Your Majesty's agreement to dissolve the present Parliament so that the British People may decide, through the ballot box, in a general election, which party should form a government, led by a Prime Minister who would be the leader of that party'.*]

May we have an opportunity to consider that and to refresh our memories that no such motion appeared when Lord Callaghan replaced Lord Wilson of Rievaulx, so that we can demonstrate the monumental humbug of Opposition Members?

Mr. Newton: My hon. Friend uses very direct language. Although I am accustomed to putting matters in a more circumlocutory way, I agree with him.

Mr. Michael Connarty (Falkirk, East): Has the right hon. Gentleman seen early-day motion 1300?

[*That this House warmly welcomes the stepping up of the campaign by the non-party political group, the Families of the Disappeared, to put increased pressure on Sinn Fein/IRA to release details of those killed by the Provisional IRA and buried in unmarked graves; supports this group's sole objective of allowing the relatives of the disappeared, who number at least 12 people, to bury their loved ones with Christian dignity; welcomes the public pleas of many, including President Clinton, to Sinn Fein/IRA to accede to this basic humanitarian demand; notes that, as a result of these appeals and the excellent campaign of the Belfast Telegraph on the issue, Sinn Fein has acknowledged the aims and validity of the campaign by the Families of the Disappeared but have so far failed to provide any significant information; and further notes the campaign's decision to popularise the wearing of light blue ribbons as a symbol of hope.*]

Will the right hon. Gentleman provide time to discuss the impact of the peace process in Northern Ireland on the ordinary people of Northern Ireland? The early-day motion shows that the families of the disappeared, just like in El Salvador, would like the bodies of their loved ones returned for a decent Christian burial. Is he aware that when I was in Belfast last week, people told me that, on the streets of both west and east Belfast, people are still being beaten up by paramilitaries in an abandonment of the rule of law, which should cover the ordinary people of Northern Ireland as part of the United Kingdom? May we have a debate to stop the expulsions from Northern Ireland by paramilitaries of people whose lives they think they can govern? When may

[Mr. Michael Connarty]

we debate the return of the rule of law to the ordinary people of Northern Ireland, so that they can have a peace that is not just a peace process at national level, but peace on the streets of their towns and cities?

Mr. Newton: Hon. Members on both sides of the House will have a great deal of sympathy with the latter part of the hon. Gentleman's remarks. I draw his attention to the fact that I announced Northern Ireland business for next week, including a motion on the Northern Ireland Act 1974 (Interim Period Extension) Order, when it may be possible for him to make some of those points. On the first part of his remarks, I am sure that the whole House will join him in supporting the call expressed in the early-day motion for the return of the remains of those abducted and killed by terrorists to their loved ones.

Mr. Harry Greenway (Ealing, North): May we have a debate next week on the organisation and financing of local government, so that I can bring before the House the resentment of my constituents in Ealing, North at Ealing Labour council's sacking of teachers, home helps and other people with essential jobs in the community, while it has some £39 million in the kitty for other purposes? My constituents bitterly resent that and the House should know how Labour is behaving in local government in Ealing.

Mr. Newton: There is of course a debate in the House tomorrow on the conduct of local government and, in the light of what my hon. Friend said, I would hope that he might seek to catch your eye, Madam Speaker.

Mrs. Alice Mahon (Halifax): I speak as a signatory of early-day motion 1322, and as one who has, I should think, made a far more significant contribution to democracy than the rather elderly hon. Member for Cambridgeshire, South-West (Sir A. Grant). Why does not the Leader of the House get the Prime Minister to make a statement to the House about the current rabble, called a leadership election? Does he not agree that the British people have a right to elect their Prime Minister through the ballot box, rather than leave it to a handful of people in this place, who simply want to save their own skins at the next election?

Mr. Newton: I am quite astonished that the hon. Lady should have the nerve to make that point in view of what my hon. Friend the Member for Cambridgeshire, South-West (Sir A. Grant) said, who recalled precisely what happened when the Labour party changed its leadership in 1976.

Mr. Peter Thurnham (Bolton, North-East): Will my right hon. Friend arrange for a debate soon on housing, so that we can learn more about the Government's excellent proposals to bring much-needed private enterprise into Labour-dominated council estates?

Mr. Newton: I shall certainly bear that suggestion in mind, not least in view of the excellent proposals in the Government's White Paper.

Mr. Dennis Skinner (Bolsover): Will the Leader of the House arrange business in such a way next Tuesday, the date of the Tory leadership ballot, so that when that ballot finishes at 5 o'clock, the Division Lobbies will be made available, and those voting for the Prime Minister can go into one Lobby and the others voting for the ex-Secretary of State can go into the No Lobby? The British people would then be able to see exactly who had voted for whom; the deceit would end and everybody would know the identity of the abstainers. There would be no secret ballot and the process would be much cleaner than the current hole-in-the-corner method, by which Tory Members of Parliament are telling journalists and others that they will vote for both candidates and have not got the guts to tell the British people what they are going to do.

Mr. Newton: Coming from the party with the trade union block vote, that is just amazing.

Mr. Bob Dunn (Dartford): May I say that all hon. Members condemn agism, which is politically incorrect? The hon. Member for Halifax (Mrs. Mahon) should be ashamed of herself.

Will the Leader of the House arrange for an urgent debate on industrial relations, given that August will be the 17th anniversary of the start of the Grunwick dispute? That was a vicious, left-wing, union attack on a free enterprise institution. That trade union attack was led by a Mr. Jack Dromey, now representing new Labour, or is it old deceit?

Mr. Newton: As my hon. Friend will recall, Mr. Dromey was, recently, not as successful as he would have wished, nor was he as successful as he would have wished on that earlier occasion in causing prolonged trouble to British industrial relations. The improvement in those relations in the intervening period is a testimony to the Government's achievements.

Mrs. Bridget Prentice (Lewisham, East): I feel that the Lord President is unaware that the Labour party at least records the votes cast by Members of Parliament when deciding a leadership election, so that everyone knows exactly how we vote. Perhaps he ought to consider that method as a possibility for his party.

Given the shambles of the Conservative party and Conservative Government at the moment, does the Lord President think that he might be able to guarantee a debate soon on the fact that Dorset police now have to use a sponsored vehicle because they cannot afford to buy their own police cars? Does he agree with the chief constable of Dorset that it is outrageous that sponsorship is the only means by which the force can afford those cars? Does he not agree that that is such a disgraceful situation for a police force to be in, that it is high time that we had a debate about it; otherwise traders up and down the country will be sponsoring the arrest of criminals? Should that be the case, does he not agree that it is beyond belief?

Mr. Newton: If the standard of questions reflects the standard of government that we would have were the Labour party to achieve its ambitions, the prospect facing the country is indeed a depressing one.

However, the debate on the structural and boundary change orders, which I announced for next Thursday, relates to parts of Dorset.

Mr. Charles Hendry (High Peak): Will my right hon. Friend arrange an early debate on financial responsibility in the administration of the national parks, following the announcement last week that the Peak District national park is to buy the shooting rights to 1,000 acres of moorland at an estimated cost of £40,000, not for

conservation reasons, but simply to stop shooting taking place there in future? Is not that an appalling misuse of public funds and taxpayers' money, and may we have an early debate on the matter?

Mr. Newton: While I cannot promise an early debate, especially as we have just had two days on the Environment Bill, including provisions relating to national parks, I certainly hope that those at whom my hon. Friend's remarks are directed will take note of them.

Mr. Jim Marshall (Leicester, South): May I again draw the attention of the Leader of the House to early-day motion 1030?

[*That this House, concerned at the anger felt amongst the British Sikh community about the impact on the employment prospects of Sikhs of the Personal Protective Equipment at Work Regulations 1992, introduced as a consequence of a European Directive, notes that British Sikhs have for many years been exempt from wearing hard hats in many areas, including service in the British Army and on construction sites; and urges Her Majesty's Government to introduce amending legislation urgently so that British Sikhs may continue to work in all non-construction employment whilst wearing turbans.*]

The Leader of the House will be aware that the Government are always keen to show how they have sought to protect United Kingdom employment from the encroachment of the European Union. If that is so, why do they not do the same towards the Sikh community and seek to protect their jobs rather than witness their jobs disappearing, as they will as a consequence of that directive?

Mr. Newton: I think that the hon. Gentleman, whose interest in that matter is long established and understandable, is aware that implementation of the directive was an obligation on the United Kingdom, and obviously that has been a factor in that.

Mr. Clive Betts (Sheffield, Attercliffe): Will the Leader of the House say whether the Government will make a statement on their response to the consultation document about the disposal of waste from the nuclear industry, especially the ludicrous suggestion that low-level waste from that industry should be tipped on public refuse tips, in particular the Beighton tip in my constituency, which has caused 10,000 of my constituents to sign a petition opposing that proposal? Will the Government give a clear idea of when a statement will be made and say that they will drop the nonsense of waste from the nuclear industry being put on to public refuse tips?

Mr. Newton: I cannot give the hon. Gentleman an exact date at the moment, but I can assure him that my right hon. Friend the Environment Secretary will make the position clear in the light of the consultation as soon as possible.

Mr. Eddie Loyden (Liverpool, Garston): It is highly unlikely that in the next couple of weeks Lord Donaldson's assessment will be concluded and the response to it given. In view of the fact that the House will go into recess shortly, will the Leader of the House approach the Secretary of State for Transport to ensure that, when the recess ends, he will come to the House at an early date to make an statement on the results of Lord Donaldson's assessment of the MV Derbyshire?

Mr. Newton: Of course I will, in the usual way that I respond to the hon. Gentleman on that matter, ensure that that request is drawn to the attention of my right hon. Friend.

Mr. Alan Simpson (Nottingham, South): Will the Leader of the House arrange for a statement to be made about the movement of nuclear materials and public safety?

In some ways, that request would relate to the question asked by my hon. Friend the Member for Sheffield, Attercliffe (Mr. Betts) because, on Monday this week, a container with nuclear materials in it split open in an accident in my constituency in Nottingham. As a result of the investigations that have been carried out by the local newspaper this week, it appears that there is great confusion about the lines of public responsibility for such accidents, that there is no consultation with public authorities about the safest routes for the movement of such materials and that there is no public knowledge about the frequency of movements of nuclear materials through public areas. The House and the public urgently need to know the answer to those questions.

Mr. Newton: I think that the hon. Gentleman will acknowledge that the rigour of the arrangements and various ways to ensure the safety of anything connected with the nuclear industry in this country is considerable. I am sure that, in the light of the incident that he described, the matter will be very carefully examined by my right hon. Friends.

Mr. Harry Barnes (Derbyshire, North-East): People are interested in the poor condition of our electoral registers only when a general election is on top of us. As we are now in a position of political instability and we do not know what will happen in the future—whether, for instance, we might be moving into a general election some time soon—should we not have an urgent debate, before the House rises on 21 July, about electoral registration, which is in a bad state and should interest us all?

Mr. Newton: There will be an opportunity before too long to have what is now the usual three-hour Adjournment debate on the Wednesday before the recess, and I shall note that the hon. Gentleman may wish to raise that subject then.

Mr. Paul Flynn (Newport, West): Is it not a matter of urgent necessity that we debate early-day motion 1248?

[*That this House deplores the decision of the Government of France to resume testing nuclear weapons in the South Pacific; notes the universal hostility to that decision by the countries in that area, who form a voluntary nuclear-free zone; considers that the safety of the weapons excuse proffered by France for resuming the tests is lame because there are plenty of computer simulations of nuclear explosions available, and the same argument could be used by any nuclear state following the introduction of a comprehensive nuclear test ban treaty thereby destroying such a treaty; further notes that these proposed tests run contrary to the obligations entered into by nuclear weapons states at the recent Nuclear Non-Proliferation Treaty conference; further notes that the response from No. 10 Downing Street to the announcement of these tests was a pathetic absence of any criticism whatsoever; and so this House urges the French Government to change its mind and abandon these deplorable nuclear weapons tests.*]

[Mr. Paul Flynn]

That would be particularly appropriate at the moment, as groups of children from Chernobyl are seeking aid outside the Ukraine for the thyroid cancers that they contracted after the Chernobyl accident. Is it not an act of ultimate stupidity and irresponsibility on the part of the French President to plan nuclear tests in the Pacific? Is not our Prime Minister's response weak and supine in the face of the antagonism displayed by many other states in Europe?

If France goes ahead with nuclear tests, there is a danger that we might repeat the worst peacetime contamination of the atmosphere, other than Chernobyl, which occurred during the 1950s and 1960s principally as a result of Chinese nuclear tests. Other nations may follow France's example and test their nuclear weapons in the atmosphere and in the ground. Does not the threat of poisoning and polluting our planet concern not just Europe but the entire world?

Mr. Newton: The hon. Gentleman will not expect me to agree with his description of the approach of my right hon. Friend the Prime Minister, and I certainly do not. However, the hon. Gentleman will recall that my right hon. Friend referred to the matter following his statement yesterday. He made it clear that the French Government have reaffirmed their commitment to the goal of a comprehensive test ban treaty, which is very much the aim of the British Government.

Mr. Mike O'Brien (Warwickshire, North): Further to the question asked by my hon. Friend the Member for Lewisham, East (Mrs. Prentice), can we have an early debate on the shambles of the Government's law and order policy in the light of this week's statement by the chief constable of Warwickshire police that the police will need to charge those who make calls to the police for any attendance by police officers if the £6.5 million deficit in the police budget is not dealt with this year? That constabulary will lose 50 officers in the course of the year and it is therefore essential that the Government respond urgently to that problem.

I see the Minister of State, Home Office, the right hon. Member for Penrith and The Border (Mr. Maclean), entering the Chamber. I hope that he realises that, unless the condition of Warwickshire police force is dealt with urgently, those police officers will remember it at the next general election.

Mr. Newton: Happily, as my right hon. Friend the Minister of State has now arrived in the Chamber and has heard the thrust of the hon. Gentleman's remarks, I am spared the task of drawing them to his attention. I am sure that he will have taken note of them.

Mr. Mike Gapes (Ilford, South): Will the Leader of the House study the remarks of the former Welsh Secretary, the right hon. Member for Wokingham (Mr. Redwood), several weeks ago when he said that the Prime Minister was building on the legacy of his predecessor? In view of that, could he arrange a debate, to start at 6 o'clock on Tuesday, about the legacy of Thatcherism?

Mr. Newton: My right hon. Friend the Member for Wokingham (Mr. Redwood) and all Conservative Members have been steadily developing Conservative policies for some 16 years. The success of those policies—particularly in relation to industry and the economy—is, as my right hon. Friend said a few moments ago, increasingly and very clear.

Orders of the Day

Criminal Injuries Compensation Bill

As amended (in the Standing Committee), considered.

New clause 1

ADVICE TO THE SECRETARY OF STATE

'.—(1) It shall be the duty of the body ("the Panel") appointed under section 5(3), in the discharge of its advisory function pursuant to section 5(6), to advise the Secretary of State on—

(a) the effectiveness of the Scheme;

(b) the efficiency of the administration of the Scheme;

(c) the amounts of compensation set in the Tariff;

(d) the amounts of compensation set under section 2(2); and

(e) provisions made under section 3(1).

(2) The advice given under this section may be given formally or informally, as the Panel determines.

(3) Where advice is given formally, it shall be the duty of the Secretary of State to publish that advice, and to lay it before Parliament.

(4) It shall be the duty of the Panel to make a report to the Secretary of State on its work before the end of each calendar year, which shall be formal advice for the purposes of subsection (3) above.

(5) When sitting in its function as an advisory body, pursuant to this section, the Panel shall have power to frame rules regulating its own proceedings (including its quorum).'.—*[Mr. Michael.]*

Brought up, and read the First time.

3.57 pm

Mr. Alun Michael (Cardiff, South and Penarth): I beg to move, That the clause be read a Second time.

I urge the House to support new clause 1, which would establish a proper system of independent advice to the Home Secretary about the way in which victims of violent crime are compensated. In Committee, the Minister made a number of concessions. He accepted our proposal that the adjudicators who deal with appeals should form the membership of an advisory body that would include trade unionists as well as employers and those with medical and legal experience, and he agreed that they should give wide-ranging advice, not just advice arising out of their experience on appeal cases.

So far, so good. However, the Government amendment is vague, and leaves everything to the Ministers. We are invited to trust the Home Secretary about the way in which the promise is delivered, and that is where the problem arises. The Home Secretary has demonstrated a total incapacity for seeking advice when that is necessary and for listening to advice when it is offered.

There was no lack of advice when the Home Secretary sought to change the criminal injuries compensation scheme illegally, without the blessing of Parliament. Labour told him not to do it, lawyers and victims' representatives advised him not to do it, and the Criminal Injuries Compensation Board told him not to do it—yet only after being dragged through the courts of the land and being told by the Law Lords that which we had told the Home Secretary all along did he finally and grudgingly accept that he was wrong.

The Home Secretary seems just as unpopular when he seeks to give advice as when he is trying to avoid taking it. Yesterday, *The Guardian* recorded that the Home Secretary's unilateral decision to join the Prime Minister's campaign team

"was not, it was thought, greeted with much joy by the loyalists".

That seems to have something to do with the Home Secretary's response to the manifesto of the right hon. Member for Wokingham (Mr. Redwood). The Home Secretary said:

"it is not rooted in the real world"

and a few minutes later said that the manifesto

"substantially reflects Government policy."

Those statements taken together sum up the state of the Conservative party, but the Home Secretary's colleagues may be forgiven for thinking that his words best describe the right hon. and learned Gentleman's frenetic, ill-judged attempt to cut the cash without proper regard for the victims of violent crime.

The amendment will not guarantee that the Home Secretary or his successor will listen, or that his judgment will improve—but it will at least ensure a statutory advice framework and that the whole system is out in the open. U-turns have been forced on the Home Secretary, which is why the Bill contains some provisions for loss of earnings and care costs arising from violent crime, inadequate though they are.

The fact remains that the Conservative party, on the Home Secretary's own figures, is cutting compensation to the victims of violent crime by £700 million over the next five years. When the right hon. and learned Gentleman is still disregarding advice to such an appalling extent and has ignored the possibility of consensus offered by Labour's clear promise, "If you don't cut the cash, we won't cut the cash," we need a system of independent advice at the heart of the Bill, not just promised verbally in Committee.

On Tuesday, the Minister sought to persuade us that we can leave it to him to make sure that an advisory system is implemented according to our principles. Since then, I have seen a letter in which the Minister personally rejected the possibility of receiving expert advice. The Association of Personal Injury Lawyers offered its help and advice. It sought to share its concern with the Minister in good time for him to give prior consideration to its views, instead of having a public debate.

In view of the fact that the last time the Minister ignored the association's advice, he ended up in the House of Lords losing an appeal, one might have thought that the Minister would jump at the chance. But no, the association received a letter dated 19 June from the Minister's assistant private secretary, saying in essence that the Minister was too busy.

The whole point of an adequate system of advice built into the Bill is to ensure that Ministers receive good advice at an early stage and consider it before coming forward with proposals. Hard, half-hearted, half-baked, headline-grabbing obstinacy by a Home Secretary who would not listen has turned criminal injury compensation into a live political issue, when it should be a topic for consensus.

Despite the history, we have sought to protect Ministers from their own worst instincts and the consequences of their folly, as we do in this new clause—which the Minister should accept as a positive and helpful

[Mr. Alun Michael]

contribution to the Bill. It would guarantee an independent source of advice when establishing or changing tariff levels or making provision in relation to loss of earnings, special expenses or fatal cases, and in relation to other key aspects of the scheme in clause 3(1).

That is vital, to ensure that changes to the scheme are made on the basis of expert advice and that the Government do not again fall into the trap of making proposals for criminal injury compensation that are opposed by anyone with knowledge of the effect of criminal injuries on victims.

It would have been more impressive when the Minister suggested that people who deal with appeals might also offer advice if there had been anything in the Bill or in the notes on clauses provided by the Minister to suggest that was his intention. I believe that he has given some way, sensibly, under pressure from the Opposition. It would be far better, however, for the changes that we recommended to be included in the Bill so that they become clear or transparent. They should be guaranteed for the future. We should not have to depend on the Minister's interpretation being continued by future Home Office Ministers.

The Minister of State, Home Office (Mr. David Maclean): There were lengthy debates in Committee about the need for an independent body to advise the Secretary of State on tariffs, the other heads of damage and the general running of a compensation scheme for criminal injuries. At first, it was suggested that yet another new body should be set up to fulfil that role. We, the Government, said that that was unnecessary, because there would already be an independent body with the necessary expertise to provide such advice—the appeals panel. We argued that it would be established to consider appeals against awards made by the Criminal Injuries Compensation Authority.

We argued also that the panel, with members drawn from the present Criminal Injuries Compensation Board, the medical profession, commerce and industry, the TUC and other organisations, was the ideal body for the purpose. We made it clear that we would expect the panel to offer advice to the Government on any matters relating to the scheme, both when asked for such advice and of its own accord when it felt that matters should be brought to the attention of Ministers. Although it was not necessary, we amended the Bill in Committee to provide that the scheme included provision on the giving of advice by the panel to the Government.

We want the new, enhanced tariff scheme to be user-friendly. It should be flexible and capable of responding quickly to the needs of victims or to wider interests. We do not want a scheme that is hidebound by overly detailed rules and procedures that militate against speedy reactions to needs or demands because of an imposed structure that is overly bureaucratic. We want the panel to be able to operate flexibly. We do not want to restrict its freedom of action by imposing a duty on it to advise the Secretary of State on a range of prescribed issues, especially a duty that, while clear enough about the issues to which it relates, fails to make clear by what circumstances it is triggered.

Exactly when should the panel give its advice? The amendment refers to both formal and informal advice. It is yet another recipe for internal bureaucracy. I am content to leave the panel to provide whatever advice it thinks appropriate when it thinks appropriate, without it having to decide whether it is giving it as formal or informal advice.

The new clause would give the panel another duty. It would require it to report any formal advice that it gave to the Secretary of State. Clause 6 already contains a provision about annual reports to the Secretary of State by such persons as he thinks appropriate relating to the discharge of their functions. The report will be laid before Parliament. The scheme will make it clear that the panel will be required to produce an annual report as soon as practicable after the end of each financial year. That will have to cover advice that is given in accordance with the scheme.

The panel will be free to record any other comments that it feels it right to make about the scheme and its operation. There is no need, therefore, for the part of the new clause that requires a report to be made "each calendar year". I am happy for the panel to decide how it wants to give advice to the Government. It is unnecessary to include express provision for that.

I respect the point of view of the hon. Member for Cardiff, South and Penarth (Mr. Michael), as always, but I consider the clause to be unnecessary. We have made it clear that we shall look to the panel as a ready source of expertise and advice on any matters touching on the tariff scheme. We have made it equally clear that the panel is free to give unsolicited advice to the Government if it wants to do so. We have amended the Bill to ensure that the scheme will include provision for panel advice. We shall ensure that the scheme deals adequately with that. The over-prescriptive new clause before us is not necessary for that purpose.

The Government are interested in the contents of a new clause—the hon. Member for Cardiff, South and Penarth and I had an excellent relationship in Committee—to which we shall be coming shortly. We shall not be able to accept the exact wording of that clause, but we are interested in its contents. We may be able to go further with it. I cannot, however, accept new clause 1. If the hon. Gentleman does not withdraw it, I shall have to ask this packed Chamber to reject it.

Mr. Michael: The Minister continues to move in our direction in accepting the nature of advice that should be given. Our concern is that that matter should be in the Bill. The issue will be pressed strongly, not just in this House but in another place. However, as the Minister has at least recognised the importance of the issues that we have raised, and that there should be such a system of independent advice, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 2

JURISDICTION OF THE PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION

".—(1) In section 5 of the Parliamentary Commissioner Act 1967 (matters subject to investigation) the following subsection shall be added at the end—

"(8) For the purposes of this section, administrative functions exercisable by—

(a) any Scheme manager appointed by the Secretary of State under the Criminal Injuries Compensation Act 1995;

(b) any person appointed by the Scheme Manager or the Secretary of State under section 3(4) of that Act; and

(c) any person appointed by the Secretary of State under section 5(3)(c) of that Act,

shall be taken to be administrative functions of the Home Office."

(2) In Schedule 3 to that Act (matters not subject to investigation), the following paragraph shall be inserted after paragraph 6B—

"6C Action taken by—

(a) a Scheme manager appointed by the Secretary of State under the Criminal Injuries Compensation Act 1995 or any person appointed under section 3(4) of that Act, so far as that action constitutes a decision taken in respect of a claim for compensation; and

(b) action taken by any person appointed under section 5(3)(c) of that Act, so far as that action is taken at the direction, or on the authority (whether express or implied), of an adjudicator appointed under section 5 of that Act.".'.—*[Mr. Michael.]*

Brought up, and read the First time.

Mr. Michael: I beg to move, That the clause be read a Second time.

New clause 2 seeks to establish something extremely important—accountability and proper scrutiny for the administration of the criminal injuries compensation scheme. The Bill seems to be specifically designed to exclude from the jurisdiction of the Parliamentary Commissioner for Administration, the ombudsman, the actions of the administrative staff involved in running the scheme.

I pay tribute to my hon. Friend the Member for Lewisham, East (Mrs. Prentice), who first raised the issue in Committee and has brought to the attention of many of us who were concerned about accountability and transparency under the new scheme the importance of ensuring that the ombudsman's jurisdiction does run.

In Committee, we debated the provision which states that those appointed for the purpose of administering the provisions of the scheme which relate to the appeal system should

"not be regarded as having been appointed to exercise functions of"

or on behalf of

"the Secretary of State".

The Opposition said that it seemed likely that that exclusion would be dangerous, and would go way beyond the Minister's intentions. The Minister said that his only intention in those words was to avoid interference by Ministers in the operation of the scheme with regard to individual cases.

It is right that Ministers should not interfere in individual cases, and that an assessment of the circumstances of a case should be made by those dealing with it administratively and by adjudicators dealing with appeals without interference from the Minister. But, as we said in Committee, why was that form of words used? Why not use a form of words that has been tried and tested? The Minister was unable to give any justification, but he said that that was the limit of his intention.

When the Bill is examined more closely, it is seen that the words have the effect, whether intended or otherwise, of excluding the administration of the scheme from the jurisdiction of the parliamentary ombudsman. In Committee, the Minister gave no suggestion that that was his intention. I am sure that he would have explained to us any such intention. Therefore, I am not suggesting that he, individually and personally, intended the words to have the effect that I suggest they will have. But unless new clause 2 or something similar is included in the Bill, the operation of the scheme will be excluded from the ombudsman's scrutiny.

Therefore, I urge the Minister to accept the new clause. I know that my hon. Friend the Member for Lewisham, East also wishes to refer to the important arguments in support of the new clause.

Mrs. Bridget Prentice (Lewisham, East): I support new clause 2, which extends the powers of the Parliamentary Commissioner for Administration to this area of government. As a member of the Select Committee on the Parliamentary Commissioner for Administration, I am only too well aware of the extensive work done by the ombudsman and his team. I think that I speak on behalf of the Committee when I say that we have a most outstanding ombudsman in Mr. William Reid, and we should recognise him as such.

Last year, when the Select Committee investigated the powers, work and jurisdiction of the ombudsman, we said in our report that one of the indications of the success of that office was the fact that further ombudsmen have been established to bring the advantages of an independent and impartial investigator of complaints into other areas of public life. We went on to say that an added testimony to the office's achievements has been the gradual extension of the ombudsman's jurisdiction to more branches of the Executive.

The Courts and Legal Services Act 1990 is a case in point—the administrative actions of court and tribunal staff appointed by the Lord Chancellor now come within the ombudsman's jurisdiction. Only last year, the hon. Member for Winchester (Mr. Malone), who is now the Minister for Health, successfully piloted, with all-party support, a private Member's Bill that extended the ombudsman's jurisdiction to other tribunals.

4.15 pm

It is important to state clearly what the ombudsman's role is. He investigates complaints from people who contend that they have prima facie evidence of maladministration leading to hardship or injustice. Our system still has what is called the MPs' filter; in other words, such complaints can be made only through Members of Parliament.

Another of our recommendations was that the Parliamentary Commissioner Act 1967 should be amended to specify exclusions rather than inclusions to the commissioner's jurisdiction. In the Government's reply to our report, it is fair to say that they were not in principle opposed to that recommendation, but were concerned about whether primary legislation would be necessary to achieve it. Had that proposal been implemented, there would be no need for new clause 2.

On that basis, I cannot understand how the Government could not support this change to the 1967 Act, so that the Government's essential support for the principle would be established while we awaited the appropriate primary legislation.

I shall discuss the effects of the new clause on criminal injury compensation. The legislation, as my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) pointed out, has many flaws, but we should ensure that, when things go wrong and there is maladministration, there is a well-established system to deal with it.

[Mrs. Bridget Prentice]

Let me give an example. If I had been injured and made a claim under the new scheme, the scheme manager might say that I had no claim. I may have been unco-operative with the police or sustained the injury in a way that was not a direct result of criminal activity. Once the scheme manager has made that assessment and denied me the claim, I have the right to appeal. That is fine. If the appeals board examines the claim carefully and decides that the scheme manager was correct in his or her assessment, so be it: I would have exhausted all proper means at my disposal and would have to accept that conclusion.

However, what happens if the scheme manager loses the papers pertaining to my case or there are unreasonable delays in dealing with it, with the result that I subsequently lose financially? For example, newsagents who are attacked might have to employ someone to look after their businesses while they seek compensation. In such a case, the newsagent may well receive compensation eventually, but what redress does he have for the poor administration? Even if he were not to get compensation in the end, should he not have some recourse for the way in which the case was handled?

Constituents do not take cases to the ombudsman because they think that they are going to become millionaires overnight; far from it. Very often, they simply want an apology for the way in which their cases were handled and an assurance that changes will be made so that other people do not have to suffer in a similar way.

I began by commenting on the extension of the ombudsman's jurisdiction and the success of that office in seeking redress for injustice. I mentioned the Courts and Legal Services Act 1990, on which new clause 2 is based. Our concern is that the Bill as it stands appears deliberately to take the staff who administer the scheme outside the jurisdiction of the ombudsman. That cannot be right, and it flies in the face of everything that the Government have said about open government. It seems to be contrary to the position they took when they supported the hon. Member for Winchester's Bill last year.

If the Minister of State does not feel able to accept the new clause, he has to answer this question: to whom are the staff of the scheme answerable for any act of maladministration leading to injustice? I remind him, as I did in Committee, that the explanatory and financial memorandum to the Bill refers to these staff as civil servants, so they ought to be responsible to someone.

We need to be clear that, in the interests of justice for the individual and good government for all, any maladministration will be investigated independently by the one person in whom Parliament has vested such responsibility—the ombudsman. For that reason, I commend the new clause to the House.

Mr. Maclean: I can well understand the intention behind the new clause. It no doubt seeks to achieve high standards in the administration of the new scheme by making the administrative actions—actions other than the actual determination of awards, for which other provision will be made in the scheme—of those running it subject to the jurisdiction of the Parliamentary Commissioner for Administration, more commonly known as the ombudsman.

I make it quite clear that it is our firm intention that the new scheme should be run as effectively and efficiently as possible, and mechanisms will be built in to facilitate that. For example, the authority will be required to set standards of performance and targets, and will have to report on how it has measured up to them in its annual report. There will also be a fully developed and effective complaints procedure, enabling those who feel that their cases have not been well handled to make a formal complaint in the sure expectation that it will be speedily and properly considered, and that, where appropriate, redress will be made.

I accept, however, that there may be an argument for saying that such provisions do not go far enough, and that applicants who believe that their case has been subject to maladministration should have some means of seeking external reassurance. That is, of course, the role of the Parliamentary Commissioner for Administration in other contexts, and hon. Members have therefore, reasonably enough, looked to the ombudsman in this instance.

The fact is, however, that the administration of the scheme does not currently fall within the jurisdiction of the ombudsman. To give him such jurisdiction would therefore be a significant step, and one that should not be taken without prior discussion with him and other interested parties.

Mrs. Bridget Prentice: I am grateful to the Minister for allowing me to intervene on the issue of discussions with the Parliamentary Commissioner for Administration. The commissioner raised the matter when he saw the Bill in draft form, because he was extremely concerned about the fact that he will not have jurisdiction in this sphere.

Mr. Maclean: I am well aware of that. I was merely suggesting that, before we lobbed all sorts of things at the commissioner, we would need to have detailed discussions to work out the whys and wherefores and where the boundaries are. If the hon. Lady will permit me to continue, she may not be disappointed by what I have to say.

We would also need to consider carefully with the commissioner the resource and other implications of such a change, and to think very carefully about what might be, and what might not be, within his remit. I am sure that we are all aware of constituents who complain persistently, and perhaps unreasonably, and who demand referral of their case to the ombudsman, no matter how carefully their complaint or grievance—whether real or imaginary—has previously been handled, and no matter how many other appeal tribunals they have been through.

We must not lose sight of the fact that about one third of the 60,000 or 70,000 people who apply for compensation each year are, quite properly, turned down on grounds of eligibility, because they provoked the assault or for some other good reason. Inevitably, a number of those claimants will feel aggrieved, even after they have exhausted the scheme's extensive appeals process. If they then feel that they can try yet another tack—perhaps complaining to their Member of Parliament and, through their Member of Parliament, to the ombudsman that their case was rejected, not for perfectly proper reasons but because of some alleged maladministration—they may well do so. That could clog the system with bogus claims, which would create a substantial extra burden, first, for the ombudsman himself,

and secondly, for the scheme's administrators, who would have to demonstrate that the real issue was one not of maladministration but of technical eligibility.

Thus, while on the one hand, I can see a need for workable and transparent checks and balances, I can also see a potential danger that such mechanisms—unless they were carefully defined—could be open to abuse. That would create a lot of nugatory work for everyone. That is why I say that we must think carefully about it and consider all the implications.

None the less, I can assure the House that, having listened to the arguments put forward and having heard other views, including those of the Parliamentary Commissioner for Administration, we have decided that we must consider those views carefully and discuss them with him and others to see if that is a sensible route down which we should go.

In the meantime, it may not surprise the Opposition when I say that I cannot accept the technical terms of the amendment, which is technically flawed. That is not an accusation aimed at the Opposition. The hon. Member for Cardiff, South and Penarth (Mr. Michael) will rightly say that he does not have the resources and facilities that I have to ensure that amendments are legally and technically correct. I shall not go into the reasons why it is technically flawed, but I repeat my assurance to the House that we shall consider it carefully.

There may be merit in considering the parts of the scheme that in other Departments would come within the scope of the Parliamentary Commissioner for Administration to find out whether it would be possible to draw clear boundaries between matters that are the responsibility of the Secretary of State—the overall administration of the scheme, for example—and those that are not, and how one could clearly ring-fence other matters, such as decisions on individual claims, in which the Secretary of State would not be involved.

I hope that, on the basis that we shall carefully consider the idea with a positive attitude, the hon. Members for Lewisham, East (Mrs. Prentice) and for Cardiff, South and Penarth will feel reassured and will not wish to press the new clause.

Mr. Michael: Of course I am pleased that the Minister has accepted that what we seek to do in the new clause is right. I am pleased that he has promised to consider it. But that does not go far enough. He has not promised to accept the principle that the ombudsman should have jurisdiction over the criminal injuries compensation scheme, or the necessity of building it into the Bill.

The Minister says that our new clause is flawed. That is curious, because we used the wording of the Courts and Legal Services Act 1990. If the new clause is deficient, there must be deficiencies in the Act that the Minister appears not to have identified.

In any event, the right hon. Gentleman has acknowledged that we do not have the expertise of Ministries and parliamentary draftsmen—but may I point out to him that after today's debate there will be a Second Reading debate in the House of Lords, and also opportunities in Committee in the House of Lords for two days in October? There will then be a Report stage in November. Moreover, amendments are still acceptable on Third Reading in the House of Lords, so there are plenty of opportunities for the Home Secretary or his representative in another place to fine-tune what we have proposed or to introduce changes, provided that that is accepted by those who will take part in the debates in another place.

There is therefore no reason why the Minister should not accept our new clause today, put the principle into the Bill and deal with any adjustments needed at a later stage. We want the ombudsman to have jurisdiction over the criminal injuries compensation scheme. So do the public, and so does the ombudsman. The new clause should be added to the Bill now, and if the Minister does not accept that, we shall divide the House.

Question put, That the clause be read a Second time:—

The House divided: Ayes 183, Noes 248.

Division No. 185] **[4.27 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Battle, John
Bayley, Hugh
Beggs, Roy
Bell, Stuart
Bennett, Andrew F
Betts, Clive
Blair, Rt Hon Tony
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Church, Judith
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cousins, Jim
Cunningham, Rt Hon Dr John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffd, H)*
Jamieson, David
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Kaufman, Rt Hon Gerald
Keen, Alan
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
McFall, John
McLeish, Henry

McMaster, Gordon
McNamara, Kevin
MacShane, Denis
Mahon, Alice
Marshall, Jim *(Leicester, S)*
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oliner, Bill
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Reid, Dr John
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford East)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Stevenson, George
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trimble, David
Turner, Dennis
Walker, Rt Hon Sir Harold
Wardell, Gareth *(Gower)*
Wareing, Robert N
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Robert Ainsworth and Mr. Joe Benton.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(Dorset)*
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archibald
Hanley, Rt Hon Jeremy
Hannam, Sir John
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Mills, Iain
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepard, Richard *(Aldridge-B'hills)*
Shersby, Sir Michael
Sims, Roger
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*

Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Dr. Liam Fox and
Mr. Simon Burns.

Question accordingly negatived.

New clause 3

PRINCIPLES

'In framing the Scheme under the provisions of sections 1 to 5 above, the Secretary of State shall have regard to the general principles set out in Schedule (*Principles of Compensation, Etc.*) to this Act.'.—*[Mr. Michael.]*

Brought up, and read the First time.

Mr. Michael: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss also amendment No. 4, a new schedule—*Principles of Compensation, Etc.*—

'Preliminary

1. In framing a Scheme pursuant to this Act, the Secretary of State shall have regard to the principles set out in this Schedule.

General

2. The Scheme ought to be so framed that the compensation paid is broadly the same as that available before the passing of this Act.

Loss of earnings

3. The Scheme ought to make adequate provision for loss of earnings from the date of the injury and should make provision for those who are not entitled to state benefit during the 28 weeks following the date of injury.

4. The Scheme ought to make provision for urgent compensation in respect of loss of earnings, subject to later recovery of sums so paid out.

Special expenses

5. The Scheme ought to make provision for expenses incurred to enable the recipient to—

(a) remain in full time employment; or

(b) make use of the skills which he possesses; or

(c) be able to undertake new types of employment or retraining, where the nature of the injuries sustained prevent his continuing in his current employment.

6. The Scheme ought to make provision for amounts to be paid to offset the costs of alleviating the effects of disability.

7. The Scheme ought to make provision for reasonable child care costs, where these are incurred as a result of the consequences of the injury.

8. The Scheme ought to make provision for the reasonable costs of medical treatment or therapy where such treatment is not readily available from the National Health Service.

9. The scheme ought to make provision for reasonable expenses incurred by a person taking responsibility for the care of the victim of the injury, including provision for consequential financial detriment and loss of earnings.

Fatal injury

10. The Scheme ought to make provision for compensation in respect of appropriate funeral expenses.

11. The Scheme ought to make provision for amounts to be paid in respect of the impact of a bereavement on former dependants of the deceased person, in particular widows, widowers and children.

Interim awards

12. The Scheme ought to make provision for the payment of interim awards in cases of urgent need.

Reviews

13. The Scheme ought to make provision for reasonable time limits on the determination of reviews.

14. The Scheme ought to make provision for procedures for representation on behalf of those seeking a review of a decision.

Appeals

15. The Scheme ought to make provision for reasonable time limits on the determination of appeals.

16. The Scheme ought to make provision for appellants against a decision to enjoy rights broadly similar to those available in legal hearings.

Departure directions

17. The Scheme ought to make provision for the Secretary of State to direct, in cases involving—

(a) multiple injury;

(b) sexual assault;

(c) chronic psychiatric illness; or

(d) injuries to children

that the compensation should be calculated having regard to awards for pain, suffering and loss of amenity at Common Law.'.

Mr. Michael: The purpose of the new clause and the schedule is to lay down some important principles under which the criminal injuries compensation scheme should operate. We have two main aims. First, the proposed changes will achieve the transparency that is so lamentably lacking in the Bill. We have said from the beginning that the Bill leaves far too much of the decision making in the hands of the Home Secretary and fails to include some details and principles. Time and again in Committee, we drew attention to the Government's failure to provide adequate details in the Bill.

We accept that every detail cannot be contained in the legislation; that would of course make it cumbersome and difficult to amend minor details. That is the excuse that the Minister has given on a variety of occasions for not putting basic principles in the Bill. We accept that some details can be contained in statutory instruments. The trouble with the Bill is that too many key aspects of the scheme are to be buried in statutory instruments, and other important elements, for example, in relation to reviews, appeals and time limits do not have to come before Parliament. Parliamentary scrutiny of the criminal injuries compensation scheme is of particular importance because of the history of this set of proposals and the Home Secretary's attempt to evade parliamentary scrutiny, even when he needed to observe it.

Our difficulties in Committee were compounded by the fact that the Government are yet to publish the scheme, which is the subject of the Bill. Opposition amendments have prised more details out of the Minister. Indeed, on 13 June in Committee, in column 57 of the *Official Report*, he gave us what he called a "golden assurance" that, if provision were included in the 1990 common law scheme, the new tariff scheme would operate in the same way.

[Mr. Michael]

Operating in the same way as the 1990 scheme is a clear principle, but it is also clear from the Minister's other answers that people will lose out. The cutting of finances by some £700 million demonstrates that there will be changes. That will be to the detriment of some of the people who seek support from the scheme.

The failure to have the schedule in draft makes it much more difficult for the Committee, Members of Parliament and people outside the House who take an interest to be absolutely clear on what principles the Home Secretary is operating. That is not unusual. I recall the Immigration Act 1988—the first piece of legislation in which I was involved as a Whip. In meeting after meeting, we asked the Home Secretary to bring forward the immigration rules, without which that legislation meant virtually nothing. We have the same position with this legislation.

The Minister went part way by at least offering a letter to members of the Committee, together with information on the 1990 scheme and on the interim scheme that was found to be illegal, and he sidelined both those documents in such a way as to show which elements he intended to incorporate eventually in his scheme. That was helpful and I commend him for at least going part way, but he said to us that it would not be long before the scheme was prepared.

We know that the Bill will reach its Second Reading in the House of Lords in a couple of weeks. Will the Minister ensure that the scheme is published in full before Second Reading in another place? If those details are about to be prepared, presumably on the time scale in which the Minister expected to have the legislation through the House before the summer recess, will he give us a cast-iron guarantee that they will be published before the recess so that we can examine them?

4.45 pm

Mr. George Stevenson (Stoke-on-Trent, South): A golden assurance.

Mr. Michael: Will the Minister give us a golden assurance, as my hon. Friend suggests, that the full draft will be available to us before the summer?

This refers in a way to the previous debate, where the Minister cast aside the offer of advice from people involved in litigation by suggesting that his scheme would be available shortly and that they would be able to comment on it. There are plenty of reasons why the Minister should give us a golden promise to publish his scheme before the recess.

Publication before the recess would have a second benefit: it would enable the people who will deal with the debates and the people who will advise them in another place fully to consider the matter and the Minister's intentions before the debates in October in Committee, on Report and on Third Reading in another place. It would give an opportunity therefore for the Bill to proceed with some hope of its coming back to us, towards the end of this parliamentary Session, with reasonable amendments having been made in another place and with many of the difficulties that we have highlighted in Committee having been met by Ministers.

I hope that the Minister will give us that assurance because there is no excuse not to do so. From his own words at the beginning of Committee proceedings, it was clear that the draft was at a complete stage in his in-tray. On the basis of his own assurances in Committee, it is clear that it would be bad faith for the Home Office not to publish the draft scheme, as well as its final draft of the tariff, before the summer and, certainly, before the debates in another place after the summer. There is no reason therefore for the Minister not to give a clear and unequivocal commitment on that aspect.

Our new clause and schedule show how the basic principles of the scheme could have been set up in legislation in the first place so that people were aware of the key elements of the scheme. That is the right way to proceed. Our proposal is transparent, clear and fair. The Minister should therefore accept those improvements, as well as promise to give us in quick time the small and more detailed elements that will be in the schedule.

Our second aim is to list some of those key principles which should be in the scheme. The first is that compensation paid under the scheme should be broadly the same as that available before the passing of the Act. From comments that have been made and quoted in the debate already, it seems that the Minister accepts that as a principle, but does he? It is crucial. In Committee, the Minister tried to tell us that victims would not lose out—which would mean accepting that principle—but the one thing that is transparent about the Bill is that the Government's key intention has been to cut the money available to innocent victims of crime.

The explanatory and financial memorandum to the Bill makes that crystal clear. The amount that the Government intend to save over the next five financial years is £700 million, in a drop of 40 per cent. on planned expenditure. It surely cannot be said that no one will lose out. Many victims will lose out as a result of the proposals. The victims of the most serious crimes of violence will lose out.

We have highlighted how those savings will be made: by not paying loss of earnings in the first 28 weeks, by failing to upgrade the tariff between 1994 and 1999 and by capping maximum amounts. That cap will affect a small number of people, but, again, the victims of the most horrendous injuries will suffer. Savings should not be made at the expense of individual victims.

Secondly, there must be adequate compensation for loss of earnings. A large part of the savings that the Government are generating results from the decision not to pay loss of earnings in the first 28 weeks after injury. The Minister suggested in our debate on 15 June that all the savings would be the result of that one measure alone. We do not believe that to be the case, but it is certainly a substantial element.

The Government have justified their choice of 28 weeks by pointing to statutory sick pay. The inference is that victims will be adequately recompensed during that period. That is not the case. Statutory sick pay is £52.50 a week—hardly an adequate recompense for those unable to work because of a serious criminal injury. Many people are not entitled to SSP, including the self-employed, those on a low income and those on short-term contracts. Some may be entitled to incapacity benefit, but that is no more generous than SSP. Others will get income support, but that is even less than SSP.

Some people have their SSP enhanced by occupational sick pay schemes, but there is considerable variation in entitlement from one scheme to another. It is common for five years' length of service to be a condition before a

half-year's full sick pay is given. Taking all those factors together, it has been calculated that 12 million people—at least half those in employment—do not receive full pay during the first 28 weeks of sickness and will therefore be at risk under the Government's proposals. They will be worse off.

The third principle that we want to enshrine in the Bill is proper provision for special expenses to allow the individual to remain in employment or to retrain, to provide the additional costs of alleviating the effects of disability, to make provision for reasonable child care costs and to pay for medical treatment where that is not readily available from the national health service.

The scheme must make provision for relatives or others who give up their jobs to care for the victims of crime. Very often, Ministers and others pay lip service to the carers, who are often the silent sufferers after someone suffers an accident or is in ill health. Those silent sufferers should be provided for in the scheme and that should be made clear in the Bill.

I hope that the Minister's golden assurance means that all those areas of special expenses will be covered to help those incapacitated for more than 28 weeks. I hope that, even at this late stage, he will rethink his proposals and allow expenses to be paid where appropriate when the individual is incapacitated for less than 28 weeks.

The next point of principle is that provision should be made for the impact of a bereavement on the former dependants of the deceased. I do not think that this is a matter of contention between the Opposition and the Government. It was discussed in Committee and it would be helpful if the Minister would now make his commitment clear. In Committee, he responded positively when we referred to the impact of special requirements for funerals—for example, cultural and religious requirements may lead to additional costs for a family who are already in enormous pain and difficulty because of the death of a family member. That element should be allowed for in the Bill and I hope that the Minister will make as clear today as he did in Committee his agreement with us on that point.

We believe that the ability to make interim arrangements should be clearly written into the Bill. In Committee on 20 June, the Minister admitted that the wording of the original discredited tariff scheme for interim payments was unsatisfactory. He said that it needed a tweak. It needs more than just a tweak; clear principles need to be set out in the Bill.

The new schedule makes provision for reasonable time limits for the determination of reviews and appeals. It is important that victims receive prompt and efficient treatment. Many references to the tariff scheme have suggested that speeding up the system is one of the benefits. We want to ensure that the determination of reviews and appeals, as well as the original decision, happens quickly. Victims, especially those where there are special circumstances and therefore, in many cases, special stress, should not have to wait a long time for a determination of their cases simply because they have asked for a review or for an appeal against a decision. All those principles are important in ensuring that victims receive the prompt and efficient treatment that we believe they are entitled to expect.

We have attempted to bring flexibility into the scheme. That, too, is an important principle. When we suggested improvements in Committee, the Minister said that we were trying to constrain the scheme. We made it absolutely clear that we wanted a scheme that would respond quickly to the needs of victims and that could be flexible where necessary. I do not mean unnecessarily flexible, which might result in a long-winded system to deal with the cases that come before the body and the appellate body; we want a reasonable flexibility so that fairness can be guaranteed.

We propose that for multiple injury, sexual assault, chronic psychiatric illness and injuries to children there should be a mechanism to allow compensation to be calculated having regard to awards at common law. I think that the Minister will accept that those cases are difficult to value. That is especially true with children's cases, which do not readily fall within a tariff scheme. Complex injuries can have a traumatic effect on an individual. Those factors should be taken fully into account in decision making within the new system. We need some mechanism to ensure that awards in such cases are comparable with the awards available at common law.

We believe that the new clause and new schedule lay down clear and fair principles to underpin a just criminal injuries compensation scheme. We believe that the speeding up of matters through a tariff system that deals with the simpler cases quickly and effectively will be enhanced by building in the principles set out in the new schedule.

I commend both the new clause and the new schedule to the House.

Mr. Michael Connarty (Falkirk, East): I commend the diligent work of my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael). From the time of the original proposal by the Home Secretary to use the prerogative to destroy the 1964-based Act right through to this debate, my hon. Friend has harried the Government and made them amend many of their original proposals.

I also commend the work done in the other place. For me, it would be a happier circumstance if I could commend a second Chamber whose Members had been elected and were therefore representative rather than hereditary. However, it shows that where honest men gather the Government are tripped up and sent packing.

I declare an interest, as I am sponsored by the Union of Communication Workers. I do not represent that body with any lack of pride, although I do it with some sorrow because, on many occasions, it has been shown that the membership comprises people involved in a dangerous occupation. When, in parts of Northern Ireland, there was talk of the peace process, postal workers in Newry were being attacked and one was killed. Recently in Birmingham, while this Bill was being discussed, a postman emptying a post box was subjected to a fatal assault, just so that the attacker could rob the contents of the post box. I therefore commend the new schedule, which would provide for clearer details and more compensation for fatal injury cases.

My hon. Friend referred to the Government's proposal for 28 weeks without compensation, other than whatever might come through a Government scheme. The Government are treating the matter like a workplace injury. Of course, such an injury should not necessarily be demeaned. It is ridiculous to treat an injury that is the result of a criminal act—in the case of a postal worker, it will probably be an attempt to seize money, postal orders or some other thing in the custody of the Post Office—in

[Mr. Michael Connarty]

the same way as any trip-and-fall accident at work. Clearly, the Government have made no allowances for the difference. This is all about saving £700 million, as my hon. Friend the Member for Cardiff, South and Penarth said, regardless of the impact on the victim.

5 pm

Clearly, additional living costs and traumas come with a criminal injury that would not come with any other form of injury and such injuries should not be compensated by a tariff method. They should not be put into a banding. Although the tariff has been increased after a splendid campaign by the Trades Union Congress and other honourable people, it is not adequate and I think the Government realise that. Previous compensation schemes took into account the concept of trauma: one may get over a physical injury quickly and go back to work, but one will not necessarily get over the trauma of having been the victim of a criminal attack.

I am pleased to see some consideration for carers in the scheme in the new schedule. Often, the burden of the traumas, deterioration in life style and inability to cope with life some years after a criminal attack fall on the family and the carers. The Government take no account of that and have, in fact, ignored it, pretending that it is not real. It is as if medical science is ignored by the Government if it cannot be afforded by the Government.

I am unhappy about the fact that the Government have not considered tariff levels that would be adequate for cases of sexual criminal attacks. It is clear that they are turning away from something of which more and more people are becoming aware—that the traumas caused by a sexual attack will last for the rest of the victim's life.

The maximum awards will be capped, which will adversely affect the small number of victims with the most catastrophic injuries. It is as if the Government are saying that previous compensation was too generous—they use that word pejoratively. How can compensation for a criminal attack be too generous? Presumably, the assessments are made on the basis that the trauma, the injury and its life-long effects are such that the money paid will never rub them out but will help to make life a little more bearable—that is all that the money ever does.

The Government's proposal is not tough on crime and the consequences of crime but tough on the victims and the families of victims, especially as regards members of professions who handle money regularly and are likely to be attacked regularly. Statistics show that members of the Union of Communication Workers—formerly the postal workers—are attacked regularly. If the Government do not take on board my hon. Friend's suggestion and introduce a scheme based on the new schedule, they should be ashamed.

Mr. Stevenson: When we attempted in Committee to convince the Minister of the merits of the issues in new clause 3 and amendment No. 4, it would be fair to say that his general view was that he did not want to burden the Bill with details and minutiae. We tried to convince him that the issues were not details or minutiae but important principles. Although we accepted his argument that we were clearly not arguing for every t to be crossed and every i dotted—clearly that would be irresponsible and unrealistic—by the same token, he appears to have gone to the opposite extreme: he views all the issues of principle that we try to incorporate in the Bill as minutiae that should be discounted.

To be fair, the Minister told us that the details would be there for everyone to see when the scheme was made available. "Trust me" was the general tenor of his proposition. Fair enough, but if we are talking about principles, why on earth can they not at least be reflected in a schedule to the Bill? What does the Minister find so objectionable about the principles to which my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) referred?

We are not talking about details and they will not burden civil servants in the Home Office, making them burn the midnight oil. They are important principles and I hope that, even at this late stage, the Minister will reflect on that fact and recognise it. It is important for those principles to be contained in the Bill, albeit in a schedule.

In Committee, when the Minister described the Government's scheme, he repeatedly said that it is the best in the world.

Mr. Maclean *indicated assent.*

Mr. Stevenson: But if the scheme is so good, why is the Minister so secretive about it? What is wrong with spelling out in the Bill the principles on which this world-beating scheme is based?

Mr. Maclean: I think that the hon. Gentleman will know that, every time I said that our scheme is the best in the world, I was referring not merely to how it is administered but to the huge sums available. Financially, it is as big as the United States scheme and bigger than those of the rest of Europe put together. Does the hon. Gentleman agree that the extra money that we envisage making available during the next few years is spelt out in the explanatory and financial memorandum to the Bill? That is not something that the Opposition have spelt out.

Mr. Stevenson: I am grateful to the Minister for pointing out that important issue. I am prepared to recognise that the Government intend to cut the resources available to people injured by criminal activity by £700 million. That is part of the financial package to which he referred.

I will not be deflected from my argument. If the scheme is so good, why are the Government so secretive? The Minister has yet to answer that question, but it is a fair one. Why not list in the schedule the principles on which this so-called world-beating scheme—although it will cut £700 million from the available resources—is based?

Another significant matter that all hon. Members should consider is that the Bill is the result of Government mistakes during the past couple of years. The Government rushed through their first attempt to introduce a tariff scheme and did not consider the implications carefully enough. They had to backtrack on it because of the mistakes made, and here we are considering a revised tariff scheme. That is a direct result of the fact that the sort of principles that we want included in the Bill were not being fully considered in the first place.

One can give example after example of Acts of Parliament that the Government have bulldozed through the House without thinking them through. Minister after Minister has had to come to the Dispatch Box and do U-turn after U-turn. If the Minister would agree with us

about anything, I am sure that he would agree that the Government do not want to be in that position again; but unless those principles are contained in the Bill, we suspect that that is inevitable.

I shall deal with just a couple of issues in the time available as I do not wish to repeat what my hon. Friends have said. The first issue worth underlining is the principle of uprating contained in amendment No. 4. The new tariff scheme will be based on 1994 tariffs, will not come into effect until 1 April 1996 and will not be reviewed for three years. That means that a five-year period will pass before those tariffs are reviewed. Is that not a matter of profound principle? Will not families and everyone who is tragically injured as a result of criminal activity be interested in that? Could not the Minister reasonably seek to deal with that? Is it right that people should be faced with a built-in devaluation of the tariff award? Five years of inflation will eat away at the value of the tariff award. That is an important principle, not detail or minutiae.

The second point relates to the Government's insistence on the 28-week rule. Having listened to their arguments, I am convinced that they insist on it because it is administratively convenient—it happens to fit in with activities in other areas and it saves money. After a criminal injury, many people will have no income, other than £52 a week if they qualify for statutory sick pay, which many will not. The income of others will be dramatically reduced. Their lives will have been transformed through criminal injury and they will need support. I can think of no time when they will need that resource more than in the first 28 weeks; to deny them it during that period is the worst thing that the Government could do.

For those and many other reasons, I hope that, even at this late stage, the Minister will recognise the strength of the arguments in both the new clause and the amendment, and consider our points sympathetically.

Mr. Maclean: Perhaps I might deal briefly with the last point the hon. Member for Stoke-on-Trent, South (Mr. Stevenson) made and the sheer illogicality of his suggestion. He said that people who receive lesser injuries and are off work for 28 weeks need support immediately after the injury or trauma. With the best will in the world, in those first, crucial, few weeks, there is no chance of anyone applying to the Criminal Injuries Compensation Authority, completing the paperwork, being assessed and having an award made. Even the most efficient scheme in the world will take a few months to process the application, so the hon. Gentleman's argument that, by setting a 28-week threshold, we are disadvantaging people who would have had an instantaneous pay-out from the moment that they were injured does not hold water.

5.15 pm

New clause 3 and amendment No. 4 seek to prescribe on the face of the Bill some of the features of the new scheme which, although not mandatory—the Secretary of State would, in theory, have to have regard only to general principles that are cast in such terms as the scheme "ought" to make the provisions in question—would, in practice, clearly circumscribe the Secretary of State's actions. He would obviously be vulnerable to challenge if, without good reason, the scheme did not reflect each and every one of the principles.

We have a much more fundamental objection, however. I am afraid that, while we have no difficulty with some of the principles set out in the new schedule, others are unacceptable, as Opposition Members will know from the lengthy and detailed debates that we have had on the Floor of the House and especially in Committee.

I do not propose to discuss all the principles in great detail yet again. The arguments are clearly set out in the *Official Report* for all to see. I shall, however, mention just a few of the more unacceptable items. First is the requirement that compensation payable under the new scheme should be broadly the same as that available under the old one. We have made no secret of the fact that one of the main reasons for seeking to bring in a new scheme was to rein back the cost of the old scheme, which was rising at an unsustainable rate. It is inevitable, therefore, that we shall spend less under the new scheme than we would have under the old scheme if it had continued unchanged.

It is also clear that we shall spend huge and increasing sums of money. I remind the House and the hon. Member for Falkirk, East (Mr. Connarty), who kept talking about cuts, cuts, cuts, that, under the enhanced tariff scheme proposed in the Bill, we anticipate that the liability to compensation in 1996-97 will rise to £175 million. In 1997-98 it will rise to £190 million—some cut. The year after, it will rise to £205 million, and the following year we reckon that it will be up to £240 million.

Under the scheme that I recommend to the House today, and which the Opposition keep saying is mean and will impose cuts, the annual liability will have risen to no less than £260 million by 2000, and the cumulative liability in the five years to then will be no less than £1.1 billion.

Mr. Michael: Does the Minister agree that the words that he used were carefully chosen? He said that he anticipated an increase in liability. That is not the same as an increase in what is available to compensate individual victims of serious crime. Surely the Minister understands the difference.

Mr. Maclean: I understand the difference, but the Opposition do not. That remark is typical of them. They call for more money for individuals, but everyone will get more money. The shadow Chancellor, the hon. Member for Dunfermline, East (Mr. Brown), says that, overall, the Labour party will not spend more. "We are going to be prudent. We shall be tighter than the Tories in global expenditure terms," says the Labour party, but in every debate in Committee, it sought through its amendments to spend more money, widen the banding, increase the awards by 20 per cent. and remove the 28-week threshold.

Every argument advanced by Opposition Members in Committee and here today is to increase the amount of money available. I do not criticise that view if they want to give even more money than we are giving to victims of crime, but if that is their policy, they should have the decency to say so and spell it out clearly that, by 2000, the scheme will cost £700 million more than the £1,000 million that we estimate it will cost.

It is no good the Opposition uttering weasel words and saying, "We won't change the scheme if you won't." The Bill shows that we are changing the scheme because the

[Mr. Maclean]

exponential growth in awards—they are rising higher and higher each year and way above inflation—is not sustainable.

Mr. Connarty: Will the Minister give way?

Mr. Maclean: Once I have finished this point I shall happily give way to the hon. Gentleman.

With our new, enhanced tariff scheme, not only will liability increase each year, but we expect it to remain the most generous in the world.

The starting point for what we are doing in the Bill is the fact that, in the United Kingdom, the money paid to innocent victims of crime is as much as the whole of the United States of America, with its huge economy and large number of victims of violent crime, can muster. Little old Great Britain is paying out in compensation to victims of crime more than every other country in Europe put together.

We are usually criticised by the Opposition at every opportunity—whenever they perceive that countries in Europe are better than Britain. No one is better than the Opposition at criticising Britain for not being as good as other countries in Europe but, in Committee and on Report today, we have heard not a cheep from the Opposition about other countries in Europe. They cannot say anything, because they know that the figures I have given to the House are correct.

Mr. Connarty: I did not know whether the Minister would ever be able to stem that flow, he was getting so carried away with his own words. It is a pity that no one else believes what he says these days.

The proposed new schedule refers to fatal injury. Does the right hon. Gentleman think it unreasonable to operate a scheme that provides adequate compensation for "appropriate funeral expenses"? Does he not think it reasonable that the scheme should provide for the dependants of people such as the members of my trade union who were killed while on work duties? The cost to the state of such families falling into benefit and encountering other problems because of the loss of their main breadwinner and fathers would be offset by an adequate payment from a compensation scheme in the first place. Does not all the money come out of the same pocket at the end of the day? Compensation stops further deprivation, so does not that save the state money?

Mr. Maclean: If the hon. Gentleman had bothered to read any of our debates in Committee, he would have known fine that those commitments were given. I assured hon. Members that those who were eligible in broad terms under the 1990 scheme would be covered by the new scheme, which we intend should mirror the 1990 one. I gave the assurances sought on benefits and fatal awards. I give a similar assurance now to the hon. Gentleman about the different expenses of multi-cultural funerals.

I have no problem with some of the provisions suggested in the "principles" because I have already given the assurance that we intend to bring forward as soon as possible a scheme that mirrors the 1990 scheme in most respects. I have also said, however, that I cannot accept some of the other principles that the Opposition have proposed, which would mean spending more and more money without declaring when the bottom line would be reached.

The "principles" also suggest that loss of earnings should be payable from the date of the injury. Our scheme will make provision for the loss of earnings, so that those most seriously affected by their injury receive generous compensation. There needs to be a trigger for that, however, so that the extra help is given to the more seriously injured, and so that the authority is not swamped with a large number of comparatively small claims for loss of earnings—which are very time consuming to process.

It is not acceptable that loss of earnings should be payable from the date of the injury. That would, in effect, be a recipe for a return to the old scheme and all its attendant shortcomings. We must not forget that there is still an element for loss of earnings and the other heads of damage payable under the old scheme in every tariff award, since the tariff award was based on the median—the most typical—award for the injury concerned.

We have made it clear that we are going to pay special expenses; we have also made it clear what is meant by that term. In broad terms, it means that if something qualified for expenses under the 1990 scheme, it will qualify for special expenses under the enhanced tariff scheme. If it did not qualify under the 1990 scheme, it will not qualify under our new enhanced tariff scheme. I do not think I can make things much plainer than that. I repeat the golden assurance that I gave in Committee.

We will not extend the scope of special expenses to cover the completely new items mentioned in the schedule, which would cost a lot more money than the Opposition suggest.

In fatal cases, in addition to the basic tariff award which all qualifying claimants will receive, we shall pay reasonable funeral expenses. I confirm to the hon. Member for Falkirk, East that reasonable funeral expenses will be paid in all cases. That will reflect not only regional differences in costs, but differences in religious or cultural practices and expectations. We are, of course, well aware of the different funeral arrangements that are necessary in different circumstances and the different costs that can arise. The new authority, just like the old Criminal Injuries Compensation Board will, of course, consider all claims sympathetically and reimburse reasonable expenses.

Where there was financial dependency on the victim, payment for that dependency will be payable as well as payment for loss of parental support. In that case, too, provision is generous and will be broadly in line with what is payable under the present scheme.

The "principles" next mention interim awards. Here, too, we are one jump ahead. We have made it plain that interim awards will be paid whenever it is considered appropriate.

The "principles" finally suggest that there should be a return to the common law method of assessment for cases involving multiple injury, sexual assault, chronic psychiatric injury or injuries to children. I have to say there can be no question of returning to the common law method of assessment for any class of injury.

The tariff scheme was derived from 20,000 awards made by the board. That extensive exercise showed quite clearly that it was perfectly possible to group all injuries into bands of comparable severity and to assign a typical value—the median value—to each band. We believe that the enhanced tariff fairly reflects the relative seriousness

of the injuries listed, and we see no justification for assessing the basic award other than on the basis of the enhanced tariff. If victims are more seriously affected by their injury, they will, as I have just explained, be eligible for loss of earnings and the costs of special care.

I must tell the House about the inevitable consequence of allowing individual assessment in the case of multiple injury. Most claimants—or, more probably, their clever representatives—would claim that they had suffered multiple injury. They would therefore demand individual assessment. Even where the claim turned out to be manifestly bogus, it would still take time and resources to investigate it. Our formula for determining multiple awards—100 per cent. of the tariff award for the most serious injury, plus 10 per cent. of the award for the next injury and 5 per cent. for the third—broadly reflects what happens under the present scheme and in the civil courts. I believe that it is the right way to assess those cases quickly and fairly.

In conclusion, I think our enhanced tariff scheme is already based on the right "principles". I can tell hon. Members that we hope to be able to make a draft of the new scheme available to the House shortly. It will set out more clearly and more fully just what the new scheme will cover and what it will not cover. The so-called "principles" set out in the amendment are overly prescriptive and, in many instances, unnecessary.

Mr. Michael: Could the Minister offer us a definition of the word "shortly"? That word has been used on many occasions. We were told that the Committee stage would be completed "shortly". I asked for a specific commitment from the Minister that he would publish the details of the scheme before the recess, and preferably before Second Reading in the Lords. That would enable proper consideration to be given to the details prior to the debate in the House of Lords after the recess.

Mr. Maclean: May I say to the hon. Gentleman in the nicest possible way that "shortly" means "not long"? It is my intention to publish those details as soon as possible. Perhaps I may be more unkind to the hon. Gentleman. It is a bit rich for him to ask me to define the word "shortly" and to be more specific about when I will be able to produce the details of the scheme when he has had ample time to add up the costs of his proposals.

Time after time, I have said from the Dispatch Box that we have included costs in the Bill. The hon. Gentleman has spoken about cuts, but I have pointed out today that we will increase the amount of money available year after year. We expect liability to increase year after year. By 2000, we expect to be paying out £260 million as opposed to £175 million next year. We have been able to spell all that out, but the hon. Member for Cardiff, South and Penarth (Mr. Michael) and other Labour Members, although calling for more money for victims here, there and everywhere, and promising that a Labour Government would be more generous, while saying that we are mean-spirited, have never once added up the figures.

We do not know the bottom line on the hon. Gentleman's proposals, just as we do not know the bottom line on any of the Opposition's policies. That is why the Labour party has been instructed not to cost its policies—just in case some wicked Tory points out that all its promises will cost an awful lot. That is just not good enough. I call on the hon. Gentleman to state quite clearly how much his proposals would cost. We do not want to hear the weasel form of words that the Opposition have used in the past, to the effect, "If you don't change the scheme, we won't either." I am telling him: we are changing the scheme. There it is. We have produced the Bill and we know what it will cost. What is he going to do?

Mr. Michael: I am glad that the Minister has finally come clean—he is no longer saying that the scheme will be more or less the same as the 1990 scheme. He has accepted that the compensation payable under the scheme will be cut dramatically. He is cutting the compensation available for victims of the most violent crimes. He has admitted that he is cutting criminal injury compensation by £700 million in the next five years.

How on earth does the right hon. Gentleman have the cheek to ask for plain language from the Opposition when he talks about such cuts? How can he put such contradictions before the House? How can he say, "I am not cutting anything, but I am cutting £700 million"? He made that contradiction explicit this evening.

Plain language—that will be the day, when we get plain language from Home Office Ministers. "Shortly"—when does "shortly" mean? "Shortly" might have a clear definition; it might have the definition "tomorrow". The Minister might say, "I shall publish the details of the scheme tomorrow." He might promise to publish them next week. He could have published them during the Committee stage, because we know that the document has been drafted. We know that it is there in his in-tray. We know that it is available. He has simply chosen to delay its presentation until after Committee and Report.

The Minister cannot get away with continued prevarication. He needs to publish the details of the scheme before the summer recess. It was obviously his original intention to do so, because he believed that the Bill would have passed through the House by that time. There is no excuse for his not publishing the scheme and putting the details in the public domain before debates take place in another place. It could not be plainer than that.

5.30 pm

The weasel words of the Minister, who finds it so difficult to define the word "shortly", give no satisfaction to the House. He says that he accepts some of the principles that we propose in the new schedule. I welcome the fact that he dealt positively with the matter of funeral expenses. He also tried to say that things would be broadly the same as under the existing scheme but, effectively, everything that he says is an admission that he is cutting cash for victims, although he has continually tried to say that no one will lose out.

Listen to the Minister's words during the debate, Mr. Deputy Speaker. He says that he anticipates that liability will increase in the next few years. We have always known that. An increase in liability has been predicted—although the figures are not totally dependable—by the Home Office and other organisations such as the Criminal Injuries Compensation Board. What is being cut is the cash compensation available to individual victims of the most serious crime. Such people have been penalised by the Government.

The Home Secretary and the Minister tried to tell us that there had been a drop in crime—that crime is 5 per cent. down. The Minister knows as well as I do that

[Mr. Michael]

violent crime has increased by about 7 per cent., and that the criminal injuries compensation scheme deals only with the victims of violent crime—only with the victims of that increasing violence.

The Minister pulls schemes out of the bag, as his colleague the Home Secretary does. Do you remember schemes for secure places, Mr. Deputy Speaker? They were promised four years ago. Not a place has been provided. Youngsters were going to be locked up. Where are the places? What is happening? No, we get only rhetoric and talk about being tough on crime from the Government, not the action or the resources necessary to tackle the problems.

The Minister has no credibility when he tries to castigate us, when we have made it clear that we would maintain the level of compensation available for individual victims of violent crime. I said that clearly, in the words—to which I am glad that the Minister has listened, even if he has not understood—"If you do not cut the scheme, Mr. Minister, we will not cut the scheme." The Government are determined to make the victims of violent crime pay for the failings of the Conservative party in government. That is what it comes down to. That is what it is about.

Our proposal for urgent compensation in respect of loss of earnings is not as generous as the Minister suggests. We need a trigger; the trigger is the loss of earnings. Pain and loss do not start after 28 weeks. Indeed, very often pain, suffering and the problems of the individual and the family are greater during the first 28 weeks than afterwards. They are immediate. What is proposed is a cut. If the Minister is one jump ahead of the principles, if the scheme is so good, if he has the details of it so well sorted out, as he suggested, why does not he publish it? Why has he kept it secret from us? Why has he not given us the details?

Our suspicion is justified by what the Home Secretary tried to do, without being held accountable to the House—changing the scheme dramatically and downgrading all its aspects. His U-turn does not go far enough. That scheme remains in essence a serious cut in the compensation available for the people who are most injured and damaged by violent crime.

That is why, in view of the unsatisfactory response of the Minister, we shall seek to place the new clause and the proposed schedule on the face of the Bill.

Question put, That the clause be read a Second time:—

The House divided: Ayes 201, Noes 257.

Division No. 186] **[5.33 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Battle, John
Bayley, Hugh
Bell, Stuart
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Church, Judith
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunningham, Rt Hon Dr John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Ilsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Kaufman, Rt Hon Gerald
Keen, Alan
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Robert *(North Down)*
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Mahon, Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oliner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John

Stevenson, George
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Ms Estelle Morris and
Mr. Eric Clarke.

NOES

Ainsworth, Peter *(East Surrey)*
Alison, Rt Hon Michael *(Selby)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carrington, Matthew
Cartiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archibald
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Legg, Barry
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Farnham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whittingdale, John
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Dr. Liam Fox and
Mr. Timothy Wood.

Question accordingly negatived.

Clause 5

APPEALS

5.45 pm

Mr. Michael: I beg to move amendment No. 1, in page 4, leave out lines 7 and 8 and insert—

'(b) for the appointment by the Lord Chancellor of a legally-qualified chairman of that body.'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 2, in page 4, line 22, at beginning insert

'Subject to the agreement of the Lord Chancellor,'.

No. 3, in page 4, line 28, at end insert—

'(7A) For the purposes of subsection 3(b) above, a person is legally-qualified if he is a barrister, advocate or solicitor of ten years' standing.'.

Mr. Michael: Amendment Nos. 1, 2 and 3 seek to amend the Bill to ensure that appeals are dealt with properly. There has been considerable concern for a number of years that appeals should be dealt with in a proper and a transparent manner. The key sentence in the Franks report of 1957 states:

"tribunals should properly be regarded as machinery provided by Parliament for adjudication rather than as part of the machinery of administration".

That is a particularly important principle, but it is not observed by the Bill or enshrined in it. We made progress in Committee with regard to adjudicators' responsibilities for giving advice, both as a body and individually on the basis of what occurs in particular appeals, and to perform by looking at the wider context of the operation of the criminal injuries compensation scheme and the ways in which it must operate in order to deliver compensation to victims effectively.

However, a system of transparency has not been established. The quotation from the Franks report makes it absolutely clear that the appeals mechanism should be a proper judicial or semi-judicial approach, rather than being simply another step in the administrative process. If that principle is to be observed, it is important to establish proper machinery for appeals and adjudication, which we believe should appear in the Bill.

Amendment No. 1 states that the appointment of a legally qualified chairman of the body dealing with appeals shall be made by the Lord Chancellor. That is not a new principle and it has been established elsewhere, but it is right to adopt it in this case. The Council on Tribunals commented on the qualifications of tribunal chairmen in its model rules of procedure:

"The constitution, general structure and composition of tribunals will, as a rule, be a matter for the enabling Act".

The council's advice accepts that there are exceptions and sets them out, particularly in relation to the Finance Act. That general principle is right, but is not included in the Bill's phrasing. The council added:

"The division between what appears in the Act and what should appear in the rules may well be the result of Parliamentary or professional interest in the subject matter or jurisdiction; equally it may be arbitrary."

I believe that all hon. Members agree that it should not be arbitrary, but properly considered and decided by the House. The council continues:

"It is usual where a presidential system is to be established for that to be done in the enabling Act, which will also prescribe the necessary qualifications for the President and his terms and conditions of service".

It is difficult to understand why that should not be the case in the Bill. In Committee, the Minister said that there would be simple cases of an abuse of process or undue delay in which there was no merit, which a single adjudicator could examine and dismiss. Even so, in the general run of appeals where there is an issue to be decided, there should be a proper tribunal, properly chaired. Above all, the chairman of the appeals body should be legally qualified in the terms of amendment No. 3, to ensure that the system operates effectively.

The Minister said that in appointing adjudicators, it was the Home Secretary's clear intention to select not just legally qualified individuals but persons experienced in employment, trade union work and medical matters. There should be that spread of experience, but it is important also that the jurisdiction of the Council on Tribunals should apply and that a legally qualified person should chair the appeals body to ensure that proper procedures are observed.

The principle of a legally qualified chairman is enhanced by accepting the normal practice in relation to tribunal chairmen, whereby his removal or that of other individuals should be subject to the Lord Chancellor's agreement. In Committee, the Minister said that he was keen that there should not be the remotest opportunity for interference by the Home Secretary in the body that will deal with criminal injuries compensation when the Bill is enacted and the scheme implemented. He wanted to ensure that there could not be interference by Ministers, using a form of words that—as I said earlier—was ill advised because it could bear other interpretations, such as excluding from the appeals body the jurisdiction of the ombudsman. The Minister at least paid lip service to the principle of non-interference that we seek to enshrine in the Bill.

If it is ensured that persons appointed by the Home Secretary undertake their duties under the chairmanship of the overall body of a legally qualified individual appointed by the Lord Chancellor, there can be no doubt of the objectivity and transparency of the Bill's arrangements. If the removal of individuals is also subject to the Lord Chancellor's agreement, as with other tribunals, that will provide the public with a measure of comfort and clarity, that the body will not be the creature of the Home Secretary. The amendments will be helpful to the Minister in enshrining the principle that he agreed should be the one governing appeals—objectivity and a lack of interference by Home Office Ministers. In other words, it would be a proper judicial or quasi-judicial body, whose fairness would be transparent, and the independence of the persons who made appeal decisions would be obvious. I hope that the Minister will accept these three minor but important amendments.

Mr. Maclean: Clause 5(3)(b) enables the scheme to provide for the Secretary of State to appoint a chairman of the appeals panel from among the adjudicators who make up its membership. Amendment No. 1 would

amend that power, so that any such provision of the scheme would require the Lord Chancellor to appoint the chairman. It would also require the chairman to be legally qualified, and amendment No. 3 defines "legally-qualified". Amendment No. 2 would require the Lord Chancellor's agreement before the Secretary of State could remove an adjudicator from office under the powers provided by clause 5(7).

I listened carefully and respectfully, as usual, to the hon. Gentleman's opinions, but the amendments are not appropriate to the purpose of the Bill or the scheme. The most obvious objection is that the Lord Chancellor has no direct interest in the running of the scheme. It therefore makes no sense to involve him in responsibility for appointing the chairman of the appeals panel. The Home Secretary and the Secretary of State for Scotland will have overall responsibility for the running of the scheme, and in appointing a chairman of the appeals panel, they will have to consider wider questions about the requirements of the post in the context of the efficient running of the appeals panel and its advice-giving role to the Secretary of State.

For the same reasons, it would not be appropriate to require the Lord Chancellor's agreement to the removal of an adjudicator from office. I have no doubt, however, that we would consult the Lord Chancellor in the unhappy and, I hope, remote event that we had to consider removing a legally qualified adjudicator from office. We would also consult as appropriate on the question of appointing a legally qualified chairman. Although this does not need to be stated in the Bill, of course we would consult the Lord Chancellor as appropriate on appointing a legally qualified chairman. Such matters are part of the Government's normal modus operandi.

As to whether the chairman should be legally qualified, our responsibility is to see that the most suitable person is appointed as chairman. The needs of the scheme and the needs of victims are paramount. As the House knows, we intend to appoint adjudicators from a wide range of backgrounds. It is certainly our firm intention that the first chairman at least should be legally qualified, but it would be wrong to rule out absolutely any possibility that at some future date it might be appropriate to appoint a non-lawyer as chairman. Legal questions frequently arise in the running of the scheme, and if the chairman was not a lawyer but, for example, a doctor, we would expect him to consult the legally qualified adjudicators as necessary. But to insist on a legally qualified chairman is an unnecessary restriction.

I listened carefully to the hon. Gentleman's points, but if we accepted the amendments, they would place an unnecessary restriction on the scheme's operation and the modus operandi for appointing a legally qualified chairman and other adjudicators. I cannot accept the amendments.

Mr. Michael: It is intriguing that something is a clear principle when it is wanted by a Minister, but is said to introduce unnecessary restriction when proposed by anyone else. The Government are always inconsistent in dealing with such matters, as we have seen today. It is sad that relations between the Home Secretary and the Lord Chancellor are so bad that a requirement to ensure transparency and fairness in the appointment and removal of adjudicators is viewed as introducing convoluted and bureaucratic delay. I dare say that matters will improve in the near future.

Amendment negatived.

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. Howard.]*

Mr. Deputy Speaker: Madam Speaker has selected the reasoned amendment.

6 pm

Mr. Jack Straw (Blackburn): I beg to move, to leave out from "That" to the end of the Question and to add instead thereof:

"this House declines to give a Third Reading to the Criminal Injuries Compensation Bill because it provides for a tariff of amounts of compensation in respect of criminal injuries without flexibility in special cases, gives extensive powers to the Secretary of State to frame a Scheme for criminal injuries compensation with insufficient parliamentary scrutiny, includes provision for the contracting-out of what should be a public service function, and includes provisions to exonerate the Secretary of State of responsibility for the conduct of the Scheme."

The country knows that today the Conservative party is in a deep crisis. The people of Britain have so lost confidence in the governing party that the party has comprehensively lost confidence in itself, as well as in its Cabinet and its leader. At the heart of the crisis of confidence is the issue of trust. The Conservative party made promises during the general election campaign, which it swiftly and cynically broke. It has broken promises on tax—

Mr. Deputy Speaker: Order. The Bill is specific. The debate must be about the Bill and the contents of the Bill.

Mr. Straw: Indeed, Mr. Deputy Speaker. My remarks are about the Bill and its contents. As I was about to say, the Bill writes into law a broken promise to the victims of violent crime. It was in the 1992 Conservative campaign guide that the Conservatives boasted of the generosity of the then common law scheme. They declared that, when a crime had taken place, the Government would give the utmost priority to supporting the victims. Nothing was said about any intention to cut or replace the scheme.

The manifesto on which the Conservatives fought and won the general election campaign promised that special attention would be paid to the needs of the victims of crime. However, the Bill cuts almost in half the compensation that will be payable, and punishes the victims of violent crime for the Government's failure to control that crime.

There are many major defects in the scheme that is before the House. There is no compensation for loss of earnings before 28 weeks, despite the fact, to which my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) has eloquently testified, that at least 12 million people do not receive statutory sick pay for the preceding 28 weeks. There is no payment for special expenses. Maximum awards will be capped, adversely affecting those with catastrophic injuries.

In some instances the tariff is extremely low, especially for sexual offences. Tariff levels, which are basically the same as those in the discredited 1994 tariff, will not be reviewed until 1999. The tariff provides no flexibility in difficult cases.

[Mr. Straw]

Published this morning were the minutes of evidence given to the Select Committee on Home Affairs on 3 May 1995. Senior officials in the Home Office gave evidence about the compensation scheme, among other matters. The permanent secretary, when talking about the old scheme, referred to 33 awards for punctured lung injuries in 1991-92. The awards ranged from £601 to £29,203. The permanent secretary said that he was struck by the "enormous range". So may we all be.

The common law scheme, however, was designed to provide compensation directly related to the individual's circumstances and needs. Under the new scheme, the tariff for a punctured lung will be set at £3,000. Save for the most exceptional cases, no one will receive more than £3,000. Those who might have received £29,203 will receive over £26,000 less than that.

At the heart of the justification for the Bill is the Government's desire to cut costs. They wish to cut the compensation that is available to victims, especially to those of the most serious crime.

The estimates that are used to justify the cuts are scarcely worth the paper on which they are printed. The Conservative campaign guide stated, in an attempt to justify the changes, that costs would rise to £570 million by the year 2000. In the explanatory and financial memorandum, we are told that the costs will rise instead to £460 million.

When I put this point to the Secretary of State on 23 May on Second Reading, the right hon. and learned Gentleman said:

"The latter is a more up-to-date estimate. The hon. Gentleman may not have noticed that inflation has gone down, which is one of the factors that has been taken into account."—[*Official Report*, 23 May 1995; Vol. 260, c. 748.]

I have examined the estimates of inflation. I made it clear that I was speaking about the 1992 Conservative campaign guide, not the 1994 guide. The 1994 guide used the figure of £570 million. It was published after the November 1993 Budget, including the Red Book.

If we compare the estimates of future inflation in the 1993 Red Book up to 1999 with the latest estimates until that year, we see that there is hardly any difference between them. The 1993 Red Book predicted that inflation would reach 2 per cent. by 1998-99, as does the 1994 Red Book. There is only a marginal difference between them. There is no difference that could conceivably explain why suddenly estimates would be reduced by £110 million or 20 per cent.

In Committee, the Minister of State was repeatedly challenged to explain the estimated fall of £110 million. Where had the estimated £570 million come from? Where had £460 million come from? He failed repeatedly to offer any credible explanation. The estimates on which this discreditable Bill is based are entirely unreliable. It is unfortunate that the Government have offered no serious explanation of the discrepancy and of other changes in costs. That does them no credit.

We know that the Secretary of State has wasted millions of pounds of the public's money by seeking to change the common law system of compensation without any statutory authority and in patent breach of the law of the land, as was found by a Committee of the other place earlier this year.

As a result of impetuous and unlawful acts by the Secretary of State, he set up the Criminal Injuries Compensation Authority, which has now had to be wound up. He first insisted that claims for the preceding year would be judged on the basis of the unlawful tariff scheme. He had to dismantle that scheme, but at the same time has had to ensure that those who would have been awarded more under the old scheme will receive more. Those who would have received less under the common law scheme will, at the same time, keep their higher tariff award.

What is the cost of the Secretary of State's unlawful behaviour? There should be the fullest investigation of the right hon. and learned Gentleman's profligacy by the Comptroller and Auditor General and the Public Accounts Committee.

Had a local council gone in for unlawful expenditure in the face of explicit legal advice and court judgments, and wasted millions of pounds, the Home Secretary would have been the first to demand that the Audit Commission should investigate, and that the councillors be surcharged.

Throughout the Bill's passage, the Secretary of State has sought to evade responsibility for decisions to slash compensation, for which he is morally and politically responsible, by asking us whether we would restore the scheme in full in the event of a Labour Government. That evasion of responsibility will not wash. Labour would not have tricked the electorate as the Conservatives did at the last election.

As my hon. Friend the Member for Cardiff, South and Penarth has said, Labour's position is clear. If Ministers do not cut the scheme now, we will not cut it either. If Ministers maintain the public expenditure survey allocation up to the election and beyond, as they have every right and, indeed, duty to do, we shall keep it there. But if funding for the common law scheme is removed, no guarantees can be given by any party which seeks responsibly to govern the country.

On 23 May, the Secretary of State could not even say what would be in the Chancellor's Budget this autumn. He could not say what the availability of funding would be in the Chancellor's Budget. Today, the Home Secretary could not even say who the Chancellor of the Exchequer might be, let alone what might be in the Budget.

If the Chancellor of the Exchequer who presents the autumn Budget is, God forbid, the nominee of the right hon. Member for Wokingham (Mr. Redwood), who intends to give away £5 billion in tax cuts and pay for those tax cuts through wholly unidentifiable efficiency savings, the public finances that Labour will inherit when we form a Government will be in an extremely sorry state.

I hope that, when the Secretary of State replies, he has the same full-hearted condemnation for the right hon. Member for Wokingham as the Chancellor of the Exchequer had yesterday, when he accused the former Secretary of State for Wales of

"plucking figures out of the air"—

Mr. Deputy Speaker: Order. This is not a general debate on the views of members of the Cabinet on Britain's financial situation. This is a specific debate on the Bill. I urge the hon. Gentleman to get back to it, and the Home Secretary to resist the temptation to make any comment as well.

Mr. Straw: I was dealing merely with the further uncertainties that now afflict the Government and their

public spending plans. But speaking of figures that are plucked out of the air, one might say the same for the figures of £570 million and £460 million which the House has variously been given for the possible cost of keeping the old scheme going right up until the year 2000.

Just three months ago, the Leader of the House warned the Prime Minister that by these cuts in the criminal injuries compensation scheme the Government had placed themselves

"on the wrong side of an argument about the victims of crime".

He was, of course, right.

The Government's shame on the issue has been graphically shown this afternoon. For much of the three hours of debate, not a single Conservative Back Bencher has been present in the Chamber. Still less has one spoken in support of the Bill. I might also add that the Liberal Democrat Benches have been vacant for almost the whole debate. There has been no contribution from any Liberal Democrat during the course of the debate. I am sure that the people of Littleborough and Saddleworth will be interested to know the Liberal Democrats' lack of support for improvements in the criminal injuries compensation scheme and for the Opposition's fight to maintain the old scheme.

It is little wonder that so few Conservative Members have been present and that none has spoken, because the Government's record on crime has been one of the shames of this Administration. Crime has doubled, and the number of victims has doubled, while there has been an absolute reduction in the number of people convicted of or cautioned for crime.

The right hon. Member for Wokingham was right about one thing in the manifesto he issued yesterday. He said:

"We catch far too few criminals—detection rates have to be raised."

The Government have failed the victims of crime. Worse, they are now punishing the victims for that failure. That is why we believe that the Bill should not be given a Third Reading tonight.

6.13 pm

The Secretary of State for the Home Department (Mr. Michael Howard): I invite the House to reject the reasoned amendment which has just been moved by the hon. Member for Blackburn (Mr. Straw), to the detailed terms of which I shall come in a moment. However, I say at this early stage that the use of the word "reasoned" has rarely been less appropriate than in describing the amendment.

The Bill paves the way for a new criminal injuries compensation scheme under which compensation will, for the first time, be paid to the blameless victims of crimes of violence on a statutory basis. Unlike the present, non-statutory arrangements, the new scheme will concentrate on a straightforward tariff approach for the majority of victims. But it will also ensure that the needs of those most seriously affected by their injuries are generously met. We believe that that strikes the right balance between the needs of victims and the interests of the taxpayer.

Continuation of the old scheme, based on common law damages, was no longer a viable option. Costs were rising rapidly, and many victims were having to wait a long time for their money, despite the best efforts of my noble Friend Lord Carlisle and the Criminal Injuries Compensation Board—efforts for which we remain very grateful. In contrast, the new, enhanced tariff scheme should enable costs to be more readily predicted and controlled, and once the new scheme has settled down and the remaining old scheme cases have been cleared, victims should get their money more quickly and with less fuss.

In devising the new scheme, we have of course listened to the criticisms of the earlier non-statutory tariff scheme which was withdrawn in April following the ruling of the Judicial Committee of the House of Lords. The new scheme incorporates many of the more helpful suggestions made in both Houses and elsewhere.

All successful claimants will get a tariff award, but, in more serious cases, victims will also receive additional payment for loss of earnings and for special care. In fatal cases, payment will additionally be made for dependency and loss of support.

We are doubling the upper limit for awards payable under the old tariff scheme from £250,000 to £500,000, and we are making provision for recipients of higher-value awards to opt for payment by structured settlements. Those can provide a stream of index-linked, tax-free payments for life, considerably increasing the net value of the award. In addition, the tariff of awards has been improved and refined, to reflect the experiences of operating the non-statutory tariff scheme in 1994-95.

The Bill has already been discussed in detail in Committee. Among other things, it was agreed there that the benefits of structured settlements should be extended to claimants under the old scheme whose claims have still to be settled. We shall seek to give effect to that in another place. We also agreed to an express provision being made on the face of the Bill that the new independent appeals panel should be able to offer advice to the Secretary of State on matters relating to the scheme.

Perhaps I should also remind the House that, contrary to the completely erroneous impression given in the Opposition's so-called reasoned amendment, the Bill provides that the more important features of the new scheme will be subject to parliamentary approval, both before the new scheme starts, and before any changes are made subsequently.

The so-called reasoned amendment also claims that the Bill enables the Secretary of State to evade responsibility for the scheme. That simply beggars belief. The Bill does no such thing, as was explained at length to Opposition Members in Committee. What the Bill does is preserve the present position and make it clear that the Secretary of State is not responsible for the decisions in individual cases taken by claims officers or the scheme manager.

Of course the Secretary of State has responsibility for the scheme and for the rules and procedures under which it operates. The Bill is quite clear on that, and for the Opposition to claim otherwise is characteristically absurd.

Since I am dealing with uninformed comment, I repeat that the new scheme does not cut the amount of money which will be available to compensate victims—far from it. We are simply controlling the unsustainable rate of growth in such expenditure. Ours is by far the most generous compensation scheme in the world, and it will remain so once the changes envisaged in the Bill come into force.

We pay out more compensation than the United States, and more than all the other countries in Europe put together. By the end of the decade, the liability to

[Mr. Michael Howard]

compensation will be in the order of £250 million a year. That is no mean achievement, and one in which we can all justifiably take pride.

All that the hon. Member for Blackburn can do in the face of that is to nit-pick about some detailed estimates which have had to be revised in the light of more up-to-date information—a process so foreign to the hon. Gentleman that he does not appear to understand even that simple state of affairs.

Let me explain to the hon. Gentleman why the estimates over which he spent such an inordinate amount of time have been changed. The estimates are affected by several different factors. I have to spell them out for hon. Gentleman, although I think that most people will readily understand what they involve. They include the number of cases settled; the success rate; the percentage of claimants receiving an award; inflation; and increases in the average award. Those estimates have to be based on long-term, 10-year trends. Clearly, those change over a period as circumstances change and later data become available.

The figure of £570 million over which the hon. Gentleman spent—indeed, wasted—so much time was derived before the outturn figures for 1993-94 were available. We now have the outturn figures for two subsequent years. Our information is more accurate and up to date. We prefer to make our estimates based on the most accurate and up-to-date information available—a process clearly completely alien to the hon. Gentleman and the Labour party.

The Labour party has no constructive alternative to the scheme which the Government propose in the Bill. There is no clearer evidence of that than the complete about-face demonstrated in its so-called reasoned amendment. On Second Reading, the hon. Gentleman and his right hon. and hon. Friends complained in their amendment about the inadequacy of provision for criminal injuries. When he was challenged to make a clear, specific commitment to increase resources, he refused to do so.

We now have a totally different reasoned amendment. It clearly was not drafted by the hon. Gentleman. It was clearly drafted by someone who understood the impossibility of complaining about inadequate resources while refusing to make a commitment to increasing resources. It was drafted by someone who had some glimmering of understanding that government is about making decisions—often hard decisions.

The gulf between the person who drafted the reasoned amendment and its contents, and the contents of the speech of the hon. Member for Blackburn could not have been wider—it was enormous. Indeed, it rather looked as though the hon. Member for Blackburn had not even taken the trouble to read the so-called reasoned amendment before he got up to make his speech. The Labour party is not prepared to face up to the need to make decisions. Until and unless it is, it should be treated with the derision it deserves.

We have now come up with as good a scheme as it is possible to devise, given the constraints under which any responsible Government must operate. It is a generous, straightforward and transparent scheme, and one that serves the interests of victims and taxpayers alike. The Bill provides the framework of that scheme, and I invite the House to reject the reasoned amendment, endorse the scheme and give the Bill a Third Reading.

6.23 pm

Mr. Simon Hughes (Southwark and Bermondsey): I explained on Second Reading the view that I and my hon. Friends took of the Bill. My right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith), who served on the Committee, is not here today because he is on parliamentary duty in the United States. Neither his views nor mine have changed since then.

The Bill amends the present system in ways that the Home Secretary was right to say start from a need to reappraise the ever-escalating cost. I concede that. The most interesting and important question is how much money will be in the kitty. I do not dissent from the view—indeed, it is unarguable—that we have the most generous system in the world. That is clear.

It is also unarguable that the cost has grown over the years, and if the old system remained, it would go on growing. That is why, on Second Reading, I made it clear that I thought that all responsible politicians would be forced to accept a tariff-plus system. There is no other way, unless we accept uncontainable prospective costs.

I made that clear before, and I hold to it. My views have not been altered by the debate in Committee. The questions that arose in Committee and on Report have not gone to the fundamentals of the Bill. Again, the Home Secretary is right to say that they went to the margins of the Bill, but that is because the Bill, in large measure, does not itself address the practicalities.

The practicalities will be how much money is in the kitty; what will be the level of awards; who reviews that and how will it be upgraded; and the scheme under the delegated legislation that the Bill will bring into operation. That is why we have the same simple view that we had at the beginning.

There were certain things wrong in the original tariff that needed to be corrected. We need to make sure that we do not reduce the amount of money and keep it pegged—not so that it escalates out of control, but at least so that it stays in line with inflation, so that people are compensated for the injuries they sustain at a real rather than an ever-reducing cost. The scheme must be flexible, so that it meets the variety of injuries and practical losses that people sustain through disability, on-going costs, loss of earnings and the rest.

This is not a Bill that we would have introduced, or one that needed to be introduced in this way or form. It is important that we continue to put more money and interest into the cause of victims. That is why the Home Secretary and his hon. Friends have not received our support for their proposals, either at earlier stages of the Bill or tonight.

I understand that there will be further challenges in another place. The legal and other interested professions, let alone the victim support groups and victims' representatives, are unhappy at the prospect of reduced funding. That is the greatest fear that people will have as a result of this debate. The scheme may have been the most generous in the world, but people will fear that, in future, it will be both less generous and less flexible, and that is a bad thing.

Question put, That the amendment be made:—

The House divided: Ayes 202, Noes 260.

Division No. 187] **[6.27 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Battle, John
Bayley, Hugh
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Church, Judith
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunningham, Rt Hon Dr John
Davies, Rt Hon Denzil *(Llanelli)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Kaufman, Rt Hon Gerald
Keen, Alan
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Robert *(North Down)*
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Mahon, Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pearson, Ian
Pendry, Tom
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Stevenson, George
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Warsing, Robert N
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. George Mudie and
Mr. Eric Clarke.

NOES

Ainsworth, Peter *(East Surrey)*
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Pu'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil

Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Dr. Liam Fox.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 60 (Amendment on Second or Third Reading), and agreed to.

Bill accordingly read the Third time, and passed.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.),

Rating and Valuation

That the draft Non-Domestic Rating (Chargeable Amounts) (Amendment No. 2) Regulations 1995, which were laid before this House on 19th June, be approved.—*[Mr. Wells.]*

Question agreed to.

Film Industry

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

6.40 pm

Mr. James Clappison (Hertsmere): I welcome the opportunity to raise on the Adjournment the subject of Elstree studios—a matter of deep interest to my constituents, who take a great pride in our cinematic tradition. No doubt, the House will be aware that Elstree is a proud name in the history of the British cinema. Such great British movies of the past as "The Dambusters" and "Moby Dick" were made there, and my constituents are used to seeing the great faces of British cinema in their streets. Throughout Elstree and Borehamwood, there is a rich heritage of cinematic tradition, and much film-making skill. More recently, Elstree has played host to some major Hollywood productions, including the "Star Wars" films and the Indiana Jones trilogy, with which hon. Members are no doubt familiar.

However, a great change took place in the fortunes of Elstree studios when they were acquired by Brent Walker in 1988. Brent Walker acquired the site on the strict understanding with the local authority, Hertsmere borough council, that planning consent would be given for the development of about half the site for retail purposes while the remainder was to be developed for use in the film industry. That was built into the planning agreement between Brent Walker and the council.

Since 1988, something of a saga has developed over Brent Walker's ownership of Elstree. I draw two material points to the attention of my hon. Friend the Minister. First—this is most important to my constituents—Brent Walker has not carried out its undertaking to develop the remaining part of the studios for the purposes of film making. Sadly, the studios in which such proud British films were made remain dark and unused. Secondly, notwithstanding Brent Walker's assertions to the contrary, there has been much real and substantial interest among other film makers in continuing film production at Elstree. There is clear evidence of that, and Hertsmere council knows of it.

I am fortified in that assertion by the conclusion of the Select Committee on National Heritage, whose members came to Elstree late last year. The residents of Elstree and the council were grateful to the Committee for the interest that it took, and it was firm in its conclusions that there was interest in, and a continuing future for, the studios.

Having investigated the situation carefully, the Committee's conclusion was:

"The Committee applauds the efforts of Hertsmere Borough Council to enable film production to be resumed at the historic Elstree studios, welcomes Twentieth Century-Fox's indication of interest, and deplores the dog-in-the-manger attitude of Brent Walker. It hopes that the situation will be speedily resolved and that Elstree Studios will once again be listed among the UK's functioning film studios."

My constituents would say amen to that.

"Dog-in-the-manger" is a good phrase to describe Brent Walker's behaviour throughout the saga, and many of my constituents would welcome a change in the ownership of the studios so that films could be made there again. That is why they fully support the efforts of Hertsmere borough council to bring that about.

After the long saga caused by Brent Walker's dog-in-the-manger attitude, the council finally brought matters to a head. Earlier this month, it gave Brent Walker 14 days to agree purchase by negotiation before compulsory purchase proceedings would be initiated. That deadline expired on 16 June, and Hertsmere is now pressing ahead with its stated intention.

I welcome the opportunity that the debate gives me to place on record my support for the council's course of action—a course supported by all the parties on the council. There is also great support in Borehamwood. I also agree with the Select Committee's conclusions about the future of Elstree studios. Obviously, their immediate future is in the hands of the council, but their long-term future is linked to the overall health of the British film industry, and that is the subject that I shall talk about next.

Incidentally, Elstree studios are not the only film-making interest for my constituents. Not far away are the Third Millennium studios, which are using Leavesden aerodrome as the studios for the new James Bond movie "Goldeneye". That is of great interest to many of my constituents. No doubt, their film-making skills are being put to good use there. I am sure that they are glad to see that James Bond has followed such other important figures as Luke Skywalker, Indiana Jones and Inspector Morse in beating a path to Hertfordshire. With all those people coming to Hertfordshire, it is not surprising that our crime rate is falling.

Those are the ambitious plans for film making close to my constituency. I agree with my right hon. Friend the Member for Watford (Mr. Garel-Jones), who takes a great interest in such matters and has spoken of turning Watford into the Hollywood of western Europe. No doubt, that is on the cards if we can bring major film productions such as "Goldeneye" to Hertfordshire.

I urge the Minister to give his full support to film making in Hertfordshire and to the British film industry as a whole. Earlier this month, the Government gave their response to the Select Committee report, and that response has been widely welcomed in the industry. It represented some good positive steps forward, based on the recommendations of the Select Committee and introducing measures for which the film industry has been asking for a long time, including the long-awaited London Film Commission to assist film making in London. That, too, will be warmly welcomed.

Measures have also been put in place to assist entry to this country for those with skills in film making, stars and so on, through changes in the work permit arrangements. The money to come from the national lottery should not be overlooked either. That will be an important source of funds for film making—a fact that has been widely welcomed, not least in my constituency, where I understand that £85,000 of lottery money has been allocated to investigate the feasibility of a permanent display at Elstree studios.

One of the major proposals for reviving our film industry involves fiscal incentives. My right hon. Friend the Secretary of State dealt with that idea in his statement to the House on 6 June. Rightly and understandably, he said that considering the merits of fiscal incentives was a matter for the Chancellor of the Exchequer when planning his Budget.

[Mr. James Clappison]

What my right hon. Friend the Secretary of State for National Heritage said was welcomed by the film industry. In his statement, he went as far as to say that the Chancellor of the Exchequer would

"carefully consider the Committee's recommendations together with the logic that underpins them."—[*Official Report*, 6 June 1995; Vol. 261, c. 20.]

That has been interpreted, I hope rightly, in the film industry as a sign that the Government are listening to its concerns and proposals. The industry hopes that the proposals will be given the careful consideration that they undoubtedly merit. If there is an open door there, I shall, perhaps, push it a little further open this evening by urging my hon. Friend the Minister to do what the Chancellor said, and to consider carefully the long-standing and well-considered case that has been put forward by the film industry.

I press on my hon. Friend one particular measure—accelerated tax write-offs for film production. The industry is asking for such write-offs to take place in the first year of production rather than over three years, as at present. That is one of the points that the industry has made firmly and on which there is said to be consensus in the film industry. Certainly, it was one of the proposals made by the Producers Alliance. I understand that it also had the support of the British Film Commission. The Select Committee on National Heritage treated the proposal with great seriousness and put it forward as one of its recommendations. There is a consensus view that, of all the fiscal measures, that one especially commends attention. I invite my hon. Friend the Minister to look carefully at the case put by the film industry. It says that, in the particular circumstances of film making in this country, with the independent productions that we tend to have, this measure would assist film making and encourage investment in film making. The industry believes that it could be just the measure needed to tip the balance in favour of film making, to give it the boost that would turn this country into a major source of film production and to improve our already very good standing.

I ask my hon. Friend the Minister to look carefully at the proposal and the merits that underpin it. He must look carefully at the great potential for film making. We have great natural advantages—the skills of our technicians and film makers, and the excellence of our artists, actors, producers and directors. We also have the great advantage of the English language, which gives us a flying start over so many of our competitors. Everybody who has looked at our film industry believes that the potential is there.

Certainly, we have done well in recent years and there have been clear signs of revival in the film industry, which are very welcome. The measures that my right hon. Friend the Secretary of State for National Heritage announced earlier this month will undoubtedly help the industry. However, the help could go a lot further than that. We have seen tremendous films of great excellence made in this country in the past couple of years. I am thinking not just of the obvious choice that everyone mentions—"Four Weddings and a Funeral"—but of other good films such as "Shadowlands", "Remains of the Day", "The Madness of King George" and "Tom and Viv". Recently, we had the major American production "Rob Roy". All those films, especially the first four, are major examples of the excellence of our indigenous film industry and of the great natural assets that we have. Major productions such as "Rob Roy", besides bringing employment to the country and giving a boost to our economy, are a great showcase for the country. Films such as "Rob Roy" and "Four Weddings and a Funeral" have brought the British countryside, the beauty of Scotland and our English way of life to the attention of people all over the world. They have been a showcase as well as providing welcome jobs.

That is the great advantage of the film industry. There is no doubt that it will be one of the growth industries, in which this country could be a major player. As I have said, the right steps have been taken. If the right fiscal incentives were given as well, the industry's potential would be increased. There is, clearly, an enormous advantage for this country to gain. I commend all my arguments to my hon. Friend the Minister. I know that the film industry has been putting those arguments carefully to him. I urge him to listen carefully to what the industry proposes.

It is the earnest hope of my constituents that Elstree and Borehamwood can, once again, play a proud part in film making, as they did in the past. I hope that the cameras can start rolling, that the studios can be lit, that, once again, the big stars will come through Borehamwood and that the big productions, which give employment to so many of my constituents and cause so much pride, will come to the area. I hope that once again, Elstree will be synonymous with excellence in film making and that we can light up not just this country, but the whole world with the excellence of our British films.

6.54 pm

The Parliamentary Under-Secretary of State for National Heritage (Mr. Iain Sproat): I congratulate my hon. Friend the Member for Hertsmere (Mr. Clappison) on securing this debate at a time when the National Heritage Select Committee's report and the Government's recent response have focused attention on the film industry.

My hon. Friend has referred to the impressive record the studios at Elstree have held in the history of the film industry. No one could deny the enormous contribution that Elstree has made to film making in this country, but the future of the studios is, subject to any necessary planning consents, a matter for the owners to decide. It is not for the Government to determine a matter that should be for the commercial judgment of private companies.

I shall put Elstree in the context of the current position of the film industry and the excellent opportunities which lie before it. Over the past three years, there has been a marked increase in the number of British-produced films made, from 32 films in 1992 to 49 last year. There has been an equivalent rise in the amount of investment by overseas production companies in the UK, up from less than £70 million in 1992 to more than £176 million in 1994. In all, 89 films were made with significant British involvement in 1994, with total budgets amounting to more than £450 million. This, coupled with a fast-growing audience for film and the development of new technologies in the audiovisual industry, presents us with a time of great opportunity for the film industry.

In his recent statement to the House, my right hon. Friend the Secretary of State for National Heritage referred to the two strands in which these opportunities

lie: first, the opportunity to attract film makers from overseas to the UK and, secondly, the opportunity for British film makers to take advantage of the acknowledged strength of their industry.

To help the industry respond to the opportunities offered by overseas production, the Government agreed last year to continue support for the excellent work of the British Film Commission in attracting foreign film makers to the UK. As my hon. Friend mentioned, we have recently announced that we shall also provide pump-priming support for the establishment of a film commission in London. The lack of a commission in London, where most of the UK's technicians and film and television facilities are based, has proved to be a notable gap in the network of film commissions throughout the UK and a material weakness when marketing the UK as a place to film.

In the production of British films, British Screen Finance has been extremely successful in encouraging investment in feature film production and it has an impressive record in recouping loans to reinvest in new productions, without compromising its remit of encouraging new talent. To date, it has invested in more than 100 feature films, including "Land and Freedom", which won an award at Cannes this year, and "Jack and Sarah", which was released this month. In recognition of its achievements, we intend to continue funding British Screen Finance beyond the present financial year.

My right hon. Friend the Secretary of State confirmed, in his statement recently, a new source of funding for film production—the national lottery, which my hon. Friend rightly mentioned. The Arts Council of England has said that, depending on the quality of applications it receives, it could invest more than £70 million by the year 2000 in the production of British films, in partnership with others such as Channel 4 and the BBC.

We are also considering the ways in which the industry might be developed into a stronger and more established sector. To that end, my right hon. Friend the Secretary of State has announced that we intend to set up an advisory committee comprising representatives of financial institutions and production companies to examine the issues involved.

My hon. Friend called for 100 per cent. first-year tax write-offs for expenditure on film production. This is not a new suggestion; indeed, it was one of the recommendations put forward by the National Heritage Select Committee. My right hon. Friend the Secretary of State made it clear in his statement that the Government would bear in mind the Committee's tax recommendations in the run-up to the next Budget, but there is nothing that I can usefully add to that on this occasion because tax policy is a matter for my right hon. and learned Friend the Chancellor of the Exchequer.

The Government support international co-production through membership of Eurimages, enabling 49 British productions to go ahead since the United Kingdom joined the scheme in 1993. Most of the Eurimages-funded films are low budget, but the UK has been particularly successful in gaining support for higher-budget films. The Government-funded European Co-production Fund, administered by British Screen Finance, has supported co-productions with 14 other countries, enabling film makers to access state support in each of the co-producer's countries.

Since the inception of the European Co-production Fund in 1991, the number of UK co-productions has increased from 12 in 1992 to 32 in 1994. There is, however, little point in encouraging production if the films made are not also shown widely to British audiences. Many British films do not achieve wide distribution because of inadequate marketing and because too few prints are available for circulation. The Arts Council has agreed that, provided it receives sound applications, it could make more than £14 million available over the next five years for distribution and cinema improvements.

As a well-planned London launch is important if a film is to generate effective media attention, the Government are also providing funding for a study to examine the feasibility of a west end showcase to provide a venue for premieres of smaller-scale British films. This would be intended to generate the publicity necessary for a successful UK-wide cinema release. We plan to involve other organisations in the study, and the BBC has already said that it would like to be involved. Should the feasibility study show that the scheme would be viable, others would need to take it forward.

In this year of the cinema centenary, we have a unique opportunity to promote cinema-going to the British public. Plans have been drawn up by an industry organisation, Cinema 100, to celebrate the centenary and the Government have agreed to provide £180,000 this year towards the cost of its initiatives. I have mentioned a number of new initiatives, but the Government's interest in film is long term, as support for existing measures demonstrates.

The National Film and Television School, which recently announced that it plans to move to new premises at Ealing studios, is supported annually by a Government contribution of £1.85 million. The school prepares graduate students for careers in film and television, and graduates enjoy a 100 per cent. success rate in finding employment. Since 1973, students have won more than 250 awards for films at international festivals and industry ceremonies.

Film is a cultural as well as an economic activity, and in recognition of this, the Government provide substantial support for the British Film Institute. The institute's primary role is to encourage the understanding and development of moving image culture in all its forms. The BFI operates a world-class library, the Museum of the Moving Image, the national film and television archive and, through the national film theatre and grants to the regional film theatres, enables the public to see and appreciate a wide range of world cinema.

The Government also provided support for the original five-year MEDIA programme, which is now coming to an end. It was designed to enhance the strength of member states' national audiovisual industries by encouraging greater collaboration and wider distribution of their products. The UK has pushed for its successor, MEDIA II, to focus on three areas: training, project development and distribution. The UK has played an active part in negotiations on MEDIA II, ensuring where possible that the views of the UK industry are taken into account in shaping the programme. Ministers have now reached a common position in the European Council on the decisions for implementing MEDIA II. The Government

[Mr. Iain Sproat]

believe that MEDIA II will help to consolidate the achievements of the current programme while maintaining its momentum.

During its presidency, the UK was a major driving force in refocusing Audiovisual Eureka, the pan-European initiative, designed to strengthen the audiovisual industry. The Government provide support in the form of a contribution towards the maintenance and work of the Brussels-based Eureka permanent secretariat.

I am sure that my hon. Friend will agree that all the measures that I have mentioned add up to considerable evidence that the Government wish to encourage the future development of an exciting and vital industry. My right hon. Friend the Secretary of State is, at this time, actively taking steps to move forward the initiatives announced in his recent statement, which I am glad my hon. Friend so warmly welcomed.

Question put and agreed to.

Adjourned accordingly at four minutes past Seven o'clock.

House of Commons

Friday 30 June 1995

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Local Government

Motion made, and Question proposed, That this House do now adjourn.—[*Mr. Chapman.*]

9.35 am

Mr. Nick Hawkins (Blackpool, South): On a point of order, Madam Speaker. As the debate is about the conduct of local government, and as there have been so many well-publicised problems and cases of incompetence and maladministration in local government in Opposition-controlled seats such as those in Birmingham and Islington, is it in order that it should take place without Opposition Members being present?

Madam Speaker: Those are matters that must be raised during the debate.

Mr. James Clappison (Hertsmere): On a point of order, Madam Speaker. Has the Chair any power to flush out Opposition Members so that we can hear from them? The Opposition Benches are virtually empty.

Madam Speaker: Order. Let us see how the debate develops.

Mr. Clappison: Further to that point of order, Madam Speaker.

Madam Speaker: No, there are no further points of order. The debate is about local government. It is not for the Chair to determine which hon. Members should be here. The debate must continue in the usual way.

Mr. Clappison *rose—*

Madam Speaker: Will the hon. Gentleman resume his seat until I have finished? If he has a real point of order with which I can deal, I shall hear it.

Mr. Clappison: I spy strangers.

Madam Speaker: I am not willing to accept that motion at this stage. A leading member of the Government is here, ready to start the debate.

Mr. Clappison *rose—*

Madam Speaker: Order. The hon. Gentleman must resume his seat.

Mr. Patrick McLoughlin (West Derbyshire): On a point of order, Madam Speaker. Bearing in mind the fact that this is a well-publicised debate—indeed, it has been subject to a number of criticisms—I should have expected the Opposition Benches to be fuller. Can you ensure, Madam Speaker, that the annunciators are working? That is important because, if they are not, some hon. Members might not be aware that the House sits at 9.30 am on Fridays.

Madam Speaker: I always check before I come into the Chamber that the annunciators are operating. Points of order are now over.

9.37 am

The Minister Without Portfolio (Mr. Jeremy Hanley): I welcome the opportunity to have this debate because it is a debate on the conduct of local government in Great Britain, which is an extremely important subject. It is one on which I and my right hon. and hon. Friends have focused our attentions over the past few months, especially during last month's local elections. We highlighted the extra cost in council tax of living under a Labour or Liberal Democrat-controlled council.

Mr. Patrick Thompson (Norwich, North): Does my right hon. Friend recall that, only a matter of a few days ago, the Government made sure that Labour-controlled Norwich city council did not impose excessive council tax increases on the people of Norwich? Is not that the right way for the Government to proceed? Is not it a fact that the Labour councillors who attack Conservative measures are not protecting or helping council tax payers in Norwich?

Mr. Hanley: I wholly agree with my hon. Friend. There is no doubt that if Labour councils were left to their own devices, people would be charged even more than they are now. Even with capping, for band C properties Labour councils will this year charge £163 a year more and Liberal councils £112 a year more than the average for band C under Conservative-controlled administrations.

Mr. Harry Greenway (Ealing, North): In Ealing, the new Labour council immediately put up the council tax by 10 per cent. It said, spuriously, that it was £15 million in debt because of its predecessor, although it had inherited a balance of £12 million. It cut 300 jobs, closed old people's homes, sacked people who deliver meals to the elderly and sacked teachers. Now we discover that there is £17 million in the kitty and that the council is going to repay debts of £39 million that it incurred when it was last in control of Ealing. What a wicked and mendacious lot those people are.

Mr. Hanley: My hon. Friend—

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. Before the Minister replies, I will set out how I intend the debate to continue. It is a serious debate.

Mr. Greenway: It is a serious point.

Mr. Deputy Speaker: I am sure that it is; I am not referring to the hon. Member for Ealing, North (Mr. Greenway). I listened to the points of order to Madam Speaker at the beginning of the debate. The debate will now continue seriously and the Chair will not suffer any nonsense this morning.

Mr. Hanley: Thank you, Mr. Deputy Speaker.

Mr. Greenway: On a point of order, Mr. Deputy Speaker. While I accept your ruling and the fact that you said in response to my incorrect sedentary intervention that you took my remarks seriously, I stress that I have made an extremely serious point about a subject that is

[Mr. Greenway]

infuriating my constituents, the constituents of my right hon. Friend the Member for Ealing, Acton (Sir G. Young), who is present in the Chamber, and probably the rest of the country.

Mr. Deputy Speaker: Order. I have already told the hon. Member for Ealing, North that I was not referring to his intervention.

Mr. Norman Hogg (Cumbernauld and Kilsyth): On a point of order, Mr. Deputy Speaker. I am reluctant to raise a point of order, but as you rightly said, it is an important debate about a serious matter. Why, then, have the Government brought along their master of ceremonies rather than the—

Mr. Deputy Speaker: Order. That is not a serious point of order either.

Mr. Hanley: It is certainly not, Mr. Deputy Speaker. I shall explain why I am here. I am here because I am a Cabinet Minister who sits on the ministerial Committee on Local Government, and because the issues have not been given a fair hearing. They are extremely important matters and we should turn the spotlight into the dark corners of town halls that are run by the Opposition parties. We exposed a catalogue of—

Mr. Alan Duncan (Rutland and Melton): On a point of order, Mr. Deputy Speaker. Opposition Members are mocking my right hon. Friend, but is it not within your power to call upon the Leader of the Opposition to make a clear statement to the House about what he knew and when he knew it?

Mr. Deputy Speaker: Order. That is the end of the nonsense.

Mr. Hanley: I am grateful for your ruling, Mr. Deputy Speaker, but I must say—particularly to the hon. Member for Holborn and St. Pancras (Mr. Dobson), who is a fair man—

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): Will my right hon. Friend give way?

Mr. Hanley: If my hon. Friend will allow me to make a little progress, I shall willingly give way. I hope that the community at large will see that my right hon. and hon. Friends are very keen to express their views on the subject. There have been precious few opportunities to deal with the conduct of local government in Great Britain. We have turned the spotlight into the dark corners of town halls that are run by the Opposition parties. During the local government election campaign, we exposed a catalogue of endemic waste, bureaucracy, mismanagement and, yes, even corruption. However, before I refer—

Mr. David Rendel (Newbury): Will the Minister give way?

Mr. Hanley: I shall give way to the hon. Gentleman and then I shall give way to my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton-Brown).

Mr. Rendel: Is the Minister telling us that his exposure of what has happened in Labour and Liberal Democrat-run councils and his capping of those authorities has led to the Conservative party's dropping to third place in local government?

Mr. Hanley: I shall deal directly with that matter.

I think that the hon. Member for Newbury (Mr. Rendel) will admit that, while we all know that democracy is an imperfect science, during local government election campaigns, concentration on the real issues is perhaps not at the forefront of many voters' minds. Today my right hon. and hon. Friends will remind the general public that, in their desire to vote as they wish in local elections—as they are perfectly entitled to do—perhaps about national matters—

Mr. Rendel *indicated assent.*

Mr. Hanley: Yes, they are perfectly entitled to do that. However, there are other very serious issues that perhaps they did not concentrate on during the recent local election campaign. I look forward to hearing my right hon. and hon. Friends set out those issues today. I am sure that Opposition Members believe that it is an important subject and I look forward to their contributions also. I hope that they will answer some of the charges that my right hon. and hon. Friends will put to them.

Mr. Clifton-Brown: My right hon. Friend will be aware that last week the Government announced their capping decision in relation to Gloucestershire county council. Is he also aware that, although the Government have given a small increase to Gloucestershire county council this year, the council has cut school budgets by between 4 per cent. and 7 per cent? The budget of one rural school in my constituency has been cut by more than 20 per cent.

Is it not a disgrace for the people of Gloucestershire that the county council is running its affairs in that way? Is it not a disgrace for the people of Gloucestershire that the council has wasted £500,000 this year redoing its bills due to its failure to present a case on the cap, on top of the £500,000 that it wasted two years ago? The council wasted £1 million in shredded paper challenging the elected Government of the day. Would not that wasted £1 million go a long way towards helping the old people and the children of Gloucestershire?

Mr. Deputy Speaker: Order. Interventions should be brief and to the point.

Mr. Hanley: My hon. Friend makes a very powerful point. It is true that, throughout the local government campaign, Liberal Democrat councils and their leaders concentrated very much on the issue of education. I remember when the leader of the Liberal Democrats said that the local government election should be a referendum on education. The fact that only 15 per cent. of all councillors who were up for election had anything to do with education was neither here nor there.

Mr. McLoughlin: On a point of order, Mr. Deputy Speaker. Some time ago I raised a point of order with Madam Speaker and said that it was quite amazing that hardly any English Members of Parliament were present in the Chamber for a very important debate that has been long trailed. Therefore, I beg to move, That strangers do withdraw.

Notice having been taken that strangers were present, MR. DEPUTY SPEAKER, *pursuant to Standing Order No. 143 (Withdrawal of strangers from House), put forthwith the Question,* That strangers do withdraw:—

The House proceeded to a Division.

Mr. Norman Hogg (*seated and covered*): On a point of order, Mr. Deputy Speaker. Is it right and is it in order for the public and the press to be cleared from the Galleries of the House of Commons on a day when we are discussing local government and, yes, some serious problems in local government?

Mr. Deputy Speaker: Order. I cannot help the hon. Gentleman. He may have his own views, but it is a matter for the House to decide.

The House having divided: Ayes 0, Noes 74.

Division No. 188] **[9.45 am**

AYES

Nil

Tellers for the Ayes:
Mr. Robert Hughes and
Mr. Alan Duncan.

NOES

Baker, Nicholas *(North Dorset)*
Bottomley, Peter *(Eltham)*
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cthorpes)*
Cash, William
Chapman, Sydney
Clappison, James
Clifton-Brown, Geoffrey
Coombs, Anthony *(Wyre For'st)*
Davis, David *(Boothferry)*
Deva, Nirj Joseph
Douglas-Hamilton, Lord James
Duncan-Smith, Iain
Dykes, Hugh
Eggar, Rt Hon Tim
Evans, Nigel *(Ribble Valley)*
Field, Barry *(Isle of Wight)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
French, Douglas
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Hamilton, Neil *(Tatton)*
Hanley, Rt Hon Jeremy
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Hendry, Charles
Hicks, Robert
Horam, John
Jack, Michael
Johnson Smith, Sir Geoffrey
Jones, Robert B *(W Hertfdshr)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby N)*
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maitland, Lady Olga
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Montgomery, Sir Fergus
Neubert, Sir Michael
Newton, Rt Hon Tony
Paice, James
Patnick, Sir Irvine
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Ryder, Rt Hon Richard
Shaw, David *(Dover)*
Sims, Roger
Stephen, Michael
Streeter, Gary
Taylor, Ian *(Esher)*
Thompson, Patrick *(Norwich N)*
Twinn, Dr Ian
Walker, Bill *(N Tayside)*
Whittingdale, John
Wilshire, David
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Simon Burns.

Question accordingly negatived.

Mr. Frank Dobson (Holborn and St. Pancras): On a point of order, Mr. Deputy Speaker. I would like the debate to proceed as quickly as possible, but was it in order for the Government—having set the business for this morning—to deploy Government Whips in the calling of a Division and the telling of both Lobbies in an effort to clear the Galleries and to stop the press reporting the debate?

Mr. Deputy Speaker: Order. That matter is not for the Chair.

Mr. Robert G. Hughes (Harrow, West): On a point of order, Mr. Deputy Speaker. The hon. Gentleman is trying to mislead the House. The fact is that we need to flush out how few Labour Members are present.

Mr. Deputy Speaker: Order. That was not a point of order.

Mr. Charles Hendry (High Peak) *rose—*

Mr. Deputy Speaker: Order. I make it clear to the House that I will have no further bogus points of order. This is a serious debate and it is about time that we got on with it.

Mr. Hendry: On a separate point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: It had better be genuine.

Mr. Hendry: It is, Mr. Deputy Speaker. When the hon. Member for Holborn and St. Pancras (Mr. Dobson) rose to the Dispatch Box, I thought that he was going to apologise for saying on the radio this morning that the Prime Minister had lied to the House.

Mr. Deputy Speaker: Order. That matter is not for the Chair either.

Mr. Hanley: Before I was rudely interrupted, I was dealing with a point raised by the hon. Member for Newbury. The right hon. Member for Yeovil (Mr. Ashdown) had said that the local government campaign should be a referendum on education. I was explaining that only 15 per cent. of all councillors had anything to do with education. The campaign led by the right hon. Member for Yeovil was a disgrace. Every Conservative education authority met the teachers' pay claim in full. The only people who have been playing political football with the teachers have been the Liberal Democrats, aided and abetted by the party that is on the same wing—the Labour party. Conservative education authorities met their claims in full. It will be interesting to see how many teachers there are this autumn. I believe that the number will not be as low as the scare stories put about by the Opposition.

Before I deal in detail with many of the disturbing stories that have appeared in the press and which Labour has found somewhat inconvenient, I shall address two points raised this morning, which Labour has been making consistently since 4 May. I have heard it said that the results of the local government elections suggested that voters rejected the better value of Conservative councils. That is nonsense. The small number of people who turned out to vote did not, regrettably, do so on local issues, but we proved that Conservative councillors produce better value and services. I have heard it said also that Labour's appalling record in local government was in some way endorsed by the electorate on 4 May. Nothing could be further from the truth. Even a cursory look at the figures shows that only 18 per cent. of all people entitled to vote in the local elections turned out to support the new "New Labour" party—the all-singing, all-dancing, all-image Labour party. That can

[Mr. Hanley]

hardly give great comfort to the Labour party. I do not call that 18 per cent. an endorsement. Instead, I call it damning with faint praise. I regret that many of the electorate stayed at home on 4 May. Those who cast their vote without considering the local implications will pay dearly under their new councils.

Local government is important to people. It is—

Mr. Hendry: Is my right hon. Friend aware that in one ward in my constituency the Labour party won with 18 per cent. of the electorate's vote? Does not that show that 82 per cent. of the electorate did not vote Labour? It makes rather hollow Labour's claim of victory.

Mr. Hanley: My hon. Friend emphasises my point. Over the next two years we must encourage those who stayed at home to concentrate on the real issues. The debate will bring out those issues, which were hidden during the local government election campaign by national factors.

Mr. Gordon McMaster (Paisley, South): Does the right hon. Gentleman accept that in April, during the local government elections in Scotland, when a Conservative voter strolled to the polls and on his way stopped to buy a national lottery ticket, he was statistically more likely to win a cash prize than get a Tory council?

Mr. Hanley: The hon. Gentleman has made a jolly good crack. I look forward to his substantive speech. I was told earlier in the week that if the hon. Gentleman were to win the national lottery, he would still send out begging letters.

I much regret that local issues were not concentrated upon during the local government campaign. The media agreed with that. I much regret that some people will pay considerably more for local services, which will be put at risk under new Labour or the Labour-Liberal councils that have been imposed upon them.

As I said, local government is important to people. Indeed, it is vital. One fifth of all Government expenditure is spent by local authorities. Central Government support through the revenue support grant is roughly equivalent to 10p on the standard rate of income tax. It is vital, therefore, that we should concentrate on local government. It is not often that we concentrate on 20 per cent. of total Government expenditure in one debate.

The proper conduct of local government means that resources should be well used. It means also that priorities should be set according to genuine need. It means further that waste and bureaucracy should be cut. Political correctness should be kept out. Abuses of public money should be rooted out.

Mr. McLoughlin: My right hon. Friend is right that local government represents a vast amount of the public services that are provided. If extra money was made available during the year, especially for education, is my right hon. Friend aware that many of his right hon. and hon. Friends would wish to ensure that that money went straight into schools and not to local authorities? A number of us believe that some authorities have abused their position over the past years by not ensuring that moneys earmarked for education go into our schools. Will he take that on board during the discussions that will take place over the coming months?

Mr. Hanley: Yes. My hon. Friend makes an extremely good point. Many is the time that money given to Labour and Liberal councils for certain purposes has been plundered to serve other purposes. I hope that my hon. Friends will set out clearly during the debate what has happened, especially in councils where Liberal Democrats aided the Labour party in doing exactly what my hon. Friend described.

Mr. Michael Stephen (Shoreham): My right hon. Friend referred to political correctness. Does he agree that that is a feature of loony left councils that are run by Labour and Liberal Democrats, which the population finds most offensive? Is he aware, for example, that a registration certificate was refused to a child minder because she owned a golliwog? Is he—[HON. MEMBERS: "Where?"] Is he aware that the "Ugly Duckling" has been banned because it has racist overtones? Is he aware—[HON. MEMBERS: "Where?"]

Mr. Deputy Speaker: Order. Interventions must be brief and to the point.

Mr. Hanley: I thank my hon. Friend. I am aware of those and many other stories. I hope that they will emerge during the debate.

The Conservative Government have made great strides in ensuring that the climate within which local government operates is one of efficiency and propriety, which substantially delivers our objectives. I pay tribute to my right hon. and hon. Friends in the Department of the Environment, which tries extremely hard to improve relations between central and local government. Nothing that we mention today is in any way designed to try to ruin the present relationship. Indeed, the very reverse is the position. Considerable progress has been made in building relationships between central and local government. We are trying to ensure that the Labour party recognises that inefficiencies are all too common. They are, of course, inconvenient when it comes to the new Labour image.

The Government have delivered a legislative framework that is designed to achieve gains in efficiency and to end abuses in local government. The establishment of the Audit Commission is among the most important of all the Government's initiatives. Recent Audit Commission reports have illustrated once again that the scope for efficiency savings in local government is far from exhausted. The commission's report on council tax collection last year showed that £100 million could be saved. Its report in January told us that during the six years after 1987, local authorities increased non-manual staffing by about 90,000. The commission reported that £500 million could be saved through the better management of staffing. We, the Government, know very well where savings could be made. Front line first is not the philosophy of Labour or Liberal Democrat councils. Jobs for the boys is much more to their liking. Cost cutting is not in their vocabulary.

Mr. George Robertson (Hamilton): Will the right hon. Gentleman give way?

Mr. Hanley: Yes. I am sure, however, that the hon. Gentleman will speak later.

Mr. Robertson: On cost cutting, a conservative estimate of the cost to the country of introducing the poll

tax was £14 billion. That money was wasted. Taxpayers' money went down the drain. Has not the right hon. Gentleman a word of apology to offer the nation for that waste?

Mr. Hanley: The hon. Gentleman may not have noticed, but we have had a general election since then. The Conservative party was endorsed. We introduced a system of raising local government money called the council tax, which has proved to be most successful. The poll tax is dead and gone. In the general election, the Conservative party was endorsed for that.

Mr. Bill Walker (Tayside, North): Will my right hon. Friend remind Opposition Members that it was not Conservative councillors who recommended that the poll tax, as it was known—the community charge—should not be paid? That recommendation was made by Opposition councillors, councillors of the Labour party in Scotland and of the Scottish National party.

Mr. Hanley: My hon. Friend makes a powerful point.

Mr. Norman Hogg: It is not true.

Mr. Walker: It is true.

Mr. Hanley: The attitude of Opposition Members to savings in local government was set out clearly in their so-called policy document, which was issued in January. At the previous election, the Labour party wanted to abolish the Audit Commission. It clearly said so. Now it wants to give it a special, new responsibility to investigate the 10 councils with the lowest council tax levels, to find out why they are out of line. In effect, the Labour party is saying, "Why are you not spending more?" That is the only weapon that it is using in its war on waste.

There is an enormous flaw in Labour's cunning plan. The lowest council taxes have been levied by Conservative councils. If the auditors acted as Labour would wish, they would come up with one certain way of getting better services for lower taxes, and that is voting Conservative. Every Conservative council produces the very best value for the council tax payers.

In addition to the Audit Commission's work to promote efficiency, the Government established the Widdecombe inquiry. We acted under the Local Government Act 1986 and subsequent legislation to curb the propaganda that was being paid for through the rates.

Mr. Stephen: Is my right hon. Friend aware that, in West Sussex, the Liberal-controlled county council and the Liberal-controlled Adur district council wasted tens of thousands of pounds of taxpayers' money on saving their political skins from the recommendations of the boundary commissioners?

Mr. Hanley: My hon. Friend makes another point. I hope that my hon. Friends will make speeches and bring out such points. I do not know, Mr. Deputy Speaker, whether you have noticed, as we have here, that there seems to be almost a carnival spirit on the Opposition Benches. That is a most remarkable approach to these serious issues. We are talking about serious issues and about a number of patterns or trends in Labour councils.

The virus of political correctness, to which my hon. Friend the Member for Shoreham (Mr. Stephen) referred, has changed and spread. Political correctness is now more disguised. It avoids the obvious form of partisan politics. It has shifted to the politics of pressure groups and of radical minority groups. It peddles bogus or exaggerated grievances for its own political purposes.

That political correctness—that PC world—is inhabited by too many councillors of the Opposition parties. It began as a joke, it turned into a farce and it has now led to tragedy. Labour-run Hackney is a clear example—as clear an example as any. I accept fully that discrimination is unacceptable; I do not believe that anyone can question my record on that subject. I hate discrimination in all its forms and, like all Conservative Members, I loathe the positive discrimination that patronises women and members of ethnic minorities, and that is now embedded in the Labour party's selection procedures. Labour Members have gone quiet.

Four years ago, it was reported that Hackney council had banned staff from calling female colleagues "girls". That was not a joke; I am afraid not. It is an insinuation that people cannot deal in their relationships with others unless there is a rulebook to govern them. Last month, reports showed that Hackney was being forced to inquire into allegations that fraud was widespread in the council, because politically correct employment policies meant that no disciplinary action could be taken against employees from ethnic minorities who were involved, it is alleged, in benefit and grant fraud. It is a tragedy for Hackney residents and taxpayers alike, and it is clear that the political correctness virus is spreading.

Lady Olga Maitland (Sutton and Cheam): Is my right hon. Friend aware that political correctness was responsible for the most appalling child abuse in Islington and that the leader of Islington council at that time was none other than the hon. Member for Barking (Ms Hodge)? Does he agree that it is appropriate that she should give a full explanation as to how she could allow those poor children to be so tragically treated?

Mr. Hanley: I agree with my hon. Friend and I am sure that the hon. Member for Barking (Ms Hodge) will make her speech later. Indeed, this debate is an opportunity for her to explain the policies.

Mr. Dobson: As the right hon. Gentleman knows so much about Hackney, will he confirm that, as a result of the council's action against fraud, 110 staff have been dismissed or have resigned because disciplinary action was threatened, 24 of them have been successfully prosecuted, four have received prison sentences, and two have received suspended sentences? While we are on the subject of Hackney, perhaps he can explain how it has come about that the immigration department, a part of the Home Office, is in unlawful possession of 600 African names from the payroll in Hackney, in clear contravention of the Data Protection Act 1988? The Secretary of State for the Home Department has yet to explain that unlawful activity on the part of his staff.

Mr. Deputy Speaker: Order.

Mr. Stephen: On a point of order, Mr. Deputy Speaker—

Mr. Deputy Speaker: Order. The occupant of the Chair does not need reminding. That was a long intervention.

Mr. Hanley: It was a long intervention, and I am certain that the hon. Member for Holborn and St. Pancras

[Mr. Hanley]

will make his speech a little later, but I rather took what he said as a plea of guilty. He is admitting that all those things have been happening in Hackney. It was a breathtaking acknowledgement that what we have been saying has been happening in Hackney over the years has actually happened. Belatedly, he is now trying to get his act together.

Mr. Dobson: Will the right hon. Gentleman give way?

Mr. Hanley: Certainly. The hon. Gentleman is rising like a salmon to the fly.

Mr. Dobson: I have never thought of myself as being as elegant as a salmon. The right hon. Gentleman levelled an accusation against Hackney council that it was not taking action against fraud, but it has been taking such action. If he had checked, and if he had been a Minister in the Department of the Environment, he could have been properly briefed that, for four successive years, the district audit or has commended Hackney for its action against fraud.

Mr. Hanley: I have nothing further to add to what I said earlier. I am absolutely certain that the Hackney case will come up during speeches by Conservative Members and, no doubt, by Opposition Members, but the hon. Gentleman seems to have lost his smile. He is looking a little angry. Perhaps the reason is not just that he is now hooked on the Hackney fly, but that he recognises that we shall refer to council after council today, and he will do no more than admit that illegalities, corruption, waste and mismanagement have been going on and that it is the council tax payer who has lost.

We have Birmingham, Greenwich, Humberside and Ealing, to which my hon. Friend the Member for Ealing, North (Mr. Greenway) referred, and where the council intended to ask people applying to a youth centre what their sexuality happened to be. Why? The list goes on. In Avon, for example, the funding of the local scouts, as the hon. Member for Holborn and St. Pancras knows so well, was withdrawn, and instead £2,300 was given in grants to the lesbian-bisexual women's group. That is just typical of the priorities that Labour councils have.

Mr. Dobson: Will the right hon. Gentleman give way?

Mr. Hanley: No, I will not give way. I will make a little progress.

Mr. Dobson: The Minister is lying.

Mr. Deputy Speaker: Order. Did I hear the hon. Member for Holborn and St. Pancras (Mr. Dobson) say that the Minister was lying?

Mr. Dobson: You did and I withdraw, but the Minister was not telling the truth. *[Interruption.]*

Mr. Deputy Speaker: Order. The occupant of the Chair is quite capable of dealing with these exchanges without the help of Back-Bench Members on both sides of the House. The hon. Member for Holborn and St. Pancras may think that that is sufficient, but I—

Mr. Dobson: Mr. Deputy Speaker, I should not for a moment wish to embarrass you. I shall withdraw, but I shall spell out the truth in my speech.

Mr. Hanley: I should like to know what it is that the hon. Gentleman believes that I have said that he disagrees with.

Mr. Dobson: Will the right hon. Gentleman give way?

Mr. Hanley: I shall give way if the hon. Gentleman tells me exactly what it is that I have said that he believes so strongly has misled the House, because I certainly disagree. *[Interruption.]*

Mr. Deputy Speaker: Order. The House must settle down. As I understood it, the hon. Member for Holborn and St. Pancras has already withdrawn his remarks, so I do not know why it is necessary for him to explain them, but if the Minister wishes to give way, he will do so.

Mr. Dobson: He is not a Minister actually; well he is—Minister Without Portfolio. Both today and at the beginning of the local election campaign, he said that Avon council had withdrawn its £6,000 annual funding for the Scout Association. The fact is that that council gave £37,000 to scouts and guides in Avon in the year concerned.

Mr. Hanley: I was referring to a report in *The Times*, no less, the journal of record. *[Interruption.]* I hope that the proprietor of *The Times* will notice the way in which Opposition Members refer to that newspaper. That report appeared on 2 March 1995, so it is very much up to date. I assure you, Mr. Deputy Speaker, that I have chapter and verse on all the allegations that will be made here today. I am grateful. I can see why the Labour party started its local election campaign only two and a half weeks before polling day: it was embarrassed and ashamed of its record in local government.

I was mentioning some of the councils, such as Birmingham, Greenwich, Humberside and Ealing. How about Manchester, Kirklees, Newcastle upon Tyne and Nottingham, where a central equality unit monitors the work of all other departments, and where a helpline has been established to help the victims of wolf whistling? That is something on which a great amount of money should be spent.

Lady Olga Maitland: It is extraordinary that compensation should be given to victims of wolf whistling. I would be rather thrilled if I was wolf-whistled.

Mr. Hanley: One day the Labour party, with its political correctness and because it has reversed almost all its policies over the past 10 years, may set up helplines for all those who are the victims of not being wolf-whistled. No doubt it is but a matter of time under new Labour.

Mr. Dobson: Will the right hon. Gentleman give way?

Mr. Hanley: No, although I may do so later. [HON. MEMBERS: "Give way."] No, I want to continue my catalogue of Labour councils' irresponsibility.

Dr. John Reid (Motherwell, North): Will the right hon. Gentleman give way?

Mr. Hanley: Not at this moment. I want to give a few more examples. [HON. MEMBERS: "Give way."] No, I intend—

Dr. Reid: Will the right hon. Gentleman give way on the subject of wolf whistling?

Mr. Hanley: Of course—we are dying to know why the hon. Gentleman and his party regard it as such a serious and heinous crime.

Dr. Reid: We do not regard it as a serious and heinous crime. The right hon. Gentleman is, due to past

experience, a master on the question of sexual discrimination. Can he tell us the cost of the wolf whistling unit? Does it bear any relationship to the more than £50 million that he stupidly and foolishly cost the defence budget because of his rampant discrimination against pregnant women? Does not that put the issue into context?

Hon. Members: Answer.

Mr. Hanley: I am sure that you, Mr. Deputy Speaker, will agree that discussing the policy of the Ministry of Defence is hardly in tune with this debate. *[Interruption.]* The hon. Gentleman knows that I will willingly debate with him the Ministry of Defence or any other issue that he might care to name, but not on this occasion. I have so much more to tell him about Labour local authorities.

How about Southwark, Harlow and Hillingdon? What about Liverpool and Wakefield? I do not know whether my hon. Friends are aware, but all "Men at work" signs in Wakefield have been replaced, at vast public expense, with "People at work" signs—*[Interruption.]*—according to a newspaper report on 2 March 1995. *[Interruption.]*

Mr. Deputy Speaker: Order. The House must settle down. This debate is rapidly becoming a farce. *[Interruption.]* Order. The House will settle down and get on with serious debate.

Mr. Hanley: I know that you and I, Mr. Deputy Speaker, greatly enjoy "Dad's Army". To quote one of the characters, "They don't like it up 'em." Labour Members deride us for exposing the activities of their Labour councillors.

Islington—the home borough of the right hon. Member for Sedgefield (Mr. Blair)—illustrates most painfully the dangers of political correctness. Islington council, under the then leadership of the hon. Member for Barking, was accused in an independent report of being so concerned about offending black or gay staff that it failed fully to investigate allegations of abuse in children's homes. That is a serious accusation, which should not be treated lightly. I hope that the hon. Lady will put her side of the case later. Indeed, I hope that the hon. Member for Holborn and St. Pancras will also refer to that disgraceful episode.

Political correctness to such an extreme has arisen directly from a culture of subservience to interest groups. Most prominent among the interests that Labour councils serve are the trade unions. This Government have legislated for compulsory competitive tendering in many areas of council service provision. Councils that have embraced that opportunity have delivered savings for taxpayers and quality services for customers. Labour councils have fought against that at every turn.

Indeed, on the very day that the right hon. Member for Sedgefield said that his was now a new Labour party, the right hon. Member for Kingston upon Hull, East (Mr. Prescott) said, in a speech broadcast live and in its entirety by the BBC, "Don't worry brother, we're going to scrap compulsory competitive tendering"—

Mr. Dobson: Yes, we are.

Mr. Hanley: That proves that the Labour party puts the providers of council services ahead of those for whom those services are provided, as the right hon. Member for Kingston upon Hull, East said. In other words, the right hon. Gentleman is saying that he does not want the best value for money; he wants to ensure that the boyos get the jobs.

Mr. Dobson: Will the right hon. Gentleman give way?

Mr. Hanley: No, the hon. Gentleman will have his opportunity later.

We must remember that that was the same day, the same 24 hours, when the deputy leader of the Labour party said that there would be a new strikers charter giving strikers privileges the like of which were not seen even under Michael Foot.

We cured this country of what used to be known as the British disease—strikes everywhere. Working days lost through strikes are now only 1 per cent. of what they were when we took office. The right hon. Member for Kingston upon Hull, East is a carrier of the British disease and he wants to infect industry, the public and council services all over again. The reason why 40 per cent. of all inward investment in Europe comes to the United Kingdom—just one member of the European Union—is that we have cured the British disease, we give better value, we are able to improve exports, and those who come here get a good return for their money because of the industrial climate that now prevails and which the Labour party would put at risk.

Even today, as the hon. Member for Holborn and St. Pancras has just confirmed, the Labour party remains committed to the abolition of CCT, despite the fact that a study from the Institute of Local Government Studies showed that CCT led to average savings of 7 per cent. of contract value, often combined with quality gains. Even the Labour leader of the Association of Metropolitan Authorities, Sir Jeremy Beecham, wrote that

"compulsory competitive tendering has brought some cost effectiveness and genuine saving which might not otherwise have been achieved."

That is to be thrown out in favour of the trade unions. It is not the new Labour party; it is the same old party that gives privileges to the unions. The hon. Member for Holborn and St. Pancras has confirmed that again today.

Mr. McLoughlin: Is my right hon. Friend aware of an answer that I received a couple of weeks ago from the Department for Education, which shows that, over the past seven years, the amount of money spent on school meals in Hereford and Worcester—which is under Conservative control—was £12 million, while in Derbyshire it was £115 million? Should not that money have been made available to build more new schools?

Mr. Hanley: I agree with my hon. Friend. I want all hon. Members to have the opportunity to contribute to the debate, so I shall not accept any further interventions from either side. *[Interruption.]* I am sure that hon. Members will wish to make their own speeches.

Why does the Labour party oppose the clear route to quality services at a lower cost? It is because its trade union masters tell it so. Is it any wonder that in the past two years, the Government have had to take action against 11 Labour councils for anti-competitive behaviour? Many councils use CCT well. Many councils take their decisions without kow-towing to trade union representatives. Many councils are not subject to the abuses of political

[Mr. Hanley]

correctness or bureaucratic excess in support of left-wing causes—but many others are, like Sheffield, where the leader has declared that his council is

"committed to keeping council services in-house whenever we can."

Where those services are kept in-house, a pattern emerges of dominant Labour or Lib-Lab control, of trade union dominance in council affairs, of political correctness and of wasted spending on bloated self-justifying bureaucracies, even though the needs of many of the residents for front-line services are very great.

Of increasing concern to many people is that that pattern of misconduct in some parts of local government is growing, both in the number of councils caught up in such behaviour and in the seriousness of the consequences. The examples multiply. Labour and Liberal Democrat councils spend tens of thousands of pounds on promoting trade union activity among their own staff, in some cases at the same moment as they claim that they cannot fund teachers' pay settlements. Labour councillors in Mid-Glamorgan voted themselves a fourfold increase in their allowances. It was only when my right hon. Friend the Prime Minister stung the Leader of the Opposition that this was real Labour, not the ad man's image of new Labour, that he had the wit to do something about it.

And another thing: criminal elements are trying to move in and exploit the failings of some Labour councillors. The Labour leader in North Tyneside said:

"criminals are trying to win influence in local politics".

Nor, regrettably, is the corruption and malpractice within the Labour party confined to the activities of criminal infiltrators. Serious allegations and investigations into fraud and other forms of corruption have taken place in several Labour councils within the past two years.

At this time, the Labour party is conducting internal investigations into the conduct of its own members in no fewer than eight constituencies, many of them involving the conduct of councillors. That is from the party of which the only national policy is to demand independent public inquiries into every aspect of Government behaviour.

In four Birmingham constituencies—Ladywood, Perry Barr, Sparkbrook and Small Heath—a closed Labour internal inquiry is investigating allegations that up to £2 million of urban renewal grant has been used to buy votes in parliamentary selection contests. In Bradford, Manchester, Tower Hamlets, Leicester and Paisley, the Labour party is investigating its own activities behind closed doors. In three more Labour areas—Corby, South Tyneside and Bracknell—Labour members are suspended following serious allegations. For example, in South Tyneside the council has been torn apart by factions within the ruling Labour group. Labour councillors have accused their own colleagues of discriminating against certain wards in the allocation of funds.

In six Labour-run areas—Paisley, North Tyneside, Greater Manchester, Liverpool, North Shields and Tameside—police investigations are on-going. In Tameside, for example, Greater Manchester police are investigating £2 million of losses made by a company set up by the Labour council, the board of which was full of Labour politicians. The district auditor commented that their appointment had

"more to do with political affiliations than skill or expertise."

Glyn Ford, a Labour Member of the European Parliament, said that the voters of Tameside deserved an apology. They have yet to get one.

The House will know that the very serious allegations that have been levelled against the Labour party in Monklands are almost breathtaking. Nepotism, discrimination in capital spending and failure to declare interests have all been alleged. Professor Black, who has prepared the report, has apparently passed on certain complaints to the Crown Office. My right hon. Friend the Secretary of State for Scotland has acted to set up a statutory inquiry. The Labour party has failed to act.

Mr. Norman Hogg: Will the right hon. Gentleman give way?

Mr. Hanley: The hon. Gentleman may make his speech in his own time. He has had two years, if not three, to explain the position in Monklands.

Mr. Hogg: The right hon. Gentleman has been prattling on for 45 minutes.

Mr. Hanley: One of the reasons is the hon. Gentleman's interventions.

An internal inquiry was held in Monklands—

Mr. Hogg *rose—*

Mr. Hanley: I am not surprised that there are diversions coming from the Labour party when we mention Monklands.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. This is the worst speech that we have ever heard. It is perfectly obvious why this Minister has no portfolio. He is not—

Mr. Deputy Speaker: Order. That is not a point of order for the Chair.

Mr. Hogg: I was coming to the point of order.

Mr. Hanley: It is interesting, Mr. Deputy Speaker—

Mr. Deputy Speaker: Order. I understand that the hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) wants to continue with the point of order because he has not got to the genuine point of order.

Mr. Hogg: The point of order is this. The right hon. Gentleman has attacked Opposition Members for creating diversions, but it was Conservative Members who called a Division on a very dubious point—

Mr. Deputy Speaker: Order. Everything that has taken place in the House this morning has been in order. If it had not been, the Chair would have ruled it out of order.

Mr. Hanley: I voted against the motion that was moved from Conservative Benches. I notice that the hon. Gentleman did not do so.

Mr. Hogg: I did not.

Mr. Hanley: Well, is not that surprising? Perhaps he supported it.

I had a small bet with a gentleman from the fourth estate that as soon as I mentioned Monklands, there would be a stream of interventions from Opposition Members. The Labour party had an internal Scottish inquiry on Monklands prepared in 1993. It took no action on it. Two

and a half years ago, my hon. Friend the Member for Dover (Mr. Shaw) exposed some of the goings-on in Monklands. Yet in January 1993, the hon. Member for Monklands, West (Mr. Clarke) called it muck-raking. When my hon. Friend the Member for Winchester (Mr. Malone), in his then capacity as deputy chairman of the Conservative party, exposed the malpractices in Monklands in documented form, an unnamed Labour party spokesman described his attack as desperate and dismissed it out of hand.

As long ago as February 1994, 81 Opposition right hon. and hon. Members signed an early-day motion in which they described attacks on Monklands as smear tactics. Have those 81 withdrawn their defence of the indefensible? It seems not. Conservative Members will carry on exposing the corruption and malpractices of Labour councils.

Lady Olga Maitland: Will my right hon. Friend give way?

Mr. Hanley: No. I am sorry. I have said that I will not accept any more interventions, even from my hon. Friend.

The Labour party always cries smear, but unlike Labour Members, we shall not treat as proven that which is merely alleged. We shall not treat as systematic that which is unique. But we shall expose to full view the pattern of abuse of public money and public office that sadly has followed only too often and only too surely when Labour dominates council business and trade unions dominate Labour politics. That is the reality of Labour in power. It is a deeply unwelcome feature of local government.

The British people thought that Labour had banished the loony left. They heard the former right hon. Member for Islwyn, Mr. Neil Kinnock, decry Labour councillors for playing politics with people's lives. Yet that is exactly what Labour councillors do today. The same old Labour party in its new politically correct clothing is worming its way back, under cover of Labour dominance, into some of our urban areas.

The Conservative Government have created strong agencies that tackle malpractices by means of disclosure and propriety requirements for councillors, audit and reporting requirements, performance comparisons and requirements for competitive tendering. Conservative councillors are fighting abuse.

Liberal Democrats make pacts with Labour. The Labour party clamours for Lord Nolan to investigate every facet of public life except local government. The Government can be trusted to fight misconduct in local government wherever it arises. I only wish that we could say the same of the Labour party.

10.37 am

Mr. Frank Dobson (Holborn and St. Pancras): Given that the debate is about local government, one would have expected that, as no fewer than three Secretaries of State have responsibility for local government—the Environment Secretary for local government in England, the Scottish Secretary for local government in Scotland and the Welsh Secretary, whoever he may be, for local government in Wales—at least one of them could have dragged their weary limbs into the Chamber today. Instead of that, the debate has been opened by someone who, for the purposes of the debate, has the alias of Minister Without Portfolio, but is in fact the chairman of the Tory party—a party in the middle of a leadership campaign.

I suspect that we are all uncertain as to who may or may not win the first round of that election, whether there will be a second round and so on, but there is one thing of which we can all be pretty certain. The right hon. Member for Richmond and Barnes (Mr. Hanley) will not be doing his job for much longer. He stands up at the Dispatch Box as if making an appearance at the last chance saloon. He is making a last public performance. He is a cross between Dame Nellie Melba and Captain Oates before he walked out.

One could reasonably claim that the right hon. Gentleman is well qualified to open the debate because he was in charge of the Tories' last local election campaign. We have heard from the right hon. Gentleman that the public got it wrong. In some way or other, the fact that they voted Labour was all a mistake. It rather reminds me of Mark Twain, who said, "They tell me Wagner's music is better than it sounds." It looks as if the Minister is saying that the election results were better than the figures show. As result of the chairman of the Tory party masterminding the campaign in the local government elections this year, the Tories now control not a single council in Scotland—despite having gerrymandered the boundaries to keep control. The Tories did the same in Wales, and they control no council in Wales.

In this year's district elections, the Tories managed to hang on to control of just eight councils in the whole of England. We used to talk about the "Tory shires", but we discovered in the county council elections that that had been reduced to the singular Tory shire of Buckinghamshire. We can add that one shire county to the eight district councils and the five London boroughs which the Tories control.

The Secretary of State—sorry, the Minister Without Portfolio and chairman of the Tory party—talked this morning of 13 Labour local authorities where the police are conducting investigations.

Mr. Hanley *indicated dissent.*

Mr. Dobson: What figure did he give?

Mr. Hanley: Six.

Mr. Dobson: That means that the Tories control about twice as many councils as the number of Labour councils that the right hon. Gentleman claims are being investigated.

Mr. Hanley: The hon. Gentleman is misquoting me. There are six police inquiries on-going—in Lambeth, North Tyneside, Bradford, Tameside, Paisley and North Shields. Those are in addition to the conviction which occurred recently in Derbyshire. I said that Labour was carrying out 13 internal investigations, which means that the Labour party must know that something is very wrong.

Mr. Dobson: Let me try to show the scale of the problem. Labour controls 230 local authorities. It is apparently conducting internal investigations into party matters in 13 of them, and the police are involved in six. Let me explain to the famous Minister Without Portfolio what is happening in the five London authorities that his party controls. The district auditor has said that the right

[Mr. Dobson]

hon. Gentleman's Tory friends are guilty—he has not said that there are allegations against them—of misplacing £31 million, and is investigating the fiddling of other moneys leading to a total of more than £100 million.

The district auditor, who was appointed by the Government, has said that Wandsworth council was breaking the law on homelessness and was losing money for the people of Wandsworth. There was rampant fraud in Bromley a couple of years ago, and my hon. Friend the Member for Brent, East (Mr. Livingstone) will no doubt point out that a great deal of fraud is being committed in Brent. Out of five Tory-controlled councils in London, four have been done over either by the district auditor or the police.

If the right hon. Gentleman is not content with that, I can add that the Tories have managed to get involved in Lambeth, where a Tory councillor and his Tory friend have just been found guilty of working a benefit fraud. If they had been Labour people, the story would have been all over the right hon. Gentleman's speech. Somehow, however, it did not get a mention.

Mr. Ken Livingstone (Brent, East): Is my hon. Friend aware that, of the 33 Conservative councillors in Brent, five are being investigated by the police, two by the ombudsman and five by the district auditor, while six are facing internal investigations? I wrote to the chairman of the Conservative party to say that I was concerned about corruption in Brent, but the right hon. Gentleman took no action and suggested that I told the police. I did tell the police, who are doing a lot of work.

Mr. Dobson: I said that my hon. Friend would spell out in more detail what is happening in Brent.

Dr. Reid: I believe that the allegations of benefit fraud in Lambeth concern Tory councillors who were taking money under false pretences without doing any work. Does my hon. Friend realise that if they had classed themselves as "workers without portfolio" they would have been entitled to the money, despite doing no work?

Mr. Dobson: They would not have been the first Tories to take money under false pretences.

Mr. David Wilshire (Spelthorne): I have tried not to join in the shenanigans thus far because I believe that there are some serious points to be made. However, I want to raise a serious point with the hon. Gentleman for the avoidance of doubt. I understand what he is trying to do by way of pointing to the 13 councils that are still Conservative-controlled. Will he clarify that he is not suggesting that all 13—including my local council, Spelthorne borough council—are, by definition, involved in any way in these shenanigans, as my local council would wish to have that cleared up?

Mr. Dobson: I shall come to that matter, but I wish to point out that I think that the bulk of councils and councillors of all political persuasions try their best to do a decent job for the people who elected them. It is preposterous for Conservative Members to suggest that any shortcomings are only on the Labour side and any virtues on the Tory side.

The Minister Without Portfolio started the Tory local election campaign with a wild collection of smears in a document which contained 79 accusations against the Labour party, nearly all of which we rebutted. I say "nearly all of which" because we acknowledged that one or two of the things said in the document were right.

The Minister accused Strathclyde council—presumably deviously and secretly—of conducting a referendum. Indeed it did, and 79 per cent. of the people of Strathclyde made it clear that they did not like the Government's proposals—

Mr. George Robertson: It was 97 per cent.

Mr. Dobson: I have made a transposition, Mr. Deputy Speaker. It turns out that 97 per cent. of the people of Strathclyde who took part in a referendum stated that they did not agree with the Government's crackpot idea of selling off Scottish water in the way in which English water had been sold off to the Tories and their mates.

Another typical example of the accusations contained in the document was that Birmingham city council had spent money on sending a leading and distinguished member of the council to South Africa. Indeed it had. At the invitation of the Foreign Office, the council had sent the Lord Mayor of Birmingham to take part in the supervision of the first democratic elections in South Africa. He was proud to go, and the city of Birmingham was proud to finance him. We should not get such cheapjack accusations from the Government.

The very first example in the famous list of the Minister was the false accusation that Avon council had cut off its grant to the local scouts. We investigated, and it turned out that the council was not paying £6,000 to the local scouts—it was paying £37,000. The right hon. Gentleman fell back by saying that it was "in a newspaper". Ministers speaking from the Dispatch Box should not base their facts on a newspaper, least of all a newspaper whose proprietor is Rupert Murdoch.

The trouble is that when the allegations are rolled out, the *Daily Mail*, the *Daily Express* and the Murdoch newspapers roll in behind and publish them. The BBC, in its usual exercise of editorial independence, gives the allegations a further run out. Every accusation which was levelled against the Labour party during that campaign was effectively and immediately rebutted, to such effect that even the *Daily Mail*, the *Daily Express* and *The Sun* gave up on their campaign after a couple of days.

Lady Olga Maitland: On the subject of smears, will the hon. Gentleman join me in condemning the comments made by the hon. Member for Barking (Ms Hodge) when she was the leader of Islington council? When challenged about the appalling cases of the sexual abuse of children, she dismissed the allegations as "sensationalist...gutter journalism". The hon. Gentleman knows that that has been totally discounted, and that there were many serious cases. Some 32 children gave dreadful accounts of their lives, but the hon. Lady dismissed that as "gutter journalism".

Mr. Dobson: My hon. Friend the Member for Barking (Ms Hodge) is here, and will no doubt deal with the matter herself. We in the Labour party have made it clear that it is wrong to molest children and wrong to permit children to be molested. However, our system is most unsatisfactory, and that is not all the fault of Islington council. Under the present system, with which the Government are apparently satisfied—*[Interruption.]* The

mouth of the hon. Member for Sutton and Cheam (Lady Olga Maitland) drops open. Perhaps she will open her ears for a moment, rather than her mouth, and listen.

The fact is that a number of people were suspected of molesting or interfering with children in Islington, but we do not have in place a system whereby those people who are suspected of such offences can be logged and traced. It is not the fault of Islington council that some of those people may presently be working for other authorities and molesting children there. We have been pressing for an adequate system to make sure that such people are picked up so that if they leave the employ of one authority they are prevented from getting jobs with other authorities. Those matters are the responsibility of the Secretaries of State for the Environment and for Social Services, but they have failed to take any action. There is no point in them blaming everybody but themselves.

As I have said, Labour believes that most councils, councillors and council staff do their best in difficult circumstances to help the people whom they are trying to represent. That applies whether the councils are Labour-controlled or in the hands of any other party. I suspect that, in his better moments, the Secretary of State for the Environment shares that view, which is why time and again during the election campaign he distanced himself from the smears that were being lobbed at the Labour party and Labour councils by the right hon. Member for Richmond and Barnes. The Secretary of State is not here today because he is not prepared to take part in such practices.

Mr. Stephen: Will the hon. Gentleman give way?

Mr. Dobson: No, I will not.

The Labour party also acknowledges that things go wrong and that in local government there is incompetence, waste, favouritism, fraud, and theft, but it is not confined to Westminster council: it is all over. We do not say that it is just in Tory Westminster but acknowledge that it arises wherever there are large institutions. It occurs in local and central government and we now know that it occurs within the Metropolitan police and the armed forces and in private businesses large and small. The questions that arise are: what is done to prevent it, how seriously is it taken, what is done to root it out if it is not prevented, and what action is taken to catch and punish wrongdoers?

If I understood him correctly, the right hon. Member for Richmond and Barnes apparently criticised the leader of North Tyneside council for saying that some criminal elements were trying to move into the political process there. If it is happening there, he was right to say it because until one acknowledges it, one cannot do anything about it. Why was that leader in the list of villains? He should have been listed as one of the people who had identified what was going wrong and who was determined to do something about it.

That is the difference between our party and the Tories. They call press conferences, issue generalised smears and ring up their friends in the gutter press and make blunderbuss accusations, but they never take any action. The Minister Without Portfolio and chairman of the Tory party was on the "Today" programme with me during the local election campaign. He came out with a list of accusations and I said, "Take them to the police." He never did.

Mr. Hanley: I did.

Mr. Dobson: Oh no you did not.

Mr. Hanley: Six this morning—

Mr. Deputy Speaker: Order.

Mr. Dobson: They had been put to the police long before the right hon. Gentleman raised them. The Tory party does nothing about those matters, but we believe that if we hear any evidence or any allegations, they should be investigated. If they are matters for the district auditor, they should be referred to him, and we do that. If they are matters for the police we refer them to the police. If they are matters relating to the internal affairs and rules of the Labour party, we investigate them ourselves. We publicly condemn wrongdoing wherever it occurs even if it is by Labour councils: we do not confine our criticism of wrongdoing to our political opponents.

Mr. Hanley *rose—*

Mr. Dobson: I shall give way in a moment. We do not defend fraud or theft; nor do we defend political gerrymandering, but the Tories do. Never over the past 15 years has a Minister uttered at the Dispatch Box one word of doubt or criticism about the activities of Westminster council. Until one does, we know that we cannot take the Tories seriously on this matter. They engage in cheap political pandering and I shall now give way to the chief political panderer.

Mr. Hanley: When did any responsible member of the Labour party, including its leader or his predecessor, know of wrongdoing in Monklands?

Mr. Dobson: I shall come to Monklands: I shall not try to evade it and my hon. Friend the Member for Hamilton (Mr. Robertson), who is the shadow Secretary of State for Scotland, will deal with it even more extensively at the end of the debate.

Mr. Hanley: Answer.

Mr. Dobson: I shall answer, but I shall do it in my own time in my own speech. No Tory Minister has ever said anything adverse about Tory Westminster council, and the wrongdoing in that council outranks that in all the other councils put together. The district auditor is currently considering the misapplication of funds in excess of £100 million, which was carried out knowingly by leading Tory councillors.

Mr. David Shaw (Dover): That is what the Labour party says.

Mr. Dobson: No, it is what the district auditor says, not some clown from Dover—

Mr. Shaw: Will the hon. Gentleman give way?

Mr. Dobson: No I will not.

Mr. McLoughlin: On a point of order, Mr. Deputy Speaker. The hon. Member for Holborn and St. Pancras (Mr. Dobson) has just referred to my hon. Friend the Member for Dover (Mr. Shaw). When one hon. Member refers to another, is it not a courtesy to give way to him?

Mr. Deputy Speaker: The hon. Member for Holborn and St. Pancras (Mr. Dobson) used the word "clown". Perhaps he would like to consider withdrawing it.

Mr. Dobson: I am taken aback by the idea that calling someone a clown is out of order. If it is out of order, I withdraw it immediately.

Mr. Deputy Speaker: Order. It is not parliamentary nor is it complimentary.

Mr. Dobson: I can see that you wish to defend the reputation of other clowns, Mr. Deputy Speaker. *[Interruption.]*

Mr. Deputy Speaker: Order. The House must settle down and get down to the serious business that is before it.

Mr. Dobson: Before, apparently, the cap fitted, I was saying that the district auditor, not someone from the Labour party but an official who is appointed by, in effect, the Government and who is drawn from a City firm of accountants, says that Westminster city council has misapplied £21 million in the homes-for-votes scandal. He also says that it has deliberately, and knowingly, not collected £31 million in service and repair charges from leaseholders. He is investigating allegations that £7 million has been lost in shady property deals. We know that £3.5 million was lost buying back cemeteries that were then sold for 5p.

The cost of auditing this preposterous stinking stable in Westminster now amounts to more than £2 million. What have we heard from the Tories who criticise councillors for minor wrongs? Even those are wrong, but this is not minor stuff. The explanation for Tory Front Benchers not criticising Westminster city council is that Tory Ministers, past and present, have been in it up to their necks. They knew what the Tory councillors were doing: they were at the meetings when it was all planned.

Mr. Bill Walker: On a point of order, Mr. Deputy Speaker. I am not a lawyer so I apologise in advance if anything that I say is not in order. I understand that this case is under some kind of judicial review. If that is the case, is there not a question of it being sub judice?

Mr. Deputy Speaker: The Chair is not aware that it is under any judicial review whatsoever.

Mr. Dobson: Just to keep the hon. Gentleman informed, because his would have been a legitimate argument if what he was saying had been true, there is no current hearing. There has been a hearing; we are awaiting the outcome. It is therefore not sub judice under a ruling that has been previously given in the House, as I understand it. The next thing is—

Mr. Deputy Speaker: Order. There appears to be some concern whether it is sub judice. I have given a previous ruling, but, based on what I have already heard, I will cause it to be investigated.

Mr. Dobson: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: The hon. Gentleman, in those circumstances, will refrain from referring to it.

Mr. Dobson: I was about to move on to other aspects of the Westminster scandal, so I am happy to do so.

The matter that should be the subject of a judicial review, but sadly is not, is the fact that the Government have rigged the grant system in favour of Westminster city council and against the interests of people in every other part of the country.

The grant system was rigged with the knowledge of the current Secretary of State for the Environment, because his name appears in the minutes, which record that he recognised the political problems that would confront Westminster if the poll tax and the grants were not rigged in its favour. They were rigged in its favour so that Westminster could keep down its poll tax and council tax.

Westminster city council receives more grant from the Government per head of population than almost any other council, and far more than it is properly entitled to. You do not have to take my word for it, Mr. Deputy Speaker. You can take the word of the present chief executive of Westminster city council, who has now admitted on paper that the council is "double compensated" for the tourist and business traffic. That means that, to help to pay for the problems that arise from tourists and visitors coming into the city of Westminster daily, the council receives a large grant, but the grant is not offset by the more than £20 million that it receives each year in parking charges. As a result, Westminster city receives £20 million more than it should.

That is how Westminster benefits, and that is why its council tax is so low. It is not because it has a cheap and efficient council. The report of the Audit Commission—which no Tory can dispute, because it was set up by the Government and its members were appointed by the Government—shows that Westminster has the most costly refuse collection in Britain, twice as expensive as the next most expensive borough and twice as expensive as the neighbouring boroughs. It also has the most costly street cleaning system, twice as expensive as the neighbouring boroughs. I have to say to the Minister, who is so keen on compulsory competitive tendering, that both those are subject to compulsory competitive tendering and they remain the most expensive in Britain, so it shows that CCT is not quite as good as he reckons.

Westminster also runs the most expensive housing benefit administration in the country. It spends twice as much as Camden, which is next door, and is only two thirds as efficient. We have not heard a peep from the Tories about that. No one has said, "I agree; I do have my doubts about good old Westminster council. Perhaps we should have a look at it."

The Secretary of State was asked by some of the objectors to what was happening in Westminster to call a special audit, but he refused. All the effort has been left to local objectors and the district auditor, and now the Westminster Tories are trying to pillory and undermine the authority of that district auditor. Conservative Members are more likely to attack the district auditor than to attack Westminster city council.

I contrast that with Labour's attitude. When allegations were made about Birmingham, the appropriate matters were referred to the ombudsman, others were referred to the district auditor and others to the police. They were all referred to those proper authorities by Labour people or the Labour council or both. In our opinion, one needs to call in the proper authorities without fear or favour whenever there is any wrongdoing.

Let me take another example—Lambeth. Lambeth has a disgraceful record. It has not been sorted out; it should have been sorted out years ago. The Labour-controlled council set up an independent inquiry under a Queen's counsel, Elizabeth Appleby. Her report is awaited. However, in contrast, Ministers have taken little or no action regarding the position in Lambeth. They have preferred to have Lambeth festering away as a basis for anti-Labour propaganda than to take any action.

We say, and have said for a long time in all our documents, that the system for spotting and tackling fraud does not work properly, that it needs to be strengthened and that it is not being strengthened. We say no more than

that. We have taken disciplinary action against councillors in Lambeth, but we believe that the general position in England is unsatisfactory.

The district audit service has proved that it is not coping with deep-seated fraud in many councils of all political persuasions. It needs to be toughened up, and we want that to be done. We believe that the Secretary of State should be put in a position so that, after an audit report, he can set up an inquiry and, if necessary, take action to put right matters that councils are failing to put right. That can already be done in a limited number of spheres in England, but the Government are not doing that and we believe that they are failing in their duty; they always want to be able to blame someone else. We want a tougher audit service, a tougher Audit Commission and more active Ministers.

Mr. McLoughlin: I am grateful to the hon. Gentleman for clearing up the matter on which he has just expanded in relation to the greater controls that he wants. Can he tell us of any occasion when the Government have sought to take action against councils when the Opposition have supported such action? For instance, did the Opposition support us when we had to take action against Liverpool city council and sent in commissioners? The Opposition did not publicly support us.

Mr. Dobson: No Tory Member should level accusations of ineffectiveness against the Labour party in relation to Liverpool or make claims of Government effectiveness. If officialdom had been as good at sorting out the wrongdoers in Liverpool as the Labour party has been, we would all have been a damned sight better off.

As for Monklands, I remind those Conservative Members who are not from Scotland that in Scotland the Secretary of State for Scotland has certain general powers to intervene when he is not satisfied. It is now more than two years since the Labour party invited the Secretary of State for Scotland to exercise those powers.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): Perhaps I may ask a simple question: in that case, did the Labour party suppress the evidence in its own report instead of letting the Secretary of State have it and thus allowing him to proceed much earlier?

Mr. Dobson: Lord Jim ought to be able to remember things a bit better than that, or else he should get himself clued up or improve his memory. The Labour party did set up an inquiry into things to do with the Labour party and Monklands council. That inquiry reported in March 1993 and, contrary to what the Prime Minister said in the House of Commons last week, the report was published.

Lord James Douglas-Hamilton *rose—*

Mr. Robert G. Hughes *rose—*

Mr. Dobson: No, I will not give way.

There were then inquiries by both the police and the Scottish equivalent of the audit service, and neither of them identified wrongdoing by individual members of Monklands council. Perhaps they should have done, but they did not. The appointed authorities did not identify wrongdoing.

The Labour party remained dissatisfied with the position and therefore persuaded the Labour-controlled Monklands council to establish the Black inquiry. The Black inquiry has reported and now, two years after he was first asked to take action, the slovenly Secretary of State for Scotland finally decides to exercise statutory powers.

I do not for one moment claim that some of the things that are alleged to have happened in Monklands are right. Some of them are obviously wrong, should not have happened and should have been stopped. If they are proved, action should be taken against the people involved. That is what Labour's approach has been throughout the country; it is our approach in Monklands and it is our approach in other parts of the country.

In response to all this, the Government have been both cynical and feeble. Our clear challenge to the Government today is to ask whether they will or will not join us in calling for a strengthening of the audit service capacity to deal with deep-seated fraud. Will the Government support our proposals for strengthening the Audit Commission? Will they support our call for the Secretary of State for the Environment to be given and to use new powers when there is repeated failure and wrongdoing in local authorities? At present, the Government interfere in every nook and cranny of local council activity, causing delay, expense, complication and confusion, but they never get anything right.

Leading with my chin, I now come to the matter of councillors' allowances and expenses. There has been a lot of adverse publicity about big increases in expenses. There used to be rules limiting councillors' expenses, but in effect the Government abolished them in England and Wales on 11 January this year when the Minister for Local Government, Housing and Urban Regeneration said:

"Local authorities in England will have greater freedom to decide the level of councillors' allowances. Changes will include scrapping the ceiling"—

that is the official document—

"on what leading councillors can be paid. The current system is too prescriptive and places an unnecessary burden on local authorities. We want to remove the upper limit on the level of allowances. We will require the payment of a basic allowance to all councillors."

That is what the Government said.

On behalf of the Labour party, I said in response:

"We do not think the Government should simply relax the rules for councillors' allowances without proper consideration. We believe the Government should lay down strict rules covering the possible methods of payment."

We went on to say, as we have said before:

"We believe that this matter should be considered by the Nolan Committee to ensure that the rules on councillors' allowances should command the widest possible support and the highest standards of conduct and least scope for impropriety."

That is what we said in January. We meant it then, and we still mean it now.

If people are trying to find out why there have been big increases throughout the country, they should know that the people primarily responsible are those who once had rules in place but who have now taken them away. It is not the job of civil servants in the Box to shake their heads—

Mr. Robert G. Hughes: On a point of order, Mr. Deputy Speaker. Will you confirm that it is not the practice in this House to attack civil servants in the Box, who cannot answer back? That is a cowardly thing to do.

Mr. Deputy Speaker: I confirm that it is the practice not to mention those civil servants.

Mr. Norman Hogg: We will sack them.

Mr. Hughes: On a point of order, Mr. Deputy Speaker. I distinctly heard the hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) say that Labour planned to sack the civil servants. That is a direct attack on civil servants. It is disgraceful and the hon. Gentleman should apologise.

Mr. Deputy Speaker: Order. The Chair did not hear the remark even though the hon. Gentleman may have done. If any hon. Member made such a remark, I have no doubt that he will wish to withdraw it.

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert B. Jones): On a point of order, Mr. Deputy Speaker. I very distinctly heard and I am sure that all my hon. Friends heard the hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) say that those public servants would be sacked.

Mr. Deputy Speaker: If that is the case, the hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) will wish to withdraw his remark.

Mr. Norman Hogg: Of course, Mr. Deputy Speaker. My remark was made merely to bring a certain—[HON. MEMBERS: "That is no excuse."] The hon. Member for Dover (Mr. Shaw)—

Mr. David Shaw: It is not for you—

Mr. Deputy Speaker: Order. I am trying to listen to what the hon. Member for Cumbernauld and Kilsyth has to say. I cannot hear him if I have voices from the Conservative Benches bawling in my ears.

Mr. Norman Hogg: Of course I withdraw the remark entirely, Mr. Deputy Speaker.

Mr. McMaster: On a point of order, Mr. Deputy Speaker. This is not the first occasion on which there has been cause for complaint about the behaviour of some of the civil servants in the Box, although up to now—

Mr. Deputy Speaker: Order. I have already ruled on this matter.

Mr. McMaster: This is a genuine point of order.

Mr. Deputy Speaker: Does it refer to civil servants?

Mr. McMaster: My point of order is this. The previous time when the matter was raised privately—I have asked parliamentary questions about this—I ascertained that special advisers could use the Box, but only with the permission of the Chair. These special advisers are at least semi-political appointments, paid for from the public purse. Will you confirm, Mr. Deputy Speaker, that if there is unacceptable behaviour in the Box, you can cause these people to be removed?

Mr. Deputy Speaker: The rule remains. Civil servants must not be mentioned.

Mr. Dobson: While on the topic, however, there is a clear ruling from Mr. Speaker Weatherill that there may not be in the civil servants' Box anyone who is not a civil servant. On the previous occasion when the chairman of the Tory party took part in a debate from the Front Bench, it turned out that there was someone in the Box who was not from the civil service. I should be grateful, Mr. Deputy Speaker, if you would arrange for someone to ascertain the circumstances on this occasion.

A number of Conservatives have attacked Nottinghamshire county councillors for increasing their allowances. I think that the Nottinghamshire county councillors are wrong and I welcome their recent decision to refer the matter to Coopers and Lybrand as consultants to advise them on what the level should be. I have to point out, however, that somehow or other, Tory Members and Tory newspapers did not notice that the Tory county councillors in Nottinghamshire supported and voted for the increases currently being ascribed only to the Labour party.

Perhaps I may even get the right hon. Member for Richmond and Barnes (Mr. Hanley) to get up and criticise someone. Does he think that the leader of the council in South Staffordshire should have his allowances increased by 1,000 per cent. from £360 per year to £4,000 per year? Does the right hon. Gentleman think that that is wrong?

Mr. Hanley: I have not heard of that. I will look into it through Ministers at the Department of the Environment.

Mr. Dobson: The right hon. Gentleman apparently cannot make up his mind whether a 1,000 per cent. increase is wrong. It may be because he has a sneaking suspicion that South Staffordshire council is controlled by the Tories and that it was the Tories who voted that increase through for their leader. What is sauce for the goose is sauce for the gander. I deplore what has happened in Nottinghamshire and I deplore what has happened in South Staffordshire as well.

As I said at the beginning, most councils and most councillors try to do a good job. I say with pride that most Labour councils do a good job, and that view is endorsed by the Audit Commission. In most cases, it is rather difficult to compare central Government services with local government services, although it is difficult to imagine any local authority being responsible for a shambles on the scale of the Child Support Agency.

There is, however, one ready example by means of which we can compare the performance of central Government and their quangos with local government—the state of the two emergency services in London. The London fire brigade is run by London councils; the London ambulance service is run by Ministers and quangos. The London fire brigade is a first-rate service; the London ambulance service is not. The London fire brigade meets its performance targets; the London ambulance service does not. The London fire brigade successfully computerised its call-out system; the London ambulance service did not. The London fire brigade has had success in improving its management structure and working practices; the London ambulance service has not.

The London fire brigade has more exacting targets. In its high priority areas, the first fire appliance is supposed to be at the scene of the fire or incident within five minutes. The fire brigade succeeds in 94 per cent. of cases. The target for the London ambulance service, which is run by quangos and Ministers, is much lower—50 per cent. of ambulances to get to the incident in eight minutes, but last year only 13 per cent. of them arrived within eight minutes. The ambulances and fire engines run on the same roads and are blocked by the same traffic, but they are run by very different people.

The London fire brigade's new computerised mobilising system means that 94 per cent. of calls are dealt with in 20 seconds. The average time taken for an appliance to leave a fire station after the address of the incident has been identified on the computer is 46 seconds. Just 46 seconds from the time that the fire brigade identifies where the fire is, the first appliance is out on the road.

New technology was brought in for the fire brigade without a hitch. That was achieved by local government at its best, here in London, with all its problems, and it was achieved by Labour-led local government. In contrast, the London ambulance service—led by Ministers and quangos—spent £7.5 million on a computer system which conked out in 1990, then spent £105 million on another computer system which conked out in 1992 on the first day that the service tried to bring it into operation.

The London ambulance service is a quangoid which that reports to another quango, which in turn reports to Madam Quango, the Secretary of State.

Mr. Wilshire: I wish to raise a serious point with the hon. Gentleman in what I hope is a non-partisan way. I agree with him that the London fire brigade is an excellent local government service. Interestingly, it is run by a joint body, not by one council. If I understand the hon. Gentleman correctly, he is agreeing that joint bodies are a perfectly acceptable, first-class way of running services. Is that right? If so, he is undermining one of the arguments for a greater London council to take charge of such bodies.

Mr. Dobson: That joint body has performed magnificently in comparison with the easy comparator, but other joint bodies in London have performed rather poorly.

Mr. Wilshire: They are Labour.

Mr. Dobson: Some of them were not, and they are improving now that they are Labour led.

According to the all-party Select Committee, which is chaired by a Conservative Member, the London ambulance service has suffered what it calls a

"steep decline in performance"

followed by

"a deliberate failure to report"

the extent of the poor performance, and has provided an

"object lesson in how not to manage a public service".

That is what Tories said about the London ambulance service, and they blame the Secretary of State and other Ministers. So it is no good a friend of Ministers coming along here to tell us that local authorities cannot do a good job but that central Government always do a good job, because it is simply not true.

I am proud of the success of individual Labour councils. Each year we put together a tome listing good practice by Labour councils—it is 1.5 in thick this year. I take pride in the fact that my native city of York has led the way. It was the first to introduce citizens charters, long before the Government did that, and it introduced charters that work, charters that people are delighted with. What the council has done has been so popular that despite all the gerrymandering of the recent boundary changes, Labour managed to hold on to the new city of greater York.

Mr. Stephen: Does the hon. Gentleman accept that the time and place for the public to pass judgment on their local councillors is at the local council elections? If so, does he approve of the practice of the leader of the Liberal Democratic party and his colleagues, who urge the electorate to vote on national issues because they know that the record of Liberal Democrat councils does not bear examination?

Mr. Dobson: The main thing that I think of in that context is Rochdale, with Liberals and Tories in an unholy coalition against Labour. If the hon. Member for Shoreham (Mr. Stephen) thinks that Liberals are entirely consistent, he is off the wall altogether.

If the chairman of the Tory party will not take my word about the excellent performance of Labour councils, perhaps he will take the word of the Secretary of State for the Environment, who on Tuesday published a White Paper on housing. That White Paper was generally more notable for what it left out than for what it put in. For instance, it mentioned negative equity and repossession only once each in 60 pages.

However, the White Paper included many items recognising the achievements of councils. It commended Camden council for its high-quality housing benefit service. It also commended Camden, Manchester, Sheffield, Newcastle and Enfield for joining in research projects with the Government on housing transfers. It also commended Reading on a successful hotline to help local people identify empty property. Newcastle, too, was praised for joint developments involving tenants, councillors, housing associations and developers, which have been of great benefit to the people concerned.

The White Paper also commended Thameside, which the right hon. Member for Richmond and Barnes vilified earlier, for the assistance and encouragement that it had given tenants who were underoccupying large flats to move to smaller ones. Just to show that I am not politically prejudiced, I shall add another example of help to tenants that was commended—the efforts of the Liberal council in Richmond, the area that the right hon. Gentleman represents. I understand why the Secretary of State for the Environment did not turn up today; he would have been embarrassed.

The section of the White Paper covering Wales was produced while the right hon. Member for Wokingham (Mr. Redwood) was Secretary of State for Wales. The housing and other developments carried out by Labour councils in Ebbw Vale, Llanelli, Swansea, Penarth and Bridgend were all commended. The Government will be hard put to it to praise a Tory council in Wales because there is none. All those represent the achievements of Labour councils, and they were carried out because the councils spring from local communities, know them, are dedicated to helping them and do help them.

We believe that there are shortcomings in some councils, and we do not want those to mar the record of the many. Councils have been attacked, and fraud has been committed in certain areas. Councils must try to find fraud-proof systems, root out fraud and catch fraudsters. They need more help from the Government, but they do not need continuous abuse heaped on them by the Tories, who often seem to be simply pursuing personal vendettas.

The Government must recognise that for every pound lost by local authorities through fraud, waste or mismanagement, £60 is lost by central Government. I do

[Mr. Dobson]

not suggest that we blame all Ministers for any fraud committed by or against their Departments. If we did we should criticise the Chancellor of the Exchequer for the £4.7 billion that was demonstrated to be being nicked from the Inland Revenue by the compliance activity last year. There are also estimates that £24 billion is lost through tax evasion.

If it is proper to attack Hackney council for benefit fraud committed against it, it is just as proper to attack the Chancellor of the Exchequer for tax fraud. What are Ministers doing about that? If we examine social security, it turns out that £650 million was fiddled last year; that is what the court cases show. Yet we do not criticise the Secretary of State for Social Security for what is going on in the offices, so it is not appropriate for him or anyone else to criticise local authority benefit offices that deal with the same sort of fraud. These sectors should be all of a piece.

I notice that the hon. Member for West Derbyshire (Mr. McLoughlin) has gone now—*[Interruption.]* Oh, he is here; I apologise. He is moving around to confuse the enemy—but the enemies are mainly on his own side of the House. The hon. Gentleman comes up with constant complaints against Derbyshire and the Derbyshire police authority, or at any rate he used to—*[Interruption.]* "Hear, hear," they cry, and I suspect that the hon. Gentleman would have come to the House and demanded some explanations if a senior civilian employed by Derbyshire police had trousered £5 million.

I want to know why the police authority for London—the Home Secretary—did not come here to answer to the House when £5 million disappeared from the books of the Metropolitan police. Why does he not answer for that?

Mr. McLoughlin: The hon. Gentleman must not attribute words to me that have not been used. Can he give me a reference for a time when I have criticised Derbyshire police authority, which I am glad to say is no longer under the control of the county council?

Mr. Dobson: If the hon. Gentleman checks *Hansard,* I think that he will find that I corrected myself and said that it was in the past.

Mr. McLoughlin: No.

Mr. Dobson: If the hon. Gentleman has never criticised the Derbyshire police authority, I am surprised as he criticises everything else that is not Tory controlled in Derbyshire. However, I will accept his word for it.

That brings me to my final point. Tory Members—the Minister Without Portfolio said this again today—and Tory newspapers constantly demand that the Labour party should take action and investigate wrongdoings. We do investigate wrongdoings; we report them and bring them to the attention of the appropriate authorities, which have powers to investigate, to compel witnesses and to lay hands on papers. We refer any wrongdoing to the police or to auditors.

A political party, however—I will repeat this until I am blue in the face—does not have the right to investigate public officials. It cannot call council officials to order. Nor should it be able to call public officials to order. We do not want to live in a society in which a political party has rights and powers over citizens. That is exactly what people were glad to get rid of in the Soviet Union. In a democracy, political parties have rights only over their own members in relation to the rules of their party.

Whenever we need to investigate anyone breaking the rules of the Labour party, we investigate it. We have been rather more successful, as I have said, in tracking down wrongdoing than some parts of officialdom to which we have had to refer things in the past. In short, Labour acts in such matters. The Tories, however, do not. They have never taken one single step against the fraudsters in Westminster.

Mr. David Shaw: On a point of order, Mr. Deputy Speaker. The hon. Gentleman used the word "fraudsters". There has been no allegation of fraud in Westminster, even by the district auditor.

Mr. Deputy Speaker: The hon. Gentleman did use the word "fraudsters". He may wish to reconsider. I am quite aware that he did not accuse anybody in the House.

Mr. Shaw: On a point of order—

Mr. Deputy Speaker: Order. I have not finished with the last one yet. The hon. Member for Dover (Mr. Shaw) should not get so excited. There has been no accusation of any Member of the House. We must, however, at all times consider the character of the words that we use in the House.

Mr. Wilshire: On a point of order, Mr. Deputy Speaker. I hear your ruling, but I wonder whether the fact that there is someone who was a member of Westminster city council at the time of the events concerned and who is now a Member of this House has any bearing on this problem.

Mr. Deputy Speaker: No names have been used and there has been no personal attack on anyone.

Mr. Dobson: I have sat in the House and heard the hon. Member for Dover (Mr. Shaw) accuse people in Monklands of fraud.

Mr. Shaw: Yes.

Mr. Dobson: I thank the hon. Gentleman. That is because it is possible, within the rules of privilege of this House, even to call an honest man a fraudster, provided that he is not a Member of the House—and there are fraudsters in Westminster city council.

Mr. Shaw: Name them.

Mr. Deputy Speaker: If the hon. Gentleman is not careful, I shall be naming him.

Mr. Shaw: On a point of order, Mr. Deputy Speaker. If I have accused anybody of fraud in Monklands, I have had the guts to name them. Let the hon. Member for Holborn and St. Pancras (Mr. Dobson) name—*[Interruption.]*

Mr. Deputy Speaker: Order. Once again, the House must settle down. I ask the hon. Member for Holborn and St. Pancras (Mr. Dobson) to get back to the serious debate.

Mr. Dobson: I have spoken for a long time and the time left does not permit me to read out the names of all the people who have been involved in fraud in

Westminster, but the names are all there in the public documents published by the district auditor. If people do not think that what has been done is fraud, they are busily redefining the whole concept.

As I have said, the Tories do not take action against their own people in Westminster. Our concern, however, is that they do not even take action against Labour councils. They have not taken action against the continuing disrepute and disrepair of Lambeth. Until this week they had not taken any action in Monklands. Only the Labour party has taken action there. That is because the Tories are not interested in the standards of conduct in public life. They are always looking for cheap, short-term, party-political advantage. That explains why the chairman of the Tory party opened this debate.

Mr. Deputy Speaker: Order. I promised to investigate the situation in relation to Westminster. As I understand it, no aspect of Westminster council's affairs is sub judice. The auditor's final report is awaited; only when it is received could court action become appropriate.

In answer to the hon. Member for Paisley, South (Mr. McMaster), so far as I can ascertain there is no party adviser on the official Box list.

11.35 am

Mr. Bill Walker (Tayside, North): Thank you for that ruling, Mr. Deputy Speaker.

The only contribution that I wish to make about Westminster is in respect of what the hon. Member for Holborn and St. Pancras (Mr. Dobson) said about there being something wrong with the street cleaning of Westminster. I gather that he objected to the costs. I would like to place on record that street cleaning in Westminster has improved tremendously in recent years. If the costs are suspect, they should be examined; but we ought not to condemn the quality of the product, because there is no doubt whatever that some years ago the Westminster streets were pretty awful. Today they are a great credit to this city and to the capital of the United Kingdom.

Lady Olga Maitland: Does the hon. Gentleman agree that Westminster is an unusual case because it receives so many visitors and therefore has unusual litter problems?

Mr. Walker: There is no question about that. I represent what I believe to be the most beautiful tourist part of the United Kingdom, but I cannot deny that Westminster has many thousands more visitors than we have in the highlands of Perthshire and Angus. I wish that we could get many, but the truth is that London is still the Mecca for visitors to the United Kingdom.

I want to address the situation in Scotland. I shall begin in an unusual way. The hon. Member for Holborn and St. Pancras suggested that we Conservatives are interested only in narrow political advantage. I have always felt that real courage should be acknowledged and recognised. It may not help the hon. Member for Monklands, East (Mrs. Liddell), but I would like to say that I hold her in very high regard because she showed tremendous courage in difficult circumstances in demanding that a proper inquiry be conducted.

Hon. Members know how difficult it can be when one asks for something to be examined in one's own party. It is never easy. Therefore, anything I say in this debate is not intended in any way to suggest that the hon. Lady has behaved other than in a manner that sets very high standards for the House. I commend her for what she has done.

That does not mean that I necessarily think that the Labour party in Scotland has a lot to bask in credit about, because the hon. Lady was rowing against the tide at the time. Anyone who has studied the situation in Scotland would know that my hon. Friend the Member for Dover (Mr. Shaw) constantly drew attention to the shortcomings, as I shall describe them, of the councillors in Monklands. He was accused many times of being many things but, as the Black report demonstrates, all that he had to say was true.

The Labour party was undertaking what is commonly called a whitewash. I understand what the hon. Member for Holborn and St. Pancras was saying—that the party could inquire only into its own rules—but he and I know that inquiries into any rules often disclose other things. What was absent from the points made by the Labour party in 1993 was that it did not in fact give the Secretary of State for Scotland the other evidence that was uncovered. That is the critical missing element.

I know that the Labour party has at times taken tough action with defaulters, and I commend it for that. I see no political advantage in always saying that the other side is all black and we are all white. However, if we care about incorrupt local government, and I believe that most hon. Members do, we must want the truth to come out, and the truth can come out only if the evidence is presented to the authorities—the Secretary of State, the officials responsible for the audit and the police, if criminal activity is involved.

It is sad—very sad, in fact—that there have been a number of instances over the years of councillors having transgressed.

Mr. George Robertson: The hon. Gentleman seems to have made an allegation and then wandered from the subject. May I tell him—this is not the first time I have said this—that in the first Monklands inquiry the Labour party set up into party organisation in the area, there was no evidence uncovered by the Labour party that was suppressed or withheld? The report said:

"The Committee would request that those who suggest that improper actions have been taking place should put these charges in the hands of the appropriate authorities or desist from making the allegations."

For two years the Secretary of State had the power under section 211 of the Local Government (Scotland) Act 1973 to order a public inquiry if he was "of the opinion" that there was a breach of the statutory responsibilities of the council. He chose not to do so. There is no suppressed or withheld evidence in the hands of the Labour party. The real responsibility lies with the Secretary of State who took two years to set up an inquiry that he could have set up at the time.

Mr. Walker: The hon. Gentleman doth protest too much. If he thought that I was wandering from the point, he was not following carefully what I was saying. I am going to deal with the issue. He cannot have it both ways: if there was no evidence, how could the Secretary of State be in default? The Secretary of State can act only if he is given evidence—

Mr. Robertson: No.

[Mr. Robertson]

Mr. Walker: The hon. Gentleman says no. He did not listen to the question that I put to the Secretary of State for Scotland yesterday. Had he done so, he might have understood the point that I am about to make. I said:

"Does my right hon. Friend agree that, year after year, there are many requests for inquiries into different local authorities, and that he and his staff can consider only the evidence that they have, before they can make a decision on whether there is adequate evidence? Was it not the absent evidence, especially the evidence collected by the Labour party, that could have brought forward this inquiry if it had been made available?"—[*Official Report*, 28 June 1995; Vol. 262, c. 885.]

The hon. Gentleman is telling me and the House that there was no evidence—*[Interruption.]* Will the hon. Gentleman let me finish? He doth protest too much. If he is telling me, as an honourable gentleman, that there was no such evidence, I accept his word as an honourable gentleman. However, he cannot question why the Secretary of State was unable to take action.

I know that I have written to the Secretary of State a number of times about the activities of certain councils and councillors which have concerned me. They have not always been councils run by the Opposition. I have asked for an inquiry to be initiated but have always been told that inquiries can be established only when there is evidence, because of the time and cost and everything else involved. I do not argue with that, because I would hate the Secretary of State and his officials to be in a situation in which, whenever allegations were made but no evidence was produced, some kind of an inquiry had to be set up.

I am not trying to make a narrow party political point. I had hoped that my introductory remarks proved that. I am concerned only that we get at the truth.

Mr. Robertson: What the hon. Gentleman says sounds reasonable. I have also heard it from Ministers in public and private that they can instigate a section 211 inquiry only if they have the evidence. I do not know whether among his documentation the hon. Gentleman has a copy of section 211 of the Local Government (Scotland) Act 1973, but what he is saying is not true. Yes, the Secretary of State will act if there is evidence, but section 211 states:

"If a complaint is made to the Secretary of State or any appropriate Minister that a local authority have failed to do what is required of them by or under this Act or any other enactment or the Secretary of State or that Minister is of opinion that an investigation should be made . . . he may cause a local inquiry to be held".

However, Ministers were not content to say that there was no evidence so they could not act; Ministers, including the Minister of the Crown responsible for Scottish local government, repeated the allegations of financial and political corruption, of nepotism, favouritism and a whole series of other things. Therefore, they were "of the opinion", as it were, so the hon. Gentleman's case does not stand up and nor does that of the Ministers. They knew that there were allegations and that they had the power to do something, but they chose not to do anything for two years. Will the hon. Gentleman deal with that point?

Mr. Walker: The hon. Gentleman has made an accusation without presenting a single shred of evidence. Will he think through carefully what he has just said? He has made accusations against Ministers of the Crown without producing a single shred of evidence. If I were going to make a charge against anyone, I should certainly quote chapter and verse of the evidence. The hon. Gentleman doth protest too much. I have a feeling that he is trying to hide something and that is rather sad. He has not produced a single piece of evidence.

Mrs. Helen Liddell (Monklands, East): I am grateful to the hon. Gentleman for giving way and I am also grateful for his kind remarks at the beginning of his speech. I draw his attention to a statement made by the hon. Member for Eastwood (Mr. Stewart) on 16 June 1994 when he claimed that there was religious discrimination, jobs for the boys, corruption and financial irregularities in Monklands district council. Following those allegations, when I was elected Member of Parliament for Monklands, East—one year ago today—I sought an inquiry under section 7 of the Local Government (Housing) Act 1989. I was told at that time that there was no evidence to support an inquiry.

I have a dilemma which I hope the hon. Gentleman will be able to resolve. Something is wrong somewhere when a Minister of the Crown says in a by-election campaign that irregularities exist but after the by-election he denies that there is any evidence to support them. I hope that the hon. Gentleman will give me some advice on that.

Mr. Walker: I give the hon. Lady the advice that I always give people when someone says something but does not then produce the evidence to substantiate that claim: I treat any such allegation with the contempt that it deserves, regardless of the source. I feel very strongly—as must every honourable Member—that the worst thing that can happen in public life is to have unsubstantiated and irrelevant charges made against one's integrity. That type of tittle-tattle and chat undermines the quality of public life and the standing of people in public life. Sadly, as Members of Parliament, we experience it all the time, and we should not practise it on councillors or anyone else.

I have no brief about from which side of politics such attacks may come. I believe that when one enters public life one accepts that one is living in a glass house and may be got at. However, one should not be subjected to unsubstantiated charges. The difference between the actions of my hon. Friend the Member for Dover and the activities referred to earlier is that my hon. Friend produced what he believed to be hard evidence.

That hard evidence has now been substantiated by the Black report. Everything that my hon. Friend said previously in the House has been substantiated. I have extracts from the Black report, but I shall not go through them now. I believe that the matter will be dealt with adequately and properly in the process to follow. That is the way it should be. It is pretty clear that there is something wrong and that something has been wrong for a long time.

Those of us who lived in sectarian, divided parts of Scotland before the second world war remember with horror what happened when individuals could not get jobs or were not socially acceptable because of their religion. People think that the problems of Ulster are unique, but they existed where I grew up as a laddie. I remember vividly how people of a certain religion could not get employment. One of the things that motivated me to enter public life was the ghastly and awful way that people behaved towards others of a different religion.

When the hon. Member for Monklands, East made her views known at the time, it was pretty clear that she would not necessarily receive the whole-hearted support of

everyone. We both know how difficult it is when one tries to expose the truth and one is accused, for whatever reason, of damaging one's own alleged interests. I know exactly how the hon. Lady felt because I was put under similar pressures when I took a particular stand with regard to the Guinness saga.

We must get at the truth; we owe it to the hon. Lady to do so. I do not believe that the Secretary of State was wrong, as the hon. Member for Hamilton (Mr. Robertson) alleged. I believe that the Secretary of State was right in taking the line that he took and I believe that his present course of action is correct also. One does not take such action for narrow political advantage; I make that point quite clear. A Secretary of State should not act unless he is satisfied about the evidence. The Secretary of State did not act in that instance because his legal advisers told him not to do so. That situation should not change, because we are all victims of untrue accusations at some time.

We must get at the truth in the Monklands case. Judging from what I have read in the Black report, I am sorry to say that that truth may be nasty and unsavoury and could well end in criminal convictions. That is the truth of the matter; there is no point in pretending otherwise. We will not help the councillors in Scotland—whatever their political persuasion—by pretending that the matter should not be dealt with. It is a cancer and it must be removed.

I know that Opposition Members agree. I am not criticising them, which is why I could not understand the line taken by the hon. Member for Hamilton. Nothing that I said today was an attack on the integrity of any Opposition Member. We all want the same—uncorrupt councils that provide good services. What matters is not their political colour but how well councillors do their job. I want councils in Scotland to be given more, not fewer, powers and greater control. The fact that they may not be of my political persuasion does not matter. What matters is removing corruption from local government. Instead of Opposition Front Benchers attacking our Ministers today, they should be saying, "We agree with the hon. Member for Tayside, North. Now is the time to set about cleaning out councillors who bring discredit to everyone else." Why are we having a sterile political debate in which the only point made by the hon. Member for Hamilton is that the Secretary of State sat on his hands? That is nonsense.

Mr. McMaster: It is the truth.

Mr. Walker: It is not the truth. I have the evidence.

I wish that the hon. Member for Hamilton would stop trying to score political points. I am trying to reach the stage where we can, whatever our political persuasion, feel proud of our councillors.

Mr. Norman Hogg: The hon. Gentleman is not doing himself any good by getting too excited. Two years ago, the late John Smith wrote to the Secretary of State for Scotland asking for the very inquiry that the right hon. Gentleman has now set up. Why did the Secretary of State wait two years?

Mr. Walker: I do not want to make any adverse comment about the late John Smith. I liked him, he was a friend and I respected him. I do not know all the facts, but I know that John Smith was asked to produce evidence. He was a distinguished Queen's counsel, so he knew better than anyone about producing evidence on which action could be taken. Do not let us introduce into this debate a distinguished former parliamentarian of whom we Scots were extremely fond.

Mr. Hogg: That is being unfair to me.

Mr. Walker: No. I am saying only that the late John Smith was asked for evidence and it was not forthcoming. I understand from the hon. Member for Hamilton that Labour's inquiry did not produce usable evidence. Labour Members, out of their own mouths, said that there was no evidence. I am not misquoting anyone, am I?

Mr. George Robertson: I shall make the point again, slowly. The powers of the Secretary of State for Scotland were such that he did not require evidence but required only an opinion on the part of the Minister concerned. The hon. Member for Eastwood (Mr. Stewart) was a Minister of the Crown. As my hon. Friend the Member for Monklands, East (Mrs. Liddell) pointed out, he repeatedly and publicly made allegations about the conduct of Monklands district council that should have led to an inquiry. The early-day motion to which the Tory party chairman referred called for a public inquiry. The Secretary of State had the necessary power, so the hon. Member for Tayside, North (Mr. Walker) cannot continue to hide behind the parroting about evidence when all that was required was an opinion, which the Government had.

Mr. Walker: Like the hon. Gentleman, I read the small print. He ought to know that the power is that of the Secretary of State, which is why I dealt exclusively with the Secretary of State's position. He made a judgment in the circumstances, and I agree with his decision. I am aware of the false accusations that have been made in other areas. If the hon. Member for Hamilton lives long enough to become Secretary of State for Scotland, he would not want to have to act in circumstances where he was not convinced that there was adequate evidence to enable him to have an opinion. None of us would want a Secretary of State to be in that position.

Lord James Douglas-Hamilton: Does my hon. Friend accept that the Secretary of State must be seen to be acting reasonably in the exercise of his discretion? Does he accept also that after the Labour party's inquiry, when it was in a position to send information to my right hon. Friend, it declined to do so? It would have been helpful if it had accepted his invitation to send to him all the information that it had available.

Mr. Walker: My hon. Friend has summed up beautifully the very point that I was trying, not so beautifully, to put across to the House.

The Labour party says, and I accept what it says, that there was no evidence. How then can it possibly say that my right hon. Friend the Secretary of State behaved wrongly and improperly? My right hon. Friend was the man who had to believe that there were reasonable grounds, to use an example of the delightful phraseology that is employed in this place.

If anyone is trying to play political games today, it is not me. The hon. Member for Hamilton should think carefully about what he has to say, because it will be read carefully. He may well find that his words are used on some future date. We all have to live with what we said in the past. If the hon. Gentleman has an argument with

[Mr. Walker]

my hon. Friend the Member for Eastwood (Mr. Stewart), he should advance it to him. He should not condemn my right hon. Friend the Secretary of State for doing his job properly, as I believe. According to the hon. Gentleman, there was no evidence. I accept that. It was pretty clear, however, that activities were taking place about which the hon. Member for Monklands, East was concerned. The hon. Lady is the only Labour Member, on the basis of her record, to emerge with credit.

12.2 pm

Mr. Stephen Timms (Newham, North-East): I begin by commending the hon. Member for Spelthorne (Mr. Wilshire), who said that he refused to take part in the shenanigans this morning. To some extent, the hon. Member for Tayside, North (Mr. Walker) took the same stance. They struck a different tone from the one with which the debate began.

In opening the debate, the Minister Without Portfolio engaged in pure party propaganda. He made the sort of speech that gives politics a bad name. People are disgusted, and rightly so, when politicians merely throw mud at their opponents. The right hon. Gentleman has been in this place long enough to know better.

I listened with dismay but with attentiveness to the right hon. Gentleman's speech, but in vain, for some hint of even-handedness, for some reference, even in passing, to the major scandals in local government—for example, those in Westminster and now in Wandsworth. Those Conservative-controlled councils were ignored by the right hon. Gentleman. With the collusion of Government, vast sums of public money have been used by the two Tory councils explicitly to further the sectarian interests of the Conservative party. That spending dwarfs all the other matters that the right hon. Gentleman mentioned. Their actions are of an entirely different order of magnitude. In the case of Westminster, £21 million has been wasted, spent to boost the number of Conservative voters in key wards. That is well known.

The report of the district auditor in Wandsworth, which was published in March, is not so well known. There, too, however, substantial sums were wasted because the council broke the law to sell off council housing stock. That, and the waste of public money in Westminster, did not rate a mention in the Minister's speech. Instead, we had party politics at their rock-bottom worst. It demeans the right hon. Gentleman that he sinks so low to indulge in such tactics. It testifies to the decline of his party that he does so.

The truth about local government in Britain is that many councils are making real headway in tackling the most intractable problems of our age—frequently, as my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) said, in partnership with Government agencies. I am happy to say that that applies not merely to Labour local authorities. I have no difficulty in being generous, where it is warranted, to Liberal local authorities and to the few Conservative local authorities left. It does the right hon. Gentleman no credit, nor does it add to the credibility of his case, that he ignores the reality where it conflicts with the point scoring in which he wishes to indulge.

Local authorities are at the sharp end, tackling the problems. What is striking about the right hon. Gentleman's speech is that he could have found out that what he was saying was nonsense if he had simply asked one of his colleagues who has actually had dealings with Labour local authorities—one of them is sitting next to him. In addition, the right hon. Gentleman could have asked any one of the Prime Minister's rivals and rumoured potential rivals for the Conservative party leadership. All of them have been Ministers in the Department of the Environment, have worked co-operatively with Labour local authorities and know perfectly well that the picture painted by the right hon. Gentleman is simply untrue.

Those Ministers have worked with initiatives such as city challenge and have seen the effectiveness and, frankly, in a number of cases, the brilliance of some of the regeneration partnerships that local authorities around the country have assembled. The right hon. Gentleman should have asked them—his own colleagues—before he assembled the embarrassing tirade that he threw at us this morning. People outside the House know that such comments are untrue too. Worse than that, such a speech is an insult to the communities to which he has referred. He may believe that it is simply harmless muck-raking, but it is insulting to whole communities, and that is how it will be perceived.

I am pleased to say that, in my relatively short time in the House, I have heard few speeches as bad as that one, but I am intrigued to know how such a dreadful speech comes to be written. Yesterday's edition of the *Newham Recorder*—incidentally, the Newspaper Society's campaigning newspaper of the year—provides some insight on that matter. The dirt digging lying behind the right hon. Gentleman's speech also provided the material for an absurd article in the *Daily Express* a week ago about recent changes in Newham council's leadership.

I wish that I could show hon. Members the cartoon in the *Newham Recorder* responding to the claims in the *Daily Express* about Newham council—remember the *Newham Recorder* and its editor once sympathised with the Conservative party. The cartoon shows a thug with a glove puppet. The puppet is the crusader figure from the masthead of the *Daily Express* and the thug is labelled "Tory Smear Campaign".

The article begins:

"A newspaper smear on Newham council by the Tory Daily Express last week may be directly linked to Downing Street.

Just days before the two-page article appeared I"

the reporter—

"was enthusiastically told by a former Conservative councillor that 'Number 10's Policy Unit' had phoned asking if he could confirm the Unit's thinking of a left-wing shift in the control of East Ham Town Hall.

The councillor could not do so of course. He knew—since he had served with many of those in power, albeit on a different side—that the claim was laughable.

A few days later I received a call from the Express's Political Correspondent John Ingham who wrote the piece which suggested that East London politics shatters Labour's new moderate image.

He did not deny he had been talking to the Cabinet's spin doctors. In fact he was taken aback with our knowledge"

of what had happened. The editor of the paper goes on to comment:

"When opinion masquerades as fact people can get hurt.

If the purpose of the Express article was to discredit the Labour Party (which, of course, it was) they have also done a grave disservice to people living here."

There we have it. The Government have the cheek to lecture us about propriety and yet the No. 10 policy unit, paid for by taxpayers' money, is used by the Conservative party to put together cheap party propaganda. That is an outrageous misuse of public money. The problem that we have in Britain today, and the right hon. Gentleman's speech spelt it out clearly, is that the Tory party does not understand the distinction between its interests and the national interest. The whole country is paying the price for that.

I wonder how the chairman of the Conservative party justifies his use of the No. 10 policy unit to put together party propaganda. I also wonder whether that was how the right hon. Member for Wokingham (Mr. Redwood) spent his time when he was running the unit in the mid-1980s, or whether it is only under the present incumbent that standards have fallen so low.

One of the Government's policies that has angered the *Newham Recorder* is the way in which the local government funding formula treats Newham. According to Government figures, Newham has the highest level of urban deprivation in the country, yet the standard spending assessment per head of population—that is, the amount of money that the Government say needs to be spent—is less than the SSA for Westminster. That cannot be right. One reason for that discrepancy is that Westminster receives more than £550 per head under the "other services" heading, while Newham receives less than half of that.

One major reason for that extra money was revealed by *The Daily Telegraph* last Saturday. Westminster receives that massive subsidy for all the tourists who visit the borough. However, as *The Daily Telegraph* said in its article, a Westminster council internal document shows that the council accepts that it is now

"vulnerable to the criticism that we receive double compensation."

The reality is that the tourists who visit Westminster bring in large sums of money, which are spent in the local economy—not least on parking charges that go straight into the coffers of the city council.

Westminster is being compensated for its tourists, while in reality it is simply getting extra money. Other local authorities throughout the country—Conservative as well as Labour—have to suffer because of the way that the system has been raked. That is wrong. Westminster has been given large, additional amounts of money for the special tourist factor. It was introduced in the 1980s specifically to help Westminster, while other councils with far harder jobs to do are left having to make do with less. That is the way that the Government have treated local government and it is a disgrace.

Local government is at the sharp end of the toughest problems that our nation faces as we approach the new millennium. Councillors of all parties are working to resolve them. The Conservative party should be supporting their efforts, not hurling abuse. Urban deprivation and the need for regeneration, keeping life in our town centres, raising the standards in our schools, providing care in our communities, building partnerships to tackle drug abuse—those are vital tasks and they require partnership between central and local government, of whatever party. There needs to be co-operation instead of the cheap insults that have been tossed around this morning.

These matters are too important to be reduced to party footballs. Partnership and co-operation—that is the way forward. If the right hon. Gentleman had listened to some of his right hon. and hon. Friends, he would have known that. We do not want the sort of cheap jibes that we have heard this morning. They demean the right hon. Gentleman and they insult the rest of us. They damage the vital and essential work being undertaken by local authorities throughout the country—work about which the right hon. Gentleman should have found out before he spoke. Local authorities deserve our support, not our insults.

The British people are fed up with petty politics, from whatever side. They have concluded that this country needs national renewal. What we have heard this morning undermines the partnership and co-operation, the determination for change and the optimism that the country so desperately needs. The one thing that we have established this morning is that there will be no national renewal in Britain while the Conservative party remains in Government.

12.13 pm

Mr. Robert G. Hughes (Harrow, West): The hon. Member for Newham, North-East (Mr. Timms), in his short time in the House, has earned himself a reputation as a serious man who understands local government. When he started his speech this morning, I thought that he would further enhance that reputation. However, the problem with his relatively short speech was that, although he made some serious points and rightly said that we had to discuss local government on a serious level and although he told off my right hon. Friend the Member for Richmond and Barnes (Mr. Hanley) for making jibes about Labour local government, if he reads the *Hansard* report of his speech, he will see that he was not above making the odd jibe himself. It is reasonable that, on a political level, we should point out the inadequacies of councils that are run by our opponents.

It came across to me this morning that the Labour party is very sensitive about local government. Indeed, the hon. Member for Hamilton (Mr. Robertson) perhaps would not have spent his time away from Scotland on a Friday to attend the House had he not been worried about the enormous damage that is rightly being done to the Labour party's reputation inside and outside Scotland by the systematic abuse that has been going on in Monklands.

Many hon. Members come from a local government background and we certainly take the matter with a great deal of seriousness. The point has been made that thousands of councillors, of all parties and, indeed, some independent ones, do a splendid job. They give up huge amounts of their time—time that they could spend with their family or doing other things—because they care about the community that they serve. Nothing in today's debate should detract from that.

Conservative Members are entitled to say that there is a culture of local government that comes from the Labour party that is not enviable and does no good for local communities. In a spat earlier in the debate, the hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) made some ill-judged sedentary comments about the civil servants in the Box. Knowing the hon. Gentleman, I am sure that he regrets those comments and did not mean what he said.

Mr. Norman Hogg: Will the hon. Gentleman give way?

Mr. Deputy Speaker: Order. The rule is that civil servants in the Box should not be mentioned. I hope that hon. Members will bear that in mind.

Mr. Hughes: I will give way to the hon. Gentleman later. I wish to make a wider point that relates to my experience of the debate about the civil service in the House—not, of course, about the remarks that were made earlier.

The problem is that, in my direct experience, the Labour party in power does not understand the difference between politicians and those people who are employed by a council or by the Government as civil servants. So, if civil servants express a view with which Labour Members do not agree, Labour Members assume that the civil servants are on the side of the Conservative party.

Mr. Eric Illsley (Barnsley, Central): That is a stupid thing to say.

Mr. Hughes: It is no good the hon. Member for Barnsley, Central (Mr. Illsley) saying that. I have heard his colleagues make that assumption in the Chamber. I have heard people who represent—or rather misrepresent—civil service trade unions say it in debates, including debates that I have had to answer. That is their view. They do not understand the difference.

The hon. Member for Brent, East (Mr. Livingstone) thought that there was nothing wrong with wanting to employ Reg Race, a former Member of Parliament, as a senior officer of the Greater London council. I was a member of the appointments committee. I hasten to say that I voted against the appointment of Reg Race. Reg Race told the committee that he had nothing to do with politics any more. He said that he was no longer interested in politics and that he did not intend to seek another Labour seat. We knew that it was not true. The beatific smile on the face of the hon. Member for Brent, East shows that he knew that it was not true. I am not surprised that he is leaving.

Certainly in London, we have seen systematic attacks on skilled and professional council officers for not being sufficiently sympathetic to the Labour party. We have seen many of those people hounded out of their jobs. Pressure has been put on people to obey the diktats of the Labour party. The people in those communities need professional officers giving professional advice.

Mr. Hogg: How does the hon. Gentleman explain the confusion that has been caused by Ministers appointing people who are described as special advisers? I have just picked a letter off the board which is from the Ministry of Defence, Whitehall, London telling me some good news, but it is signed by Crispin Blunt, a "special adviser". What is going on? Why do not Ministers write to Members of Parliament? Are not the Government confusing the position in the way that the hon. Gentleman is accusing local government of doing? The hon. Gentleman really ought to acquaint himself with what is going on.

Mr. Hughes: I am well acquainted with what is going on. The hon. Gentleman is seeking to mislead, and I have heard that line from the Labour party before. Special advisers have a particular position, just as they did during the time of the previous Labour Government.

Mr. Hanley: The hon. Member for Blackburn (Mr. Straw), for example.

Mr. Hughes: Indeed, the hon. member for Blackburn (Mr. Straw) was in that position. There are a number of special advisers, but the hon. Member for Cumbernauld and Kilsyth forgot to mention—as Labour people always do—that the taxpayers' money spent on special advisers is matched by the "Short money" paid to the Labour party to run its administration and research. All parties get that money, including the party in government, and the hon. Gentleman knows that that is true.

Mr. Hogg: That will not do. It does not matter about the money being matched. It is the principle that a Member of Parliament elected by his constituents is receiving a letter from a political appointee instead of from a Minister of the Crown when it is appropriate for a Minister to write to the Member. That is unacceptable.

Mr. Hughes: I am sure that a representative of the Patronage Secretary will pass on the hon. Gentleman's touchiness at being written to in that way.

My point has not been contradicted. I do not think that the Labour party understands the difference, and that has been proved time and time again in local government in London. What the Labour party in local government is too often about—not always, as the hon. Member for Newham, North-East correctly pointed out—is the exercise of power, rather than the representation of communities. Nothing could provide more evidence of that than the party's conduct in housing during the century.

No Conservative railed against the ridiculous and dangerous nature of mixing up the collection of votes with the collection of rents more than Octavia Hill, and she was right. I have always taken an interest in housing. I was a member of a local authority, and I then stood for Parliament in that Conservative stronghold of Stepney and Poplar against the right hon. Member for Bethnal Green and Stepney (Mr. Shore) who was a Secretary of State at the time.

When I stood for election there, I could not believe what I heard. Labour councillors were standing outside the polling stations saying, "Vote for me today and I will make sure that I do something about that council flat you have wanted." That was not an isolated incident—it was the naked use of power. Anyone who doubts that does not understand what was going on in Tower Hamlets at that time. *[Interruption.]* The hon. Member for Barnsley, East is commenting, and he is supposed to have a view about local government. He obviously knows none of the history of local government in London, because it was a Labour Secretary of State who, during the time of a Conservative Greater London council, stepped in and abolished the housing committee in Tower Hamlets. Did he do that for fun or because he thought that it was a good idea? He knew that he had to do it because the whole thing was corrupt, and was being used as an instrument of power. *[Interruption.]* It is no good the hon. Member for Barnsley, East muttering. That is not a fantasy—it is a matter of fact. Everyone knows that that was the case.

It has been my view for a long time that, to a greater or lesser extent, such matters go right to the core of the Labour party's approach to housing. Labour Members want a return to mass council house building because of the political power that they know that that will deliver into their hands. Their view was, never mind about the people or the fact that Labour councils created states and empires which they could not conceivably start to run efficiently, for which they could not manage repairs and

in which they could not do anything to help people. Matters were beyond their control and all that they cared about was the power that was delivered into their hands.

Mrs. Maria Fyfe (Glasgow, Maryhill): The hon. Gentleman seems to be completely unaware that, for as many years as I have been involved with local government—that goes back some 15 years—the Labour party has been making it quite clear to all its candidates for local office that it is totally inappropriate for them to engage in the individual allocation of housing. Labour has made it utterly clear that if it ever happens in individual cases, that is clearly against Labour's guidance and rules.

Mr. Hughes: As the hon. Lady is talking about a period that goes back just 15 years, she is pleading guilty as charged. This matter has long been in the culture of the Labour party and, as she admits, it is only comparatively recently that the Labour party has stopped—

Mrs. Fyfe *rose—*

Mr. Hughes: I will give way in a second. The hon. Lady must contain herself. I know that she is embarrassed but she must be patient. It is only comparatively recently that, in the words of the hon. Lady, Labour stopped individual councillors making housing allocations. That has not stopped the power being used in a more general way.

Mrs. Fyfe: I think that the record will show that I said that I personally became aware of it when my experience began some 15 years ago. I do not know when the Labour party made the statement of principle. I am sure that it must go back longer than 15 years. The hon. Gentleman misunderstood what I said, and he is making a silly point if he thinks that there is any value in saying that so many years are involved. The Labour party has consistently told its members who are seeking election to local authorities that they must not engage in this activity. Does the hon. Gentleman realise that that is the case?

Mr. Hughes: I recognise that this is another way in which Labour sought to use its power and got caught. A Conservative Government came along and changed the rules to make the practice more difficult, and Labour realised that it could not go on in that way. I recognise that, and doubtless the Labour party also recognises it.

Mr. Livingstone: In this interesting tour of corruption, may I ask why the hon. Gentleman has not regaled us with his personal experience as a member of the GLC? We had to establish a committee to investigate the fact that Strongbridge housing association had been set up to benefit financially the then Conservative chief whip, Geoffrey Seaton. He was forced to resign from the council when we discovered that £74,000 that was to have been spent on repairs was unaccounted for.

Mr. Hughes: As the hon. Gentleman says, I was a member of the GLC at that time and Strongbridge close is in my constituency. Therefore I know about it. The hon. Gentleman knows that this matter has been through the courts and that the arguments there did not go the way that he and his hon. Friends had wanted.

Mr. Livingstone: Will the hon. Gentleman give way?

Mr. Hughes: Of course I shall give way, but first I should like to finish the sentence. The hon. Gentleman also knows that on the GLC I voted in favour of that investigation being set up.

Mr. Livingstone: The hon. Gentleman says that the arguments did not go the way that we wanted. Does he recall that the Director of Public Prosecutions decided not to bring the case to court on the ground that the members were very old and might not live long? That was five weeks before the 1993 general election.

Mr. Hughes: I also recall that some other members took a great deal of money from the people who made the accusations. These matters can be put both ways. I am not attempting for a moment to justify such happenings. I am saying what everyone knows in his heart—that the Labour party housing empires did not work, except to people's disadvantage. They were instruments of power and were designed to be such.

Mr. Stephen: Does my hon. Friend recall that the abuse of power, particularly by Labour housing authorities, has been going on for at least 50 years? Does he also recall that a leading member of the immediate post-war Labour Government was quite brazen about it when he said, "We will build the Tories out of London"?

Mr. Hughes: That is right. Everyone in London—my hon. Friend was previously involved in London politics—knows that full well.

I want to make a couple of other arguments; the first about Monklands. I know that the subject arouses sensitivities on the Opposition Benches, but I want to say that, whatever the rights and wrongs of what happened in Monklands, the extraordinary thing has been what I regard as a campaign of intimidation run by the Labour party against those people seeking to uncover what is going on.

I do not count the hon. Member for Monklands, East (Mrs. Liddell) in that, because much of what I am talking about happened before she entered the House. If she had witnessed the way in which the Labour party ganged up on my hon. Friend the Member for Dover (Mr. Shaw) when, quite rightly and almost singlehandedly, he was exposing what the Labour party was doing in Monklands, and the way in which the Monklands council treated the local newspaper when it was uncovering what was going on there, and indeed some local Conservatives and doubtless others as well, she would have agreed with me that it was shameful. We should acknowledge that we would never have known the truth about Monklands without the work that was done by those people and by my hon. Friend the Member for Dover.

Lady Olga Maitland *rose—*

Mrs. Liddell *rose—*

Mr. Hughes: I will, in all fairness, give way to the hon. Member for Monklands, East first.

Mrs. Liddell: I find those charges of intimidation astonishing, and I do not believe that the hon. Gentleman does the hon. Member for Dover (Mr. Shaw) any good by saying that he is a man who can be easily intimidated—a man who was in court, not so long ago, because of an action relating to his attack on a woman photographer. If the hon. Gentleman has evidence of intimidation carried out by Labour party members, he must make that evidence available and he must name names and give dates. He must not become involved in unsubstantiated allegations.

Mr. Hughes: Let me give an example of what I meant. When it was known that my hon. Friend the Member for

[Mr. Hughes]

Dover was going to speak in a debate and might mention that subject, the Labour Benches would fill with the Labour party's thugs; they would fill up with the people who would shout him down, scream abuse at him and raise points of order. In at least three debates that I can think of, my hon. Friend was silenced, and the reason for that was that the Labour party was deeply embarrassed.

Mrs. Liddell: Will the hon. Gentleman give way?

Mr. Hughes: The hon. Lady was not here at that time and did not witness it, but it was true.

Mrs. Liddell: I am very interested in the fact that the hon. Gentleman is worried about the intimidation of the hon. Member for Dover. He was obviously not in the Chamber on Wednesday of this week when I had to have the protection of Madam Speaker and, indeed, the hon. Member for the Dover came very close to being named because of his behaviour on the Back Benches. We all remember the statement by the former deputy chairman of the Conservative party about the yobboes on the Back Benches. Indeed, the hon. Member for Dover was happy to be included in that number.

Madam Deputy Speaker (Dame Janet Fookes): Order. Before we continue this debate, may I say that I expect the highest standards of conduct from the House of Commons, and that I shall not look kindly on what I would describe as intemperate language, whether or not it falls within the definition of "unparliamentary"?

Mr. Hughes: My hon. Friend the Member for Tayside, North (Mr. Walker) rightly paid tribute to the hon. Member for Monklands, East. It is encouraging that she has obviously moved on quite a way from her opinion of a year and two days ago, when she regarded the allegations of corruption as tittle-tattle.

Lady Olga Maitland: On the subject of intimidation and cover-ups, is my hon. Friend aware that exactly the same was happening in Islington? The evidence came out in the White report, which devoted a whole chapter to missing files. That happened at a time when children were being sexually abused and the leader of the council was none other than the hon. Member for Barking (Ms Hodge).

Mr. Hughes: My hon. Friend makes her own argument. I did not necessarily intend to draw attention to what happened in Islington or in Hackney, but it is quite serious, and I hope very much that my hon. Friend will draw attention to it in her speech. I wanted to suggest why that happened. I think that it results from the culture of some of those Labour councils, by which I mean that political correctness and unwillingness to investigate things that people could see were going on before their eyes—

Dr. Reid: Why does the hon. Gentleman connect that to Monklands?

Mr. Hughes: Perhaps the hon. Gentleman will keep out; I think that we are talking about Islington now; I accept that I was not talking about Monklands. I accept that that would have been a silly point to make.

The financial corruption in Hackney and the dreadful stories about what happened to little children in the care of Islington council came about because of a culture. I recognise that the hon. Member for Barking (Ms Hodge) has moved on from dismissing the allegations as nonsense. The culture was such that people felt that they could not investigate those matters, because, in the Labour party, it would have been wrong to investigate them because that would have brought up views on sexism and racism which would have been thought to be wrong. That was what stopped those investigations and that is the point that the Labour party needs to address.

Mr. Illsley: Surely the hon. Gentleman is not suggesting that a certain sort of culture means that Labour councils throughout the rest of the country are hiding allegations of sex abuse or child molestation.

Mr. Hughes: I am merely referring to what has been made clear by the White report and to what happened in Hackney. I do not think that anyone disputes these points. I am amazed that the hon. Gentleman disputes them.

Mr. Illsley: Will the hon. Gentleman give way?

Mr. Hughes: It might be better if I finished at least one sentence in response. I do not think that anyone has disputed the fact that those matters should have been investigated. I assume that the hon. Gentleman does not dispute that. He probably does not dispute that those matters would have been investigated if the councils involved had not been concerned that the investigations would mistakenly be thought to be racist or sexist. I imagine that he does not dispute that point because that is what everyone has found.

My point is simple. The Labour party has got deeply into those matters for reasons that I understand, especially in terms of an anti-racist stance. We all abhor racism and some of us have spent a great deal of time fighting such things. It is, however, easy to be misled. What has happened is that mistakes have led to certain things happening or being allowed to carry on. Both sides should accept that point and work out how to tackle the problem.

Mr. Illsley: I did not dispute the hon. Gentleman's point. I asked whether he was suggesting that, because of the culture to which he referred, the vast majority of Labour local authorities were failing to investigate allegations of racism, sexism or child abuse. Is the hon. Gentleman attributing that failure to other authorities?

Mr. Hughes: Like the hon. Gentleman, I have no idea about other authorities. We know, however, of two examples; who is to say that there are not others? It is more likely that such incidents would happen in a Labour or Labour and Liberal Democrat-controlled authority. Perhaps Labour Members should look at that point. Even in my own council of Harrow, there have been some changes to employment practice that could have led us along the road that I have been talking about, although I do not believe that they will.

I am not making allegations that such problems exist in other places. I suggest merely that if they have happened in two places, we should not wait until something dreadful happens or something dreadful is uncovered before we investigate whether a particular culture is causing the problems. Again, I do not think that the hon Member for Barnsley, Central and I disagree on that.

Mr. Illsley: The hon. Gentleman is making allegations.

Mr. Hughes: I am not making an allegation. I am concerned about the fact that the hon. Gentleman is so sensitive on this point. I do not understand why he is so sensitive. Perhaps he will tell us about that later.

We had an apology about Nottinghamshire county council from the hon. Member for Holborn and St. Pancras (Mr. Dobson), as if the fact that a couple of Conservative councillors were carried along and voted for the staggering increase of 300 per cent., putting the total amount paid out to councillors in allowances at more than £500,000, made it all right. It does not make it all right; it is a disgraceful thing for those councillors to do. It is also clear, that without the campaign that has been run by my hon. Friend the Member for Gedling (Mr. Mitchell), who is sitting listening to this debate, the leader of the Labour party would not have acted.

Instead of ordering an expensive investigation and instead of hiring a firm of accountants to tell the council what would be a reasonable level, why does the council not just make a reasonable decision? That is all that it has to do—withdraw what is there and replace it with a reasonable sum. That is not difficult. It needs not to spend extra money, but to act reasonably.

Dr. Reid: Is not the real difference between the hon. Gentleman and his hon. Friends and the Opposition the fact that the Opposition are prepared to condemn corruption or wrong practices wherever they occur and whatever party carries them out, as has been exemplified by my hon. Friend the Member for Monklands, East (Mrs. Liddell) and by the leader of my party whereas Conservatives talk endlessly in a party political fashion about corruption, but, as exemplified by the hon. Gentleman himself, they manage to forget about corruption by Tory Greater London councillors—and he has managed to make a speech without mentioning the hundreds of millions of pounds worth of corruption in Westminster. The problem will never be solved so long as the Government pursue it in a narrow partisan party political fashion. We stand against corruption wherever it is and whoever carries it out.

Mr. Hughes: That sounds very grand but very thin. The hon. Gentleman is an hon. Friend of people such as the hon. Member for Barking, who originally called the allegations about Islington council a

"sensationalist bit of gutter journalism".

Is that the even-handed Labour party? It does not stack up with what the hon. Member for Motherwell, North said.

When the allegations about Monklands were first put to the late John Smith's office, it described them as:

"pathetic . . . It just shows how desperate the Tories are".

We have moved on from that, and we are being even handed.

As my right hon. Friend the Member for Richmond and Barnes said, we condemn all corruption when it is brought to our attention, if it is there. We do not wait until it is proved.

Dr. Reid: Can we nail once and for all the lie that has been perpetrated outside the House and, unfortunately repeated inside the House by hon. Members, including the hon. Member for Harrow, West (Mr. Hughes)? The Monklands allegations were not dismissed in an early-day motion or elsewhere as merely a smear.

Mr. Hughes: No?

Dr. Reid: I know the early-day motion; I signed the damned thing. In it, 110 Members said that unless the Government were prepared to act and to investigate the allegations, they would be regarded as nothing more than a smear. The Government, with all the power of the state, the law, the Administration, the personnel and the money behind them, refused to do that, yet the Labour party, without any of those, did it twice. That is the difference between the hypocrites in the Conservative party who are protected up to Cabinet level—some people who have been up to their necks in fraud—and Opposition Members who have challenged—

Madam Deputy Speaker: Order. I have two points to make, one more serious than the other. First, interventions should by their nature be brief, and that was far too long. Secondly, I cautioned the House earlier about intemperate use of language. I trust that the hon. Member for Motherwell, North (Dr. Reid) was not accusing the hon. Member for Harrow, West (Mr. Hughes) of lying. What he said was a little difficult to understand, and I am assuming that he was not making that accusation.

Mr. Hughes: I think that we can assume that now that we know some of the facts, the affair is no longer regarded as a smear campaign, as the early-day motion signed by the hon. Member for Motherwell, North suggested.

Hon. Members will be relieved to hear that I have now come to my last point. I strongly agreed with what was said by the hon. Member for Newham, North-East about the work being done by city challenge, especially now that the activities have been brought together under the single regeneration budget and people are competing for the money that the Government give out.

That is not an argument about the sums of money given out. Whatever the amount was, I would still want to see people bidding and competing for it. If we are honest, we will realise that under Governments of different colours, and probably councils of different colours too, some of the huge sums of money that have been poured out to pay for regeneration initiatives might as well have been poured down the drain. When one visits the areas concerned one asks, "Where was all the money spent? What did we achieve with it?"

Partnerships must be put together. This is not a party political point, but local councils are sometimes much too reluctant, and have to be forced into partnership with business, the community and the voluntary sector. The role of councils should be to bring people together and the single regeneration budget forces them to do that. There is much more that they can do.

We shall not improve services, give people better value for money or bring communities together by the vandalism that the Labour party threatens—abolishing compulsory competitive tendering. People care about the output of services, not who performs them. They care not about who creates the service but about the service that they get.

Since the privatisation of the rubbish collection service in Harrow, I have not had one single complaint. I used to get loads when it was done by the council. I will probably get loads now that I have said that. People care not about the name of the company but about how the service is done. Hon. Members should bear in mind that people want value for money; they want services and they want them done efficiently. We have injected that principle into local government. The Labour party could never have done that. It lags behind our agenda. It thinks that it can adopt some of it, but it cannot adopt what it does not understand or believe in.

12.45 pm

Mr. David Rendel (Newbury): Now that Labour is the leading party in local authorities, the Liberal Democrats the second party and the Tory party also-rans, it is nice to have a chance to say a few words on local government.

The obvious way for all three parties to treat the debate is to describe the worst excesses of local authorities run by the other parties in a desperate and, for the most part, fruitless attempt to prove that authorities run by one party are much cleaner, more honest and less corrupt than authorities run by other parties. It is no surprise that that is more or less how the debate was treated, especially by the Minister Without Portfolio and the hon. Member for Holborn and St. Pancras (Mr. Dobson). Other hon. Members have been a little wiser.

The subject of the debate lends itself to a good, old-fashioned verbal brawl of the sort that all too many hon. Members seem to love, but which the electorate whom we are all supposed to serve regard as pathetic, childish and utterly unworthy of the people who are expected to govern the country. As the Liberal Democrat spokesman, I would have no difficulty in going down that road if I wanted to. It is interesting that none of the councils that have been mentioned so far is Liberal Democrat controlled. Many of the examples that I would use would be those cited by other hon. Members. However, it would be more useful to the House and the country if hon. Members bore in the forefront of their minds the wise old proverb that those who live in glass houses should not throw stones.

I am not suggesting only that members of one party who know that their party is prone to inefficiency and corruption in local government should not have a go at local authorities run by other parties. The fact is that in the eyes of electorate, none of us in the House has much right to look local councillors in the eye and complain about corruption. After all, the electorate have a higher regard for their local councillors than for their Members of Parliament. When one considers cash for questions, arms to Iran, the Pergau dam, salaries for lobbyists and the failure to ban tobacco advertising, hon. Members make themselves look like hypocritical idiots when they try to make out that corruption and malpractice is a scourge only of local government.

Be sure of this: we are all making ourselves a laughing stock in the eyes of local councillors who hear that we have spent today discussing corruption in their ranks, when they think that we ought to clean up our own back yard before we take it upon ourselves to criticise their behaviour.

Mr. Piers Merchant (Beckenham): Does the hon. Gentleman not see the distinction between illegal and corrupt acts of local government and an honest disagreement in the House on a political matter such as the advertising of tobacco products? If he does not, I have no hope for him.

Mr. Rendel: I am sorry that the hon. Gentleman has no hope for me, but the people out there—his electorate—certainly believe that when, for example, political parties take money and change their actions as a result, it is at least comparable with anything that goes on in local government.

Nor is it only local councillors with whom we are making ourselves a laughing stock. Let us not forget that the average voter believes that local government is much less corrupt and less self-serving than national government. Apart from anything else, the general public can see that we lay down much more stringent rules for the conduct of local councillors than for ourselves.

Mr. Hanley: On a point of order, Madam Deputy Speaker. The hon. Gentleman said that the Government have changed their policy because the Conservative party received money in the form of donations. That comment is not justified, and I ask the hon. Gentleman to withdraw his accusation or provide proof.

Madam Deputy Speaker: That is not a matter for the Chair because the arguments adduced were what one might call generalised. It may be a matter on which the hon. Member for Newbury (Mr. Rendel) might care to expand in response to the point made, but it is not a point of order for the Chair.

Mr. Rendel: I am perfectly happy to repeat my point, which is that the electorate believe that such matters reveal that the conduct of Members of Parliament does not live up to the standards of conduct of local councillors. They believe it, and they are largely right to do so.

As I was saying, the general public can see that we lay down much less stringent rules for ourselves. As Madam Speaker pointed out in response to the point of order that I raised just before the BMARC debate, the restrictions on hon. Members taking part in debates on subjects in which they have a declarable interest are far fewer than the restrictions that we have chosen to impose on local councillors. Are we really so sure that hon. Members are so much more honest and honourable than local councillors? If hon. Members tried telling that to the average member of the public, they would soon find out just how low politicians, especially national politicians, have sunk in the eyes of the electorate.

Instead of using this debate for yet another dull and frankly rather useless attempt at point scoring, I believe that the public would prefer us to use the time to investigate how we can enhance our democratic processes, especially at local level.

Mr. Stephen: Has not the hon. Gentleman in fact spent the last three minutes political point-scoring and doing precisely what he complained of as being pathetic and childish?

Mr. Rendel: I made it clear that I was not making a point about any particular political party. I was making a general point about the way in which national politicians—I did not mention a particular political party—are viewed by the electorate at large.

If we are serious about cleaning up local government, we need to decide why corruption has arisen in the cases where it has come to light. What are the processes and procedures that have allowed corrupt behaviour to occur? What can we do to amend those procedures, so that we make it more difficult for corruption to arise and then go undetected?

In many cases—Monklands is an obvious example—corruption has been allowed to take hold because one political grouping has held the vast majority—in some cases, all—of the seats on a council and there has been no effective opposition. Of course, in a true democracy, we cannot legislate for the electorate always to choose its representatives from a mixture of parties. It may be that

one party is so popular that it rightly wins every seat on the council but, let us face it, that is not the usual state of affairs in this country.

Instead, all too often, one party wins all or almost all the seats on the council despite having the support of less than half the electorate. Why is that? The answer is that we still run an antiquated, dilapidated and unrepresentative electoral system. We do so even on councils where we already have multi-member wards, which lend themselves to a proportional system of election.

Nor is it simply one-party rotten boroughs that are liable to corruption because of our first-past-the-post electoral system. Why was it that the scandal of so-called stable communities arose in Westminster? It was for the same reason, that the first-past-the-post system made it possible for comparatively small changes in the make-up of the electorate to have an entirely disproportionate effect on the make-up of the council as a whole. What would be the point of shifting a few hundred Tory supporters into marginal wards in Westminster if the make-up of the council was determined on a purely proportional basis?

If we are serious about the battle against corruption in local authorities, we must first change the system by which councillors are elected. In the eyes of the electorate, it is a test of how genuine the other two parties are in their protestations about corruption in local government if they are prepared to admit today that a proportional system of election to local councils would remove at least one of the underlying reasons why corruption can all too often thrive unchecked in Britain's local authorities.

We can take other measures also. Corruption thrives on secrecy, so we should open up councils wherever we can and bring their workings closer to the people. Planning is one area where corruption is most often suspected in local authorities. If the proponents and the opponents of any planning application have the right to join in the discussion about that application, it will be if not impossible, then certainly much harder for anyone to make an unreasonable decision for corrupt purposes.

When such a proposal is first put to traditional and perhaps hide-bound authorities that are not used to working openly with people, the normal reaction is one of horror. But where such procedures are put in practice in local authorities, the procedures rapidly become so popular that no one would dare to change them back again. Today I tabled a parliamentary question to the Secretary of State, asking him to name the authorities that have opened up their planning procedures in that way. It will be interesting to see whether the Secretary of State can give me that information and whether he has recognised the importance of the new procedures in countering corruption. If he can, it will be even more instructive to learn which more forward-looking councils have introduced that bulwark against corruption.

Mr. Wilshire: This is riveting stuff, but perhaps I inhabit a different planet from the hon. Gentleman. I was chairman of a council planning committee more years ago than I care to admit to the House. Is the hon. Gentleman suggesting that the committee did not discuss planning concerns with applicants and objectors? If that is what he is implying, he lives in a different world.

Mr. Rendel: I am not sure whether the hon. Gentleman heard what I said. I was talking about discussions in open council during consideration of planning applications.

There are two simple changes that the Government could introduce at no cost to the Exchequer, which would help in the struggle against corruption. However, it is a struggle not just against corruption, but against inefficiency. Wherever corruption can thrive, inefficiency can thrive also.

Lady Olga Maitland: As to the hon. Gentleman's point about inefficiency, will he join me in criticising the Liberal-controlled Sutton borough council, which has failed to collect £1 million in uncollected rents? Does he not agree that that is disgraceful mismanagement?

Mr. Rendel: I am sorry, I obviously earned that attack by not wolf-whistling at the hon. Lady earlier. I have said several times during my speech that we are not here to single out particular councils for criticism—that could be done on both sides about parties controlling all sorts of different councils. We must find ways of removing the circumstances in which corruption and inefficiency can flourish.

Many other measures could be taken, as well as those that I mentioned. However, I shall leave others to explain them in the hope—over-optimistic though it may prove to be—that other hon. Members, and particularly the Minister in his winding-up speech, may recognise the British people's yearning for the constitutional reforms that our country needs so desperately.

Mr. Stephen: I was intrigued to hear the hon. Gentleman's suggestion about open discussion of planning decisions. With respect, it seems to be the sort of hare-brained idea that is typical of the Liberal Democrats. Is the hon. Gentleman suggesting that Liberal Democrat councillors will not discuss planning applications behind the scenes among themselves and with their officers?

Mr. Rendel: I am not sure where that question came from or how to answer. It did not seem related to my point about the importance of opening up council meetings to those making a planning application and objectors. The several councils that have introduced that practice have found themselves in a much better position, with decisions being accepted much more readily by all sides.

Corruption is an evil that can afflict councillors of all parties and of none. It is silly to pursue futile point scoring, which serves only to diminish the standing of the House. Instead of each of us trying to pretend that our own party, and only our own party, is free of the scourge of corruption, it would be better to unite in ridding our country for ever of the conditions in which corruption can thrive—at national level even more importantly than at local level. Then, we might at last hope to regain for the politics of our country some of the respect that the hypocrisy of recent times has cost us.

1 pm

Mr. David Wilshire (Spelthorne): The debate—most of which, happily, you missed, Madam Deputy Speaker—is officially about local government conduct, but it is probably inevitable that it will focus mainly on misconduct. Local government is held in low esteem throughout the country. If the turnout at local elections is any guide, nor is local government cared about much.

You were well out of it, Madam Deputy Speaker, and for your sake and that of the House I will resist the temptation to join the party political kickabout, unless I

[Mr. David Wilshire]

am provoked. In case any Opposition Member is tempted to have a go, I remind the House that I was a councillor for 11 years and a council leader for six years. My borough council in Spelthorne is still one of the 13. If anybody still wants to have a go, he is welcome to try, but I do not want to cause difficulties for you, Madam Deputy Speaker, by mixing it if that can be avoided.

If this debate is to make a positive contribution to the future of local government, we must look beyond specific examples of misconduct, however awful or partisan, and resist scoring points by apportioning blame, however much fun that might provide. We ought to consider why misconduct occurs and ask whether the House can do anything practical to minimise the risk of it recurring in future. I realise that such an approach will spoil the fun and may clear the Benches for the next 10 minutes. Hon. Members deserve a lunch break, so now is the time to take one and return to the theatre later.

The House can safely leave the formal investigation into allegations of partisan targeting of resources by Monklands district council, and into partisan cronyism when employing staff, to an independent inquiry. The House should consider what such allegations, true or false, tell us about the attitude of councillors to their roles and priorities.

Mr. Stephen: Does my hon. Friend agree that the same approach should be adopted in respect of Westminster city council, which awaits a legal determination of allegations against councillors and that it would be quite wrong to prejudge the outcome of that legal determination?

Mr. Wilshire: I am grateful to my hon. Friend as I can now tear up the next page of my speech, which dealt with precisely that point.

The Monklands allegations, right or wrong, tell me that whether things were properly or improperly done, too many councillors in Monklands, as elsewhere, have an obsession with power and with service delivery. Westminster city council is another example. Formal investigations into partisan housing policies are sensibly left to independent experts. We can therefore usefully move on to consider what that example tells us about councillors' attitudes and priorities. It tells me, as does the Monklands example, that too many councillors are having love affairs with power and service delivery.

What happens when local government focuses on the wrong things and gets its priorities wrong? What can we usefully do to get those involved back on to the strait and narrow? I suspect that any of us who have been practitioners in local government are only too well aware of how a love affair with power manifests itself. It is usually to be found in the form of special pleading for accountability. That reveals a blinkered understanding of what accountability really means.

It is true, as councillors claim, that accountability involves power over things. That can be described as accountability for something. It also involves duties to people, and all too often that is overlooked. If we have a fixation with what we are accountable for, we end up with a power complex. That leads to the making of ridiculous claims such as, "If we in local government do not continue to provide this service ourselves, our proper role will be undermined." Other councillors might say, "If somebody else provides this service, local government will lose control of it." We all know the language. The other side of the coin is that if a service has nothing to do with local government, then local government should not get involved in it. I am sure that what I am saying sounds horribly familiar to anyone who has examined local government and I hope that we all agree that the language to which I have referred is nonsensical.

What happens when a power complex is taken to extreme? The result is power over things—for example, services—and an attempt to have power over people. That is extremely dangerous irrespective of which party is involved. The result is serious misconduct. Two examples come to mind. There is social engineering, which I think is dreadful, and party political fixing.

The best current examples of social engineering that I know anything about are the results of some people's fixation with political correctness. We have heard a few examples already and I shall toss in one or two of my own. There is the wondrous example of Humberside—shortly to be abolished, thank goodness. The authority spent £10,000 on black dolls for play groups. That is absurd. Lewisham set up a special committee to help develop local government skills in South Africa. That is nonsensical. Hillingdon produced a dictionary of politically correct phrases. It then spent £50,000 on training staff to use that wondrous dictionary. That is not what local government is about, whichever party is involved. If councils indulge in those activities, it is no wonder that local government is held in contempt.

Even worse than social engineering, and that is party political fixing—

Mr. Dobson: Conservatism.

Mr. Wilshire: I have examples involving several parties, and others none, becoming involved in attempts at party political fixing.

Mr. Dobson: Does the hon. Gentleman acknowledge that the district auditor is investigating allegations that Westminster city council spent £1.5 million of local taxpayers' money in furthering its electoral chances? Does he agree? If that is true, will he condemn it?

Mr. Wilshire: Of course. I can now tear up another page of my speech. The hon. Gentleman has made precisely the point that I was about to make. I was not intending to use the Westminster example, but I am happy to say that if that allegation is true and if the allegation that Birmingham city council was pushing money round the city in an attempt to woo the electorate to vote Labour—if either or both allegations are true—I condemn them both. I hope that the hon. Gentleman will condemn Birmingham as readily as he condemns Westminster. That is exactly the point that I am trying to make.

Mr. Dobson: Will the hon. Gentleman go back to his accusation against Humberside county council in relation to black dolls? How much did that council allegedly spend? The facts are that a play group at Hutton Cranswick applied to the council for help and was given a £300 grant towards the cost of repairing a water heater and the purchase of some toys, which included some black dolls.

Mr. Wilshire: We can have wonderful fun, as we have had before, tossing press releases, cuttings and other

things about. All that I will say to the hon. Gentleman is, whether my figure or his figure is right, my point still stands: paying even 1p to put black dolls into playgroups in the name of political correctness and to make a political point is wrong. It does not matter how much is spent—it is the principle that I am concerned about.

I shall return to the question of political fixing and try to resist further temptations to mix it with the hon. Gentleman. He provoked me and I apologise to you, Madam Deputy Speaker, for allowing myself to go down that track.

It is notoriously difficult to prove beyond all reasonable doubt allegations of party political fixing, but I will give just one example which does stand, and it will cheer Labour Members because it does not attack their party. The borough of Spelthorne, which is in my constituency, has just been referred to the Local Government Commission for a re-review because it still wants unitary status. We are passionately committed to securing that status, getting out of Surrey and returning to Middlesex, which is where we really belong, as a unitary council. Within days, however, of the announcement in this House that Spelthorne's status was again to be reviewed—and I hope that we shall succeed—Surrey county council launched a scurrilous campaign against it.

Why was that? There are some perfectly good reasons why one could run a campaign, scurrilous or not. One could do so because staying in Surrey could be good for my constituents—I respect that, although I would disagree that that is true in this case—or because Surrey services could suffer if Spelthorne left it. Again, that is an honourable reason, but I do not agree with it and could demonstrate why I am right and Surrey county council would be wrong.

Those, however, are not the reasons why Surrey county council has launched its campaign. It has attacked the Government review simply because the Surrey Conservative group can ill afford to lose its five Spelthorne county councillors. All that I can say to such an attitude is, "Shame on you." It is not worthy of local government, whatever party one comes from.

Mr. Rendel: Is it not at least possible also to accuse the Government of political fixing in taking out of Surrey what the hon. Gentleman has already told us is one of their 13 remaining councils in the hope that at least one or two councils will remain under Conservative control if they become unitary authorities and separated from the county?

Mr. Wilshire: That is a fascinating point, but I suspect that the proposal owes more to the fact that the Liberal group on Surrey county council is not keen to lose its one Spelthorne councillor. However, I shall let that pass as I want to move on.

When local government is obsessed with services, a part of what it should be doing is ignored and then so-called experts come along behind and start devising wholly unsuitable boundaries and structures. As I read it, local government does not exist to deliver services. It is entirely right that it does deliver some, but that is not why it exists. Local government exists to speak up for the needs of all local people in their communities and then to play a part—I stress that it is only a part—in seeing that those needs are met. The fact that local government is best placed to meet some of the needs is not in dispute, but if councillors become totally obsessed with services that they deliver themselves, trouble invariably follows.

Such trouble is all too familiar to all hon. Members. We discover that councillors of all political persuasions are adopting slogans such as, "Our services are ours—they are not central Government's and they are not the public's." They make silly comments such as, "Taking away our services will undermine local democracy," or "Altering boundaries will inevitably damage services." All of that is far too common and it is utter nonsense. If local government would just stop banging on endlessly about services, it would do a much better job and would be more respected by its communities. It would then become involved, in many different ways, in the totality of need and in all of people's aspirations, not just those in which they currently have a hand.

If hon. Members think that I am talking abstruse nonsense, I can tell them that councillors instinctively know that what I am saying is right. We have only to look at what happens when someone proposes the closure of a local hospital, for example. That sort of issue will always find its way on to a council agenda, yet the national health service has nothing to do with local government. Councillors instinctively understand that they should be involved in the totality of need.

Another point is that when councillors become obsessed with services, boundaries and structures are devised for the wrong reasons and then become wholly unloved by local people. I know that from first-hand experience. Unfortunately, I was a member of Avon county council. It was unloved when it was Conservative controlled, unloved when it was Labour controlled and unloved when no party controlled it. I and many others rejoice that it is to be abolished.

I have a long list. However, I note that one or two hon. Members are making frantic eyes at me and I get the message. Nevertheless, I am not quite sure whether it would do me any good to sit down right now, so I shall just make one or two more points—*[Interruption.]* The list is long enough for me to do so.

I want to discuss what we could usefully do about the list of problems. In a nutshell, we should end the obsession with service delivery. I shall confine myself to suggesting just one or two ways to do that. First, we should give local government a say in all local needs and services. I know that that runs counter to what is being said by the Department of the Environment, but I believe that we can switch the focus away from an obsession with local government services and towards the local community if we involve local government in everything that happens.

We should scrap the absurd system of two-tier local government, which is the ultimate example of local government based on service delivery. The sole justification for larger tiers is the need to create bigger areas for the delivery of certain services. That is rubbish.

We should overhaul local government finance. By giving grants to local councils we encourage the idea that somehow the services involved are local government services. The truth is very different. For example, education and the fire service are national, not local, services. The Government specify the standards for those two services; the pay for all staff is determined nationally and local variations are held to be wholly unacceptable to the public; and central, not local, Government get the blame when things go wrong. The reality is that the local government

[Mr. Wilshire]

provider is only a provider when somebody else is a purchaser. If only we could get away from grants and move to purchasing services from local government, we could get rid of that obsession with service delivery. As a bonus, we would also get away from general formulae. Most of us would be pleased to see the back of standard spending assessments and other such formulae; they are a nonsense.

I hope that the whole House will accept that the conduct of local government all too often leaves much to be desired. I hope that the whole House will also accept that misconduct happens and that it is not confined to one party. A wonderful time can be had—and was being had before you arrived in the Chair, Madam Deputy Speaker—shouting "Yah boo" at each other. It makes us feel better and it provides a little light relief, but it does absolutely nothing to help local government.

The best way to help local government is to leave the formal inquiries to the experts, to work out what lies behind this conduct, to decide how to change things and then to put that into practice. I have tried to explain today how we might do that. I commend it to both the Government and the Labour Front-Bench teams, but I suspect that neither will have the courage to risk the aggravation that will follow if they try to put it into practice.

Madam Deputy Speaker: Order. I am not in a position today to control the length of speeches, but I remind the House that many hon. Members wish to speak. If each one speaks for only 10 minutes, we still get through only six an hour.

1.19 pm

Mrs. Helen Liddell (Monklands, East): This is an extremely important debate and I am sorry that the farce which began this morning's proceedings has substantially eaten into the time available for debate on a subject of considerable importance. I will go so far as to congratulate the right hon. Member for Richmond and Barnes (Mr. Hanley), the chairman of the Conservative party, on giving us an opportunity to have this debate as it allows me, as one of the Members of Parliament for Monklands, to put on record a number of facts which have been missing from the debate about the conduct of local government in Monklands.

Before I start, I draw attention to the fact that, despite the brouhaha at the beginning of the debate, the Government Benches are now almost empty. That depresses me as it leads me to believe that Conservative Members do not necessarily take this subject as seriously as they should. I have one particularly significant point to make. I notice that there are no Scottish National party Members present in the Chamber today. They made great sport a year ago of the conduct of local government in Monklands. The SNP has three councillors in Monklands, but I have yet to hear a statement from the Leader of the SNP as to what action he will take in relation to his party's councillors. It is not clear from Professor Black's report to which party the councillors guilty particularly of staffing irregularities belonged. Nevertheless, that situation is most regrettable.

I have been critical of my party, as the hon. Member for Tayside, North (Mr. Walker) mentioned, because immediately following the by-election it should have acted as quickly as possible. However, I put on record my thanks for the support that I have received from my right hon. Friend the Member for Sedgefield (Mr. Blair) and my hon. Friend the Member for Hamilton (Mr. Robertson). Immediately following the publication of the Black report, I received a response from the leadership of my party and action is now being taken. That is important.

I also take this opportunity to thank Professor Black. In this context, it is appropriate to recount the circumstances which led to the Black report. I mentioned in my intervention in the speech of the hon. Member for Tayside, North that during the by-election in which I was elected to the House the hon. Member for Eastwood (Mr. Stewart) made some damaging and hurtful allegations about the performance of people in Monklands district council in relation to religious discrimination. I shall refer later to sectarianism and the damage that has been done to my communities by the charges of sectarianism. I regret that the hon. Member for Eastwood is not here. I had expected that he would be. As a Minister of the Crown, he claimed that there had been sectarianism in appointments. Immediately after my election, I asked him to use that opinion as grounds for calling for an inquiry under section 211 of the Local Government (Scotland) Act 1973, but he turned me down, as I expected he would.

With the assistance of colleagues who are more senior and experienced parliamentarians than I am, I sought the legal advice of Scotland's premier lawyer, the Dean of the Faculty of Advocates, as to what steps could legitimately be taken. As the council—together with my distinguished predecessor the late John Smith—had called for an inquiry into the activities of Monklands district council, I knew that the council would be anxious to see matters resolved.

As a result of the legal advice given to me by the Dean of the Faculty of Advocates, my hon. Friend the Member for Monklands, West (Mr. Clarke) and I met Monklands district council. I provided the council with the Dean of the Faculty's opinion as to whether it could proceed with an inquiry without fear of surcharge and remain within the law, and the council agreed that it could. It was therefore from the activities of Labour Members of Parliament and the council itself that the Black inquiry came into being.

I am grateful that we now see some belated movement on the part of the Government on a section 211 inquiry. Regrettably, the inquiry is not so far-reaching as I would wish. One of the main criticisms of Monklands district council during the by-election was about the imbalance of spending in relation to the eastern and western parts of the area. A number of sets of figures were put about relating to expenditure, but I was concerned that we were trying at that point to compare apples with oranges. The district council's figures took into account housing allocation and the figures from the four rebel councillors gave extracted council housing expenditure.

I asked the council to provide evidence as to its spending over a period. It produced evidence showing that £22 million had been spent in the western part of Monklands district, but that only £2 million had been spent in the town of Airdrie, which I now represent and—deplorably, in my view—less than £1 million had been spent in the nine villages that I represent. I was angered by that, and I remain angry. In his report, Professor Black vindicates the stand that I have taken.

I do not say that all the charges that have been made against the district council have been proven. I am grateful to the hon. Member for Harrow, West (Mr. Hughes) for

stating that, during the by-election, I referred to "tittle-tattle". The Minister, as well as the hon. Member for Tayside, North (Mr. Walker) and—from a sedentary position—the hon. Member for Sutton and Cheam (Lady Olga Maitland) have all referred to the fact that allegations must be substantiated.

I am grateful that the hon. Member for Harrow, West has allowed me to address this matter, as I can now give the full quotation of what I said during the by-election campaign. The quotation was reproduced this week by the political correspondent of *The Economist* in Scotland, Mr. Peter Jones, who was present throughout the by-election. The actual quotation was:

"I am not interested in tittle-tattle or gossip about the council, but give me solid evidence and I will act."

I like to think that I have done so.

The issue of fraud has been raised by Members on both sides of the House, and there has been a fair amount of batting to and fro. It is extremely important to put on the record of the House that the Public Accounts Commission—which is respected by people of all political persuasions in Scotland—has given Monklands district council a clean bill of health. There were repeated allegations about Monklands district council in respect of planning applications, and that is one area in which we can hear charges against councillors. The planning department of Monklands has been vindicated, and I am glad of that.

Some of the allegations were amusing and absurd. Airdrie is an ancient royal borough, and a gentleman drew to my attention the husbandry in relation to paving stones in Airdrie. Over time, he said, the people of Airdrie had been proud of their paving stones and had made sure that they were not broken. The man had come across council workmen digging up paving stones, and had rushed to my office to allege that paving stones from Airdrie were being taken to Coatbridge, so that broken paving stones from Coatbridge could be installed in Airdrie. That was the level of some of the allegations. Some were substantial, but we must bear in mind that some of the allegations from small and close-knit communities can be bizarre. There is to be a section 211 inquiry—regrettably, not so far-reaching as I would have wanted—and we have now an opportunity to proceed.

I am anxious not to take up too much of the time of the House, but I must make a point on behalf of my constituents who have been besmirched by allegations of religious discrimination. It has been claimed that Catholic Coatbridge is being favoured over Protestant Airdrie. That is an appalling charge. It is also totally untrue. The right reverend Bishop of Motherwell, Joseph Devine, said only this week that the religious breakdown in the two towns is roughly fifty-fifty. People who are ill informed about Monklands and who make damning charges fail to take into account that I represent nine villages in which the substantial majority of people are Roman Catholics.

I have been critical of Monklands district council. The charge has been laid against its members that they favour Roman Catholics. I am a Roman Catholic, and the four rebel councillors who raised the charges initially against Monklands district council are Roman Catholics. There is a high proportion of Roman Catholics in the Labour party in the Monklands area, for the simple reason that there was considerable Irish immigration there throughout the 19th century. One of my reasons for being so angry about the charges of religious discrimination is that in our past there has been such discrimination and bigotry and much work has been done to try to get rid of them. Much of that has now been set aside by the charges unjustly levelled against people in my community.

I come from a community with a strong record of social service. My hon. Friends the Members for Hamilton and for Cunninghame, North (Mr. Wilson) and my distinguished predecessor John Smith often boasted that their alma mater, Dunoon grammar school, provided three leading Labour Members of Parliament. Argyll, which contains Dunoon, covers many thousands of square miles. The school that I attended has provided three current hon. Members—myself and my hon. Friends the Members for Motherwell, North (Dr. Reid) and for Falkirk, West (Mr. Canavan). Five hon. Members come from Monklands. In addition to those that I have mentioned, there are my hon. Friends the Members for Monklands, West and for Coventry, South-East (Mr. Cunningham). People in the area have genuine and passionate social concerns, and they have been drawn down into an argument about religious discrimination that is uncalled for and unjust.

I am critical of the Government and of Conservative Members who have used the people of my community as a political football. For two years we asked for a section 211 inquiry but could not get one. The Government repeatedly said that there was no evidence that would allow them to have such an inquiry. I have evidence that there was a concerted plot by the Conservative party to concentrate on Monklands because it contained John Smith's seat. I have a number of faxes headed:

"William Reid and Sons, Wireworkers Ltd, 162 Glenpark Street, Glasgow."

When they first came to my attention, I wondered why a wireworking firm in Glasgow was interested in the affairs of my constituency. Reading on, however, I found a fax from Mr. John Love—a failed Conservative councillor in Monklands—to Miss Aileen McAuley of the *Airdrie and Coatbridge Advertiser*. It is dated 4 February 1994 and it is clear from its terms that there was an orchestrated campaign against Mr. John Smith. It states:

"Do you know if Smith has a surgery this weekend? I intend lobbying him on Sunday as he attends the Labour meeting at the Concert Hall, Glasgow but I would also have liked to attend his surgery for a confrontation."

That fax intrigued me and I found another one from the same company, William Reid and Sons. I assume that Mr. I. W. Reid and Mr. A. R. Cameron are extremely generous directors.

Dr. Reid: He is no relation.

Mrs. Liddell: As my hon. Friend says, he is no relation. They must be very generous to allow Mr. John Love that opportunity.

There is another fax to a Miss Jacqui Lowe, who may be known to the Under-Secretary of State for Scotland, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton), who is present on the Trsry Bench. It seeks a copy of the relevant section of the Local Government and Housing Act 1989 and states:

"also advise on line to be pursued. I have no wish to be sidetracked into legal arguments. "

That suggests to me that the Secretary of State for Scotland, who maintains a close link with the Scottish Conservative and Unionist office, was aware of all those activities and colluded in them.

[Mrs. Liddell]

I am worried that the Government will not act quickly in the section 211 inquiry. I am also worried that issues being raised with the Crown Office in Edinburgh will not be acted on expeditiously. A community of decent people is being used as a political football. I suspect that a Government who are as panicked as the present Government will seek to continue to use Monklands as a means of trying to smear a Labour party which has been determined to act, is now acting and will act with all haste.

I ask Members of the House that before they attack the people of Monklands they should bear in mind the fact that that community has come through a lot. I also ask members of the Press Gallery who are covering this debate not to be drawn into the shorthand and slanging match of alleged religious discrimination, sectarianism and bigotry in Monklands as it is inflammatory in the extreme. We have worked for generations to bring about a healing in that community and outsiders who have sought to exploit that community for their own ends do my constituents no good at all.

I hope that the situation will be brought to an end, and I hope that lessons for the conduct of local government—not only in Scotland, but throughout the United Kingdom—will be learnt from what has happened to Monklands district council.

1.35 pm

Mr. David Shaw (Dover): It is important for us to be aware of the purposes of local councils. They are there to provide services efficiently to the electorate.

I often feel that, where there is a divide between the political parties, it exists because many Labour Members appear to suppose that the purpose of councils is to implement ideological ideas. They are there, in Labour's opinion, to implement political correctness; they are there, not to look after all the people but to look after its people. That is the difference between the Conservative approach and the Labour approach. The Labour approach is heavily orientated towards looking after its people, not all the people.

The Labour party has a record of looking after trade unions and councillors or relatives of councillors, as we have heard today. Lambeth, Islington and Monklands are all Labour councils; they all have serious problems, and there are examples in all of them of looking after their own people and not concentrating on looking after all the people.

Why do those councils go wrong? I cannot do any better than refer people to Leo McKinstrey, who used to be a Labour party bureaucrat. He is a former Labour party councillor who has been telling his story in the *Spectator*, *The Sun* and *The Daily Telegraph*. That story goes on and on. It draws attention to the way in which Labour has failed—and Mr. McKinstrey is an insider. It draws attention to the fact that Labour is obsessed with ideological methods of running councils, with political correctness and with looking after the trade union interest.

Mr. McKinstrey is a man who speaks from considerable experience. He has been active, not only in local Labour party work but in national Labour party work. The more one speaks to Labour councillors—or even, I am afraid, sometimes Labour MPs in the House of Commons—the more one discovers that many of them do not understand the concept of public service.

Many Labour politicians are aware of nothing wrong in the corrupt practices that exist in places such as Monklands. Only yesterday, across the Floor of the House of Commons, I was told by a Labour Member below the Gangway that only 68 employees out of 1,500 were family members, and that that really was not too bad—that it was not wrong. Many Labour people simply do not understand what is wrong when it is drawn to their attention.

I accept that the hon. Member for Holborn and St. Pancras (Mr. Dobson) said earlier that those matters should have been stopped. We all agree that they should have been stopped. The question we have to raise is whether Labour has the methods to stop them.

My argument is that the hon. Member for Holborn and St. Pancras, who refers to clowns, should stop chucking around the invective and should concentrate on the hard work involved in stopping wrongdoing—[*Laughter.*] The hon. Gentleman may laugh and smile. At the end of the day, however, it is hard work that gets to the bottom of wrongdoing.

I take on board the point made by the hon. Member for Monklands, East (Mrs. Liddell). Much has been made of the religious issue in Monklands and some of what has been said is excessive and over the top.

Mr. Dobson: By you.

Mr. Shaw: I have never referred to the religious issue. If the hon. Gentleman looks at my speeches, he will see that I have expressed concern at the fact that there have been allegations within the community and that many people in the community have been unhappy on a religious basis. However, the matter goes much further than religion; it goes to the heart of the way in which Labour councillors conduct their affairs and the opportunities that that gives for crooked people to get into the Labour party and to rise within it. That is what Monklands is about. It is about crooked people who have risen to the very top of the Labour party in Monklands and about how the Labour party's rules and regulations cannot get rid of them and do not sift them out. It is only now, after 20 years of complaints in the Monklands area, that Labour has had to take action. We never got any action before.

Mr. Merchant: Does my hon. Friend agree that the essential problem is the nature of the Labour party's political machine in areas of the country where it has had dominance for decades? Does he agree that the Labour party leadership is reluctant to take on the essentially corrupt nature of that machine, although it knows that it exists? That machine exists to perpetuate control and power rather than to serve the people of those areas. I know all about that from my experience in the north-east of England.

Mr. Shaw: My hon. Friend identifies the problem precisely. When I looked into aspects of Monklands, I found that there were Labour branches with small local memberships. Everyone questioned the records and where they were; no one knew where the membership records were. No one knew how people got elected to positions of power and influence which could enable them to select people to stand as councillors. We found that many of the local Labour party meetings were stuffed with people who came from the trade unions and that the trade unions were controlling how people got elected. There was very little

democracy. The Labour party prides itself on democracy and openness, but the position in Monklands Labour party was completely the reverse.

This 20-year history has involved at least three inquiries by the police, following complaints. Sadly, there has not yet been enough evidence to lead to police prosecutions. This 20-year history has involved a Labour investigation after which the Labour party has been accused, probably quite rightly, of covering up many of the aspects that went wrong in Monklands. It has involved serious and substantial complaints which have still not been published.

Like Ministers, I invite the Labour party to publish all the evidence behind its report and to open the files. Labour should let us all have a look at the evidence made available to it. All the paperwork and complaints which I was told were being submitted to the Labour party inquiry have never been published. The inquiry, having started from a wide base, rapidly narrowed to being concerned with just one small organisational problem.

Dr. Reid: The question that the hon. Gentleman must answer for the people of Monklands, where he spent a considerable time, is: how is it that the police were at least willing to undertake investigations on the basis of the evidence that was available, although it did not prove sufficient; that the Labour party, without any resources of power, status, administration, legal protection or finance, was able to undertake an investigation; that Monklands council itself could set up an investigation; but that hon. Members such as the hon. Gentleman, who repeated the fact that the people involved were definitely crooks, with all the resources of the power of the state at their disposal, have not deigned over three years to undertake their investigations? Why could everyone else do that, even when it cost us politically, yet the hon. Gentleman and his colleagues could not? Can he answer that?

Mr. Shaw: I can answer it very precisely. The hon. Gentleman is someone of considerable experience of the world, politics and the environment outside the House, and he and I both know—certainly I, as a chartered accountant, know—that securing prosecutions requires a high level of evidence. That is the sad thing about Monklands—[HON. MEMBERS: "Answer the question."] I am about to answer it.

Every so often when someone goes in to investigate Monklands, the files and the paperwork vanish. In many cases affecting Monklands councillors, the paperwork has vanished. The police have had difficulty in pursuing the three investigations of which I am aware.

The Labour party is now telling us that not all its evidence is substantive enough to submit to the Secretary of State. Nevertheless, it felt able to criticise councillors in its report; at one point, it said that the council's personnel policies left the councillors open to criticism. So please submit the evidence behind that statement. If you made that statement, Labour party, let us have the evidence behind it. It would be incredibly valuable to the Secretary of State and would help the inquiry if the evidence that led you, the Labour party, to put that sentence in your report—

Madam Deputy Speaker: Order. I remind the hon. Gentleman that he is addressing me.

Mr. Shaw: Thank you, Madam Deputy Speaker. I should be only too happy to say to you that if the Labour party made that evidence available to you and you submitted it to me or to the Secretary of State for Scotland, we would all be grateful.

The fact is that the evidence submitted to the Labour party and assembled by it, which led it to criticise the council's personnel policies, has not been produced in public. All we have is a sentence in the Labour party report. No wonder the Secretary of State could not initiate an inquiry. The Labour party of Scotland refused to hand over the evidence substantiating that sentence.

After the Labour party inquiry personnel consultants were brought in and they criticised the council and its systems and procedures and recommended changes. About three industrial tribunals found against the council and its employment practices, too. There was also an ombudsman's report on the housing department, concerning housing allocations and the right to buy. But even the ombudsman could not get enough evidence together for the final criticism on the right-to-buy issue with which he was confronted; instead, he had to criticise the council and councillors because the files and paperwork had vanished. Why do so many people who go to investigate Monklands council find that the paperwork has vanished?

As well as the investigations by the police, the Labour party, the personnel consultants, the industrial tribunals and the ombudsman, there was also an investigation by a local newspaper. A girl journalist desperately tried to push the stories in her newspaper and get the message across about how corrupt the council really was. There were attacks on that journalist, and she suffered intimidation and vilification. She found it difficult, but she courageously continued, and received a journalism award for doing so.

All that forced the Labour party to accept that there would have to be a report. I pay tribute to the methods by which Professor Black's report came into being. Sadly, even then attempts were made to cover up, because the report considered only the previous five years. He was limited by his terms of reference. There are many matters that still have not been covered by Professor Black's inquiry or any other. There is much wrongdoing in Monklands that still requires investigation. In fact, Professor Black is now under attack by the very councillors who authorised his report. It is incredible that they should initiate the report and attack its outcome, which is entirely consistent with the criticisms of other reports.

The Labour councillors on Monklands district council have been suspended, but I have to apprise the House of the considerable anxiety in Monklands that seven of the Labour councillors are also magistrates. Seven of them are responsible for law and order in Monklands. I know that many people in Monklands are worried about whether law and order can be properly dispensed when seven local magistrates are councillors who have been criticised and suspended by the Scottish Labour party. That gives cause for real concern because those magistrates are involved in dealing with police work and all aspects of law and order in Monklands. Apparently, there has already been one problem with magistrates' expenses in Monklands.

Mr. Dobson: Does it involve one of them?

Mr. Shaw: It is also suggested that various people in the magistrates structure are jockeying for position. *[Interruption.]* Does the hon. Gentleman wish me to give way?

Madam Deputy Speaker: Order. The House knows my views about seated interventions. I am especially concerned when they come from an hon. Gentleman on the Front Bench, who should know better.

Mr. Shaw: The hon. Gentleman, as he said earlier, would like wrongdoing to be brought into the open. I am sure that he was not attempting another cover-up with his sedentary comment.

Mr. Dobson: It was not a comment; it was a question. I asked the hon. Gentleman whether there was any suggestion of fiddling expenses by any of the seven magistrates to whom he referred.

Mr. Shaw: If he wishes, I would be happy to give the hon. Gentleman full details. It is a matter of concern that the seven councillors who are magistrates and have been suspended by the Labour party are nevertheless able to fulfil their functions as magistrates.

When I told the House that there were some 20 relatives of councillors in the employ of the council, many Labour Members tried to rubbish what I was saying. I now accept that I could be regarded in some quarters as having erred slightly on the wrong side. The figure was not 20, or even the 40 that the evidence began to suggest. It turns out that there were 68 relatives of councillors employed on the council.

One newspaper in Scotland calculated that if people were employed by the council in the same proportion as councillors' relatives were employed, Monklands district council would have 328,000 employees. Such a state of affairs is unusual and incredible.

The practices that have been complained of have not stopped; they are still going on. In the past 12 months, concierge appointments that appear to involve bias as a result of Monklands councillors shifting things to their advantage or that of party members have been identified.

Page 16 of the Black report identifies many of the problems involving relatives of prominent Labour party members who are employed on the council. We find that there are gardeners who cannot use hoes but can sign application forms for Labour party membership. There are painters who will not climb ladders but can sign application forms for Labour party membership. There are corridor meetings at which councillors nodded approval and told officers to dismiss employees whom the councillors did not like because they were causing them problems in the local party.

Only last week, Monklands councillors made an obviously corrupt decision. They picked an ex-Labour councillor who was working for Strathclyde council and appointed him, at the age of 64, to a short-term post in a council that is being reorganised. The reason behind the appointment was clearly identified in an article on 24 June in the *Daily Record*. That reason is that he gets a promotion taking his salary from £40,000 a year to £71,000 a year. Not only does he get a £31,000 a year increase for his last year but he gets pension enhancements worth £500,000. That is a lot of money for a 64-year-old ex-Labour councillor.

Dr. Reid: I shall not correct everything that is wrong in the hon. Gentleman's speech—[HON. MEMBERS: "You cannot."] I can. Monklands council did not employ that person—that is the first substantial mistake in the hon. Gentleman's speech. Secondly, that person ceased to be a member of the Labour party 26 years ago, and he was a councillor 33 years ago. I challenge the hon. Gentleman to repeat outside the House that it was a corrupt appointment. I happen to have investigated why the appointment was made and on what grounds, and I am satisfied. I challenge him to repeat outside the House that the appointment of Mr. David McKendrick was corrupt—we shall see whether the hon. Gentleman has the courage of his convictions.

Mr. Shaw: Can the hon. Gentleman claim that any legal action has been instituted as a result of the article in the *Daily Record* of 24 June? I am not aware of any such action, but he will tell me if I am wrong. As far as I can see, everyone has accepted the strange state of affairs whereby someone who, only a year before he retires, goes from a £40,000 a year salary to a £71,000 a year salary. Clearly, he suddenly developed a remarkable ability that was not recognised by Strathclyde regional council. In fact, his ability is so great that he has moved from a post below someone else to one above that person. Indeed, the person in the higher post applied for the £71,000 a year job but was turned down.

Mr. Livingstone: Will the hon. Gentleman give way?

Mr. Shaw: I shall give way one last time, but I have to watch the time.

Mr. Livingstone: Many hon. Members will be surprised that the hon. Gentleman takes such an interest in what happens so far away when there are nearer councils that deserve his attention. I am thinking especially of Brent, where a council officer who was managing a department was having an affair with the chair of the relevant council committee. Her department lost £600,000, but she has received very generous redundancy payments instead of being disciplined.

Mr. Shaw: The Conservatives have now taken control of Brent council, but many corrupt practices were started during the many years of Labour control.

I shall curtail my remarks. Many aspects of the Monklands case still need to be investigated. Although Professor Black started to examine the planning department, he has looked at only the final five years, whereas there are complaints and questions going back 15 years or more. There are in that planning department many allegations of a criminal nature that need to be investigated. For example, there are strange relationships with some property developers.

I have spoken before in the House about the £37,000 loan from a property development company to a company connected with the leader of the council's family. The loan was not from a bank or a solvent property company but from a property development company that was virtually insolvent and had never made a similar loan before. I believe that that special loan of £37,000 was for special services connected with planning on Monklands district council.

The leader of the council's business relationships should be investigated, and I challenge the Labour party to do that. The records are available at Companies House and the Labour party could investigate the matter if it would get off its backside and do so. KS Construction Ltd.—a company controlled by the council leader and his family—was wound up because it did not pay its creditors. Yet, although he failed to pay creditors and to

repay a Government loan of £100,000, the Labour party re-elected that man to stand for Monklands district council. Why did the Labour party reselect a man who did that?

More information has recently come into my hands about KS Asbestos Removal Ltd., a company which has performed work for Edinburgh district council, Hamilton district council, Glasgow district council, Strathclyde regional council and Motherwell district council. KS Asbestos Removal Ltd. is controlled by the leader of Monklands district council. In a written document that has been sent to me, he claims that his company has 166 small contracts with Strathclyde regional council. We must ask: how can the Labour leader of Monklands district council be so successful in obtaining contracts with Labour councils when his other business interests constantly fail? For some reason, he is always successful with contracts with Labour councils but he is not successful in other circumstances.

I could go on. Evidence has been sent to me about problems with Motherwell district council and many other Labour councils in Scotland. Unfortunately, I do not have sufficient time to do that. I hope that there will be an opportunity to return to the problems of other Labour councils in due course.

2.1 pm

Mr. George Robertson (Hamilton): From the farcical start of the debate, when Conservative Back Benchers tried to exclude the public and the press from the Chamber, to the end of the debate, when Conservative Members contrived to keep my hon. Friends the Members for Barking (Ms Hodge) and for Cumbernauld and Kilsyth (Mr. Hogg) out of the debate, we have seen the Tory party on display.

This was never intended to be a debate about the conduct of local government because the chairman of the Conservative party opened the debate. There was no sign of the Secretary of State for the Environment; he did not even put his nose around the door. The Secretary of State came into the Chamber during the Division and spoke to the hon. Member for Sutton and Cheam (Lady Olga Maitland), who is presumably wavering about how to vote in the Conservative party leadership election, which now takes up all the Secretary of State's time. It is not as if he is not in London. The Secretary of State for Scotland, who is a key player in today's drama, is close by in Westminster. I watched him on the green.

Mr. Hanley: He is on his way to Scotland at this minute.

Mr. Robertson: The Minister should check his facts. At 12.30 pm I saw the Secretary of State for Scotland on the green doing a live television interview. I bet it was not about Monklands district council or the conduct of local government; I bet the Minister anything that it was about the Tory leadership election. Today's debate was designed to divert attention from the turmoil inside the Conservative party.

Mr. Hanley: It was arranged before, and the hon. Gentleman knows it.

Mr. Robertson: Who knows when the conspiracy started. Who knows when the decision was taken on Thursday last week—

Madam Deputy Speaker: Order. I made a point about interventions from one Front Bench, and I now must make the same point about interventions from the other Front Bench.

Mr. Stephen: On a point of order, Madam Deputy Speaker. Is not the debate about local government and not about the Conservative party leadership?

Madam Deputy Speaker: A passing reference to it may be permissible, but expansion on the point at great length is not.

Mr. Robertson: Last Thursday the Government knew that the shadow Secretary of State for Scotland would be winding up the debate for the Opposition, but the Secretary of State, who is responsible for local government north of the border, chose to play around with the Tory leadership campaign rather than make an appearance to listen to a debate about matters that are within his specific remit, and for which he has heavy and onerous responsibilities. Instead, the chairman of the Conservative party opened the debate. I wonder what he thought when he read Andrew Neil's comments in *The Sunday Times*:

"Only George Bush's choice of Dan Quayle as Vice-President ranks in stupidity with Mr. Major's choice of Jeremy Hanley as the Tory Party Chairman."

I thought that that was a bit nasty and unfair—to Dan Quayle, who otherwise was a perfectly decent and honourable individual.

Why was not this debate on local government about the poll tax fiasco and its cost to the country or about council tax, which is constantly rising above the rate of inflation? Why was not the debate about the gerrymandering of council boundaries north and south of the border, with an arrogant display of partisan brass neck about which the Government never feel a moment of shame?

This debate was a purely partisan attempt to rubbish Labour's record in local government, which is why the Government fielded their third reserves on the Treasury Bench. The two Secretaries of State involved had the sense to desert this smelly and odious battlefield.

Many hon. Members referred to Monklands district council, and the chairman of the Conservative party did so with apparent authority. Recently, he even held a press conference on the subject. I wonder whether his knowledge is a matter of convenience or whether he has a deeper insight into the affairs of the council. Monklands includes the two large boroughs of Airdrie and Coatbridge. My hon. Friend the Member for Monklands, East (Mrs. Liddell) has nine substantial villages in her constituency. If the Conservative party chairman, unprompted, can name three of those villages, I shall give him a bottle of finest Scotch whisky. No? Can he name two?

Mr. Hanley: I wish that the hon. Gentleman would get on with it.

Mr. Robertson: Can the right hon. Gentleman name just one of those villages? The Government claim that Monklands is the key, exemplar council that illustrates everything about Labour local government, yet the right hon. Gentleman cannot name one village out of nine in Monklands, East. The Under-Secretary of State for Scotland, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton), might manage to scrabble together a couple of names, but the opening speaker in

[Mr. Robertson]

this debate—who is chairman of the Conservative party and Minister Without Portfolio in the Cabinet, and who is supposed to be authoritative about Monklands—cannot name one. That tells us something.

Mr. Hanley: Will the hon. Gentleman, instead of trying to make a cheap game of the debate, answer my accusations about the six police inquiries into Labour councils and about the 13 councils that are the subject of Labour internal investigations? Will he provide answers to my points, rather than play games?

Mr. Robertson: What point is the Minister making? My hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) clearly stated that where there is wrongdoing, we condemn it—and that where there are suspicions, we demand investigation. We have taken action, so perhaps the right hon. Gentleman can say what the Government are doing about Westminster city council. We have heard not one word, apology or reprimand, or seen a slap on the wrist—yet the Minister goes on about Labour authorities that are actually doing something. He has exposed his ignorance of Monklands, with which the Government are so obsessed, and of the standards that should even-handedly apply to local government as a whole.

We greatly welcome Professor Black's report and view its conclusions most seriously. We are determined to act decisively and firmly, which is why we decided to suspend the whole Monklands district council Labour group within 24 hours of the report's publication. That decision was endorsed by our national executive committee on Wednesday, and the further decision was taken to suspend the Monklands district councillors who serve on the new North Lanarkshire council Labour group.

Let us be brutally clear. Professor Black's inquiry happened only because Labour persuaded the council to agree to the inquiry in the first place. I pay tribute to my hon. Friend the Member for Monklands, East, who today has been a Member of this place for a year and a day. My hon. Friend tenaciously took on the many inactive Conservative Members who would make allegations but go no further, and those who said that there were no allegations to be made and that those that had been made should be spirited away. My hon. Friend took on both those forces. She deserves commendation and congratulation.

The inquiry was necessary only because the Secretary of State for Scotland refused to use his powers to order a local inquiry under section 211 of the Local Government (Scotland) Act 1973. He had been exhorted to use those powers for years by Labour Members, including myself and the late John Smith.

The Secretary of State demeans his office when he pretends that he could not have ordered an inquiry because the Labour party had failed to pass on evidence from its own internal inquiry. That is, first, as we have repeatedly stated, because the allegation that we have any information that remains unpublished or suppressed is completely untrue. Secondly, the Secretary of State has powers under section 211 that are so sweeping that they would have easily allowed him to order an inquiry. The right hon. Gentleman does not have to have evidence. A complaint would suffice. If the Secretary of State or the appropriate Minister is of the opinion that an investigation should be made, he can have an inquiry.

The Minister tells us that there were no complaints. The hon. Member for Dover (Mr. Shaw), who has left the Chamber, tells us that he made complaints. Why did the Secretary of State not act? What about the matters that we directed from our inquiry in 1992-93? The Labour party had no power to make investigations. Why were those complaints not made available to the Secretary of State? Complaints were made, some in the House and some even by Ministers. Why was it only yesterday that section 211 was triggered in the House?

As I said, the statute states that a specific complaint is not needed. The Secretary of State merely needs to be of an opinion. Why was it that when the Government had an opinion, which they manufactured, paraded and were happy to repeat and exaggerate, it still took them 18 months to order an inquiry? The House deserves an explanation, but I doubt whether we shall get it from the Government Front Bench today.

All that was missing was the integrity and commitment to put truth before party point scoring. The Secretary of State for Scotland chose the low road in dealing with Monklands. That makes his announcement of an inquiry so feeble and unconvincing. We welcome the inquiry, because we want to get at the truth. The people of the locality deserve to know what the truth is. They deserve to have their faith in their local government restored as quickly as possible.

Ministers were willing—enthusiastic even—to ride the political tiger of the Monklands issue. They were completely craven, however, when it came to tackling it with the powers that they alone possessed. They hid behind calls for evidence that they knew we did not have, when that evidence was not necessary. They scored political debating points when the people of Monklands merely wanted the truth. They toyed and played with people's concerns and fears while turning a blind eye to sorting out the problem. But we—

Lady Olga Maitland: In the very short time that is left for the debate, may I have the hon. Gentleman's assurance that he will not turn a blind eye to the grotesque events in Islington? Twenty-six children were betrayed and the then leader of the council was the hon. Member for Barking (Ms Hodge). The hon. Gentleman has ignored those events. Is he trying to engage in a cover-up?

Mr. Robertson: I shall tell the hon. Lady who is covering up. There was a conspiracy on the Conservative Benches to keep out my hon. Friend, who had been promised an opportunity to speak in the debate. She was kept out by a variety of privileged smears.

Ms Margaret Hodge (Barking): I had hoped to be able to speak in the debate, to respond to the allegations that have been made. In point of fact, I have made a number of statements both in the press and on television and radio and did not need the cloak of privilege, which a number of Conservative Members have chosen, to defend myself. Furthermore, unlike members of the Cabinet—the Secretary of State for Health, who refuses to take responsibility for what is happening to the London ambulance service, the Secretary of State for Education, who refuses to take responsibility for rising class sizes, and the Home Secretary, who refuses to take responsibility for the running of prisons—I have accepted responsibility for many of the things that happened in Islington council, the bad and the good—

Madam Deputy Speaker: Order. I am sorry, but the hon. Lady is now making what is virtually a speech rather than an intervention.

Mr. Robertson: I welcome my hon. Friend's intervention. The opportunity to make her point was going to be clearly and deliberately denied to her by the way in which the configuration of hon. Members went. I am glad that she made her point, which she did with great authority.

The Government were willing to play around and toy with the fears and concerns of people in Monklands. We are determined to act against anyone who has betrayed the public's faith in local government or in them. It is this sad, cynical Scottish Office team that will be condemned for its refusal to act sooner. In the absence of Government action, the Labour party set up the Black inquiry and, when it had reported, we acted. People outside the House will see that that is in stark contrast to the lack of action by the Tories on Westminster city council.

We are determined to see that action through. There will be no hiding place for any who fall woefully short of the standards that Labour expects from its councillors in local government. I should like to express a concern that I hope will not in any way seem partisan. I am told that the Crown Office is now saying that action on the cases referred to it by Professor Black, where the allegation involves criminal conduct, will take months and not weeks to deal with. That is not good enough. Concern is so great, interest is so high and the implications of some of those allegations are so grave that they must be dealt with with utmost urgency. Any delay will heighten public concern. After such a long delay, the people of Monklands deserve to have early answers.

I find it puzzling, confusing, but perhaps, not entirely surprising that the Prime Minister, who last Tuesday said something that was clearly untruthful about me in relation to the first Monklands inquiry, who has admitted that he was wrong and who must, therefore, have misled the House, has not had the integrity, the honour, the guts or the simple decency to come to the House or to me and to say that he was sorry for saying something that he now acknowledges and has clearly said. He may scrape through a leadership election next week, but he will not scrape through the boundaries of credibility in the country.

I make a point here with passion and emphasis. Labour believes in the highest standards in local and national Government and we are prepared to ensure that high standards are the common standard. In Scotland, where the whole system was changed this year, every single aspirant Labour candidate had to sign up to the most detailed code of conduct ever put in place by a modern political party.

We instituted a new tough selection procedure for candidates and, indeed, the number of independent rebel deselected candidates was proof of how tough that process had been. We now control 20 of the 29 councils in Scotland. We have embarked on the biggest ever consultation exercise with the public and we have introduced new guidelines on openness of procedure, fair allocation of committee places and representation on outside organisations.

That is not all. We will give, south of the border, to the Audit Commission, and north of the border, to the Accounts Commission, new powers to ensure that the high standards that we expect and aim for in local government are maintained and monitored. No Labour Secretary of State for Scotland will stand by and not use section 211 of the Local Government (Scotland) Act while there are allegations of malpractice and while local communities are bothered and worried by what is being said, especially by Ministers and senior politicians. No Labour Secretary of State for Scotland will ever trade in rumour and innuendo as some self-indulgent party propaganda exercise.

This debate has been a synthetic party propaganda stunt, which might have seemed a bright wheeze last week, but has dissipated as it has gone on. Now, it looks like what it is—a shabby, partisan own goal. We should have heard from the Government about the £700 million lost in an unwanted reorganisation of Scottish local government. We should have had an apology for the £14 billion lost in the poll tax debacle. We should have had humility from a Government who have gerrymandered local government north and south of the border, but who cannot gain control of even one of those gerrymandered councils.

The verdict on the Government and their local government policy came in April and May when they were virtually wiped out in England and destroyed in Scotland and Wales. That was the ultimate political test. There is another one coming and it will be just as devastating.

Mr. Ken Livingstone (Brent, East): On a point of order, Madam Deputy Speaker. Throughout the debate, several allegations have been made against my hon. Friend the Member for Barking (Ms Hodge). In normal circumstances, it would be possible for her to contribute to the debate and make her point. May I draw to your attention the fact that in a debate lasting five hours, Back-Bench Opposition Members have spoken for just 42 minutes, while four Conservative Back-Bench Members spoke for 104 minutes. That is grossly unequal. May I ask through you, Madam Deputy Speaker, that the Government now waive their remaining 10 minutes to allow time for my hon. Friend the Member for Barking to reply to the allegations made against her?

Several hon. Members *rose—*

Madam Deputy Speaker: Order. I have already told the House—I do not know whether the hon. Member for Brent, East (Mr. Livingstone) was in the Chamber—that today the Chair has no control over the length of speeches. However, I specifically asked those hon. Members still waiting to speak to remember that there was great interest in the debate and to allow as many hon. Members as possible to take part.

Ms Hodge: Further to that point of order, Madam Deputy Speaker. It concerns me that I have not had the opportunity to respond to allegations from Conservative Members, who are playing politics with the welfare of vulnerable children in the care of local authorities. It is an onerous duty on local authorities. That sort of playing politics is not worthy of any hon. Member and needs to be dealt with.

Madam Deputy Speaker: I have already explained that that is not a matter for the Chair. However, there are a number of other ways in which those matters can be raised. I have no doubt that the hon. Lady will take various initiatives to ensure that they are.

Mr. Harry Barnes (Derbyshire, North-East): On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. Is it the same point of order?

Mr. Barnes: You have already said, Madam Deputy Speaker, that you have no power to limit the length of speeches today. That is unfortunate on occasions such as this. It might become an even greater problem because there are now fewer Friday debates, so greater pressure might be put on those debates. Of seven Back-Bench speeches today, three from the Opposition Benches have averaged 14 minutes while four from the Conservative Benches—

Madam Deputy Speaker: Order. I am well aware of that. I have a note of all times. I have already made the Chair's position clear. I now simply point out to the House again that there are other ways in which those matters can be raised, including the Wednesday morning Adjournment debates.

Mr. Norman Hogg: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. Is it a different point of order?

Mr. Hogg: Yes, Madam Speaker.

This morning a considerable amount of time was wasted through a procedure that was perfectly in order being invoked by Conservative Back Benchers. They are no longer here, including the hon. Member for Harrow, West (Mr. Hughes), who made a speech and immediately left. I hope that the Chair has taken note of that.

I put to you, Madam Deputy Speaker, that it is disgraceful to hold to ourselves a procedure and privilege that entitles us to throw the people out of their own Parliament. There is something very wrong with any Standing Order—*[Interruption.]* The hon. Member for Sutton and Cheam (Lady Olga Maitland) is shouting—

Madam Deputy Speaker: Order. I have already heard enough to know that the hon. Gentleman is raising a matter that is not for the Chair. We must operate the rules as they exist. If he feels strongly about the matter, as no doubt he does, I suggest that he makes a case to the Select Committee on Procedure.

Mr. Hogg: Further to that point of order, Madam Deputy Speaker. I have already tried—

Madam Deputy Speaker: Order. I am sorry. I have already dealt with that point of order.

2.24 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert B. Jones): It has been an interesting, lively and, for a Friday, somewhat heated debate. I am only sorry that it finished with a rather tetchy speech from the hon. Member for Hamilton (Mr. Robertson), who knows better than that. I do not think that a debate on a major issue such as the conduct of local government should be reduced to a round of a "Mastermind" competition on the special subject of the villages of Monklands. Nor do I think that it is right for the hon. Gentleman to complain about the absence of my right hon. Friend the Secretary of State for the Environment when one of the most obvious absences from the debate has been that of the hon. Member for Monklands, West (Mr. Clarke).

It is also pretty rich for Opposition Back Benchers to complain about the length of speeches by Conservative Back Benchers when one of the most obvious contributory causes of the shortage of time in the debate was the fact that the hon. Member for Holborn and St. Pancras (Mr. Dobson) rambled on for 20 minutes longer than my right hon. Friend the Minister Without Portfolio.

The Government have always recognised the value of good local government. It is, after all, an essential part of our democracy. It gives us all the opportunity to exercise some control over the level, cost and quality of a number of the key public services that we use. It provides us with an opportunity to shape our immediate environment.

I have been a councillor both in Scotland and in England. It is my strong view that good local government is essential. I know that you, Madam Deputy Speaker, as a former councillor—indeed, a senior councillor and chairman of an education committee—will also understand the importance of local government. Just as good local government can be of great benefit to the community, poor local government can do a great deal of damage. So it is hardly surprising that central Government take an interest in the conduct of local government.

Ms Hodge: Will the Minister give way?

Mr. Jones: As my right hon. Friend the Minister Without Portfolio said, good conduct is not just about financial propriety. It also means delivering efficient, effective local government and setting priorities to meet local needs.

Over the past 16 years, the Government have done a great deal to promote good conduct in local government. Those reforms are paying dividends. We have heard a great deal about corruption, some past, some present and some yet to be proven, but historically, local government in the United Kingdom has been characterised by a tradition of propriety and public service. In general, prior to the early 1980s there was little concern about the way in which it conducted its business. That is not true in every case, of course. I remember corruption in Durham, Newcastle and south Wales authorities and, of course, in Wandsworth under the late Alderman Sporle. There was also widespread acceptance of the role of local government. Local authorities concerned themselves with—*[Interruption.]*

Madam Deputy Speaker: Order. We are supposedly debating the conduct of local government. May I suggest that the conduct of the House could be improved?

Mr. Jones: Local authorities concerned themselves with commissioning services to meet the particular needs of their local communities. They did not venture into the preserve of national politics. There was effectively an informal convention between central and local government under which it was understood that economic, foreign and defence policy were the domain of central Government and central Government alone.

In the early 1980s that convention, and relations between central and local government in general, broke down. That was coupled with growing anxiety about the standards of propriety in local government. That process was a direct result of the rising influence of the extreme left in local government, particularly in inner-city areas, where the Labour party's control of local government was the strongest.

A small number of high-profile left-wing Labour local authorities began to present themselves as alternative governments. They increased their spending with little or no regard to the Government's fiscal and overall economic objectives. They even adopted their own defence and foreign policies. The consequence of that approach was a failure to concentrate on the quality of the key local services upon which residents, often those in greatest need, depended. There was also increasing concern about the way in which those authorities conducted their business. We had to respond to that challenge to our authority, and no Government could realistically have done any different. That is the background to the current financial regime.

We were equally determined to deal with public concern about the standards of propriety in local government, and that is why the Widdecombe committee was set up. That committee's recommendations have now been implemented. We are continuing our reforms, and one of the most recent was an attempt to deregulate allowances for local councillors. I was astonished that the hon. Member for Holborn and St. Pancras attacked the Government on that, as we were acceding to a request from Labour-controlled local authority associations.

We have laid down regulations that require local authorities to publish what they do about allowances so that local accountability can take over, and that is the right way to go about it. I welcome what the local authority associations are doing in publishing a code of practice, and the Government—and, I have no doubt, Opposition Members—will hold local authorities to the terms of that code.

What is significant about the Nottinghamshire case is not the Johnny-come-lately approach of the Opposition in condemning the high allowances that were voted through, but the fact that it required my hon. Friend the Member for Gedling (Mr. Mitchell) and local people in Nottinghamshire to lead the campaign—

Madam Deputy Speaker: Order.

It being half-past Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Thursday 6th July, the Speaker shall, notwithstanding the sessional Order [19th December], not later than Ten o'clock put the Questions on the Motions in the name of Mr. Secretary Gummer relating to the draft Staffordshire (City of Stoke-on-Trent) (Structural and Boundary Changes) and the draft Wiltshire (Borough of Thamesdown), Durham (Borough of Darlington), Derbyshire (City of Derby), Bedfordshire (Borough of Luton), Buckinghamshire (Borough of Milton Keynes), Dorset (Boroughs of Poole and Bournemouth), East Sussex (Boroughs of Brighton and Hove) and Hampshire (Cities of Portsmouth and Southampton) Order 1995.—*[Dr. Liam Fox.]*

London Ambulance Service

Motion made, and Question proposed, That this House do now adjourn.—*[Dr. Liam Fox.]*

2.30 pm

Mr. John Austin-Walker (Woolwich): I am glad to have an opportunity to talk about the London ambulance service, which has been characterised by catastrophe, crisis and chaos since the 1980s. The debate follows the publication of the all-party Health Select Committee's report, which is a damning indictment of the management of the London ambulance service. The report points out the failings of the London ambulance service's management, the regional health authority, the national health service executive, the Department of Health and the Minister.

There can scarcely have been an all-party Select Committee that has been so damning in its conclusions. The report said:

"Ministers represent the final link in the chain of accountability. Had the political will existed at Ministerial level, the problems of the LAS might have been effectively addressed years ago."

The Minister today must show that the political will now exists.

It is not just the report of the Select Committee that has highlighted the problems of the London ambulance service. The Wells report in January 1995 and the Page report in February 1993 following the computer crash in 1992 also provided evidence, as did the Association of London Authorities in a report produced in 1991. In 1990 and 1991, the National Union of Public Employees brought forward graphic examples of the deterioration of the ambulance fleet and the problems of achieving the response times for the ambulance service.

My hon. Friend the Member for Newham, South (Mr. Spearing) has on repeated occasions in the House brought to the attention of Ministers the crisis in the ambulance service. The London ambulance service is the biggest and the busiest ambulance service in the United Kingdom—it is twice as busy as any other service. There may be a London factor that affects the service's ability to meet its performance targets, but that is no excuse for failing to provide the swift, efficient and reliable service that is essential to life in the capital city. Those failings are the result of a lack of political will, for which the Minister must answer today.

Let us look at the standard by which the Government measure ambulance services. Some may have criticism for the Orcon standards, and members of the Select Committee suggested looking at patient outcomes or the quality of care. I welcome the commitment that the Minister has made to review those matters. The Department of Health uses the Orcon standards to measure the performance of ambulance services. Those standards can be used to judge individual ambulance services, and in comparisons of ambulance services against each other. By all of those standards, the London ambulance service has failed.

Some 95 per cent. of emergency ambulances in urban areas should reach the patient within 14 minutes, while 50 per cent. should reach the patient within eight minutes. There was a steady decline in the performance of the London ambulance service from 1981 until, perhaps, last year. I acknowledge that there was an improvement in

[Mr. John Austin-Walker]

1994 in the 14-minute standard, but there has been virtually no change in the eight-minute standard. I believe that the latter standard has much more clinical significance, particularly in cases of cardiac arrest. It would be surprising if there had not been an improvement in the 14-minute standard, given the recent injection of money for new vehicles and additional staff. The injection of resources was a major concession that was wrung from an unwilling and hostile Government. The recently recruited additional ambulance personnel have paved the way for improvements in response times, and that gives the lie to the Government's previously held dogma that resources in the service do not matter.

I am pleased to acknowledge that the Government have done a U-turn on this issue and that the Minister admitted to a Select Committee inquiry that the ambulance service was under-resourced and below establishment. He also admitted that there was the problem of an aging fleet, that the service was under-funded and that there might be a need to increase resources further. I welcome that U-turn.

There are other matters in addition to standards of performance. The Government's criteria have a great deal to say about customers and customer charters, but let us look at customer satisfaction. The Health Service Commissioner and the Select Committee on the Parliamentary Commissioner for Administration have repeatedly provided adverse reports on the London ambulance service and its failure to meet the needs of London. The former chief executive of the national health service, Sir Duncan Nichol, told the Select Committee that the situation in London was exceptional, and he contrasted its performance with the clear and efficient handling of complaints by other ambulance services.

The Select Committee took further evidence from LAS management in November 1994, which said that the ombudsman was still receiving complaints about the LAS and commented that there were clearly continuing causes of concern. Therefore, there was no absence of evidence about the problems within the London ambulance service.

The 1980s were characterised by declining standards and a decade of management failure—factors that have been universally acknowledged, even by the current management of the LAS. I do not want to dwell too much on the past and on the events of the management period of John Wilby. However, it is clear that whatever view one takes about what he was trying to do, his period in office must be judged as a dramatic failure, which culminated in the computer crash in 1992.

The Page inquiry, which was set up by the regional health authority, said that the London ambulance service management had ignored advice from many sources, including its own consultants, and had failed to listen to the views of staff. Don Page, who conducted that inquiry, said that not only had there been little consultation, but that it had caused

"an alarming level of demoralisation among managers and staff, and opposition from staff representatives".

He also referred to the issue that is one of the prime problems in the service—the lack of accountability. He spoke about a perceived lack of accountability, but I believe there is evidence to show that it is actual. There is a lack of accountability to the regional health authority; the region lacks accountability to the NHS executive; the executive lacks accountability to the Department of Health; and the Minister lacks accountability.

I remind the Minister of what he said to the Select Committee when he was questioned by my hon. Friend the Member for York (Mr. Bayley). My hon. Friend asked:

"Are you ultimately responsible, by which I mean responsible to Parliament, for the quality of the service of the London Ambulance Service? If not, who is?"

The Minister replied:

"The Secretary of State, to whom I report, is responsible for everything that happens in the National Health Service."

It is a pity that the Secretary of State is not here to answer for her failings to the people of London during her stewardship of the London ambulance service. It is also a pity that the Chancellor of the Exchequer and the Minister of Agriculture, Fisheries and Food are not here because, in their turn, they were Secretaries of State for Health at a time when it was obvious to everyone except the Government that London's ambulance service was collapsing around their ears.

In March 1994, in the light of the growing concern among the public and hon. Members, the Select Committee decided to conduct an inquiry. A few months later, on 19 June, there was the tragic death of a child, Nasima Begum, who had waited 53 minutes for an emergency ambulance. Even that prompted no response from the Government. There was an internal inquiry but it was not until there was an outcry in the *Evening Standard* and the playing on the media of tapes of the calls that the Secretary of State was forced to come to the House in October, four months after the tragedy, to set up the Wells inquiry. It appears, in the words of the hon. Member for Broxbourne (Mrs. Roe), that there has been

"a flurry of official activity and initiatives"—

I believe as a result of the investigation by the Select Committee and the Wells report on Nasima Begum—but it is a tragedy that it needed the death of a child to prompt the Government into action.

The Select Committee criticised the narrowness of the Page inquiry; I join in that criticism. It criticised the missed opportunity of an inquiry that looked into the failure of a computer system but failed to consider the real problems of the London ambulance service. Those problems were identified by the Select Committee as

"ineffective management, underinvestment, industrial relations problems, a complete inability to target resources to match demand, and an ensuing attitude of negativity at all levels."

An opportunity was lost following the computer crash. There had been many identifications of lack of resources, but that investigation inquired into the computer issue only and did not consider the problems of industrial relations and of resources.

I acknowledge that demand in London is greater than elsewhere in the country, and that it is increasing. I acknowledge that it is made worse by the closure of accident and emergency departments in London, almost half of which have disappeared in the past 10 years. A further 20 per cent. are due to close in the next three.

However, the principal problem is lack of accountability. Why is it that, two and a half years after the computer crash, no significant items of new technology had been brought into use in the London ambulance service? Why was there no allowance, even in

the funding plans, for expenditure on a computer-aided dispatch system? Why was there no real contact with other ambulance services, such as the West Midlands ambulance service, which had a proven service and system up and running? Why was there postponement after postponement of meetings with British Telecom about installing a caller line identification system? Why was no progress made in implementing an automatic vehicle location system?

Those failures were clearly identified by the hon. Member for Colchester, South and Maldon (Mr. Whittingdale) in the press conference after he spent a night with the London ambulance service—something that many Labour Members have done—and witnessed the chaos that exists for working ambulance crews as a result of the failure of that central administrative system.

I regret that the Minister, having made such positive statements to the Select Committee, should, in his press release afterwards, criticise the Select Committee for dwelling on the past and not looking to the future. If he had read the report, he would have noticed that we dwelt very little on the past. We had considered the current position of the London ambulance service, and the problems, and had suggested ways in which they could be remedied.

I was staggered by the fact that the London ambulance service employed a firm of public relations consultants which, after the publication of the Select Committee report, issued a press release that must be one of the most damning indictments ever made of an all-party report. The press release was headed:

"London Ambulance Service: Developing Success Story".

That does not give me a great deal of confidence that the new management of the London ambulance service have come to terms with the existing problems.

Nevertheless, I pay tribute to the management on one issue. I believe that they have begun to tackle some of the industrial relations problems. I also pay tribute to the General, Municipal, Boilermakers and Allied Trades Union and to Unison on that issue. They may have come together because they perhaps identified the Department of Health as the common enemy, but I believe that the creation of the London Ambulance Service Staff Council is a major step forward.

There are signs that the issues of rostering and unsocial hours will be tackled. Rostering will be crucial to the success of the London ambulance service in future, but unless the Government are prepared to acknowledge the significant problems that unsocial hours cause for staff, and unless those are recognised in pay negotiations, the seeds of future problems may well exist. I also draw the Minister's attention to the potential equal opportunities problems that are posed by the early finishing and early start times of some of the rosters. I believe that the Select Committee was even handed in its criticism.

Some real praise is due. It should go to the ambulance workers who have kept the service going through an almost impossible period of near collapse. Their morale is still low and it may take years to turn round. The Government continually heap criticism on the staff of the London ambulance service, blaming them for the failures and the current situation. The years of underfunding, neglect and mismanagement have left a legacy that can be resolved only with the active assistance and co-operation of the work force. I hope that the Government now recognise that. To achieve that improvement, the Government must adequately resource the service and show that they value not only the ambulance personnel, but the lives of Londoners.

2.44 pm

Mr. Nigel Spearing (Newham, South): I am grateful to my hon. Friend the Member for Woolwich (Mr. Austin-Walker), who was a member of the Select Committee on Health and who worked very hard, for allowing me to make a short speech.

The provision of emergency services should not be the subject of any party difference; if it is, we have to ask why. I also suggest that if our democracy were running as it should do, questions, still less debates, concerning the standards of the ambulance service in any town or city would be unnecessary. Unfortunately, that has not happened.

In London, the ambulance service was transferred from the Greater London council to no fewer than four regional health authorities under the Joseph—Conservative—reorganisation of the mid-1970s. If responsibility for the service had been with a consortium of borough councils, as occurred with the fire service after the Government's abolition of the GLC, we might not be here now. That is the heart of the accountability that my hon. Friend mentioned.

Unfortunately, the problem has been going on for nine years. On 15 May 1986, the hon. Member for Ravensbourne (Sir J. Hunt), a supporter of the Government, first raised the subject in an Adjournment debate that should not have been necessary. In the nine years since, there have been no fewer than seven debates on the subject in the House; I have spoken in all those that are additional to the debates relating to the terrible dispute, which should never have happened.

I first raised the subject of the ambulance service in a debate on 31 October 1986 which was replied to by the then Under-Secretary of State for Health, the hon. Member for Derbyshire, South (Mrs. Currie). When I pointed out that there had been a 44 per cent. reduction in the number of out-patients being taken to hospitals, she stated:

"I am more than happy at that development. We are keen to have a better emergency service."—[*Official Report*, 31 October 1986; Vol. 103, c. 666.]

She alleged that the patient transport service had been inappropriately used, but later she could not substantiate that. This marked the first step in the terrible events that followed.

We had two debates in 1987, before the 1989 dispute, on underfunding. On 20 December 1989, the right hon. Member for Kettering (Mr. Freeman) said that the service must be run within budget. We were saying that it should be a demand-led service, run efficiently.

The staff were at their wits' end after the 1989 dispute. On 7 December 1990, I presented a petition to the House, signed by a majority of the ambulance crews, asking for a Select Committee investigation. The petitioners said:

"the root causes of the dispute have not been addressed . . . there remains a great and continuing risk to the health and welfare of all Londoners."—[*Official Report*, 7 December 1990; Vol. 182, c. 563.]

Despite this, no action was taken and the Government did not even reply courteously to the petition. Their arrogance typified Thatcherite attitudes to all the public services.

[Mr. Nigel Spearing]

By January 1991, things had got worse. Ten thousand out-patient journeys were being cancelled, as were the appointments with doctors. The telephone stacking of 999 calls was getting worse. Ambulance crew overtime was being cut by budget constraints to a maximum of two hours a week. Fifty ambulance officers were being made redundant because of the tendering out of patient transport services. London Labour Members asked to see the then Secretary of State, the right hon. Member for Bristol, West (Mr. Waldegrave), but he refused to see us. Despite an early-day motion, he was unmoved and so were the Government.

We had another debate on 17 October 1991. In the summer, staff were becoming worried about the consequences of the introduction of computer-aided dispatch which they said would not work. I personally sent letters warning the Secretary of State. But the thing was switched on, and of course it collapsed.

Nine months later, on 1 April, the Under-Secretary of State for Health, the hon. Member for Bolton, West (Mr. Sackville), who is here today, said in the House that no more funds would be forthcoming because enough were already being provided. I remember that you, Madam Deputy Speaker, upbraided me for a disorderly response to that claim. Yet 14 months after the collapse, in December of that year, the Secretary of State decided to provide £14 million more for the ambulance service—a tacit admission of underfunding. Too little, too late.

Ministers have been responsible—irresponsible, in effect—for what has happened over the past five to nine years. They are responsible for the incalculable number of lives that must have been lost and the terrible pressures on families and individuals affected by the dislocation and delays.

That illustrates vividly a decline in the reputation of Parliament, because we have not been able to do much, although we have used the machinery as much as we could. However, it is not Parliament but Ministers who have failed, and who have ignored the warning signs by the representatives of the people. That shows that they deserve ignominious defeat at the next general election.

2.50 pm

The Parliamentary Under-Secretary of State for Health (Mr. Tom Sackville): We have listened to speeches by two hon. Gentlemen who are closely acquainted with the subject of the London ambulance service and who, especially the hon. Member for Newham, South (Mr. Spearing), know a great deal about it. The hon. Members for Woolwich (Mr. Austin-Walker) and for Newham, South both tended to trot out the old nostra about underfunding, failures by Ministers, Select Committee reports and debates, but neither of them really talked about what has bedevilled the London ambulance service for years, with disastrous consequences—the complete failure to achieve the proper co-operation between staff and management that every other ambulance service in the country had achieved years before.

Progress is now being made in that respect, and that is good news, but unfortunately it comes years after every other ambulance service in the country has achieved that co-operation. It is a great sadness to me that the capital should have been so ill served all that time because of the failure to achieve a background against which we could modernise the service and bring in the technology used by all other ambulance services, almost without exception. As a result, populations elsewhere receive a much better ambulance service.

The Government stand accused of having insufficient political will. The hon. Gentlemen cannot have it both ways. It has been said that, before the 1992 computer system crash, we tried to force the pace and that we, or rather the management of the LAS, tried to bring in the computer system without sufficient preparation or co-operation between all those who had to use it. That is fair criticism. The pace was forced, and the then n. .nagement tried to make many changes in the service. Many lessons were learned as a result.

However, we must be careful not to suggest that the three years or so since then have been wasted. From the base of October 1992 a great deal has been achieved. There was a difficult and intractable situation, with bad attitudes in the ambulance service, no confidence in management on the part of staff and no proper co-operation.

It is not surprising that the new technology that the then management tried to introduce did not work, because one thing that has been amply demonstrated everywhere in industry, let alone in the health service, is that new technology, especially information technology, cannot be introduced unless all who will have to use it are perfectly satisfied that they know why it is there and the benefits that it will bring for them and for those whom they serve.

A great deal has been achieved. Since 1992, a whole new management structure has been put in place, a great many very talented and experienced people have been taken on and a whole new divisional structure has been created at the London ambulance service. A new 999 switchboard and extra radio channels have been introduced. A computerised gazetteer will be introduced in July and a new central ambulance control is to be opened in October. To prepare all that takes time. One thing we learned from the collapse in 1992 was that we cannot modernise and bring in new technology without proper co-operation. We have made a great deal of progress.

Perhaps the greatest single change and achievement in recent years has been the agreement on rostering. What particularly differentiated the London ambulance service from other ambulance services was the fact that crews were not rostered properly according to demand. There were many parts of the week and many stations where there was insufficient manning to meet what was known to be expected demand. Often, there were very long journey times because crews were coming from all over London. Crews were not in the areas in which they were needed because there was no proper system of rostering. I would like to pay tribute to management and staff for having arrived at that vital stage in what I regard as the transformation of the London ambulance service into a modern service.

Mr. Spearing: Will the Minister give way?

Mr. Sackville: I shall not give way, if the hon. Gentleman will excuse me, because I have only four minutes left.

Mr. Spearing: They voted against it.

Mr. Sackville: I would like to make it absolutely clear that, because of the agreement that has been reached and

the new technology that is planned, I expect the London ambulance service to begin to reach the sort of performance standards that are routinely reached in other parts of the country.

We should also pay tribute to the London ambulance service for the fact that, although it achieved something like 50 per cent. or 55 per cent. of the 14-minute standard four years ago, month by month the figure is rising and it is now in the high 70s. It is probable that some of the divisions of the London ambulance service are already obtaining a performance level of 80 per cent. or better.

I agree with Labour Members that it is necessary to concentrate on the eight-minute standard so that urgent calls are responded to promptly. There is a measure of agreement that we need to examine the Orcon standards. We need to discover whether there is an argument for changing our attitude in respect of whether every 999 call should be responded to in exactly the same way or whether we should give special priority to the most urgent calls, especially those involving cardiac arrest.

London and other inner-city ambulance services will probably make greater use of rapid response units, especially motor cycle units and particularly where there are problems with traffic.

Mr. Austin-Walker *rose—*

Mr. Sackville: I shall not give way, if the hon. Gentleman will forgive me.

In inner-city areas it is often difficult to respond in a planned way when there are traffic problems. There arelikely to be more rapid response units and we may have to change the standards that we use to reflect that because the Orcon standards say that the first ambulance to arrive should be counted in the figures.

The many reports—the Page report, the Wells report, the Select Committee report—have taken up an undue amount of management and staff time at the London ambulance service. That is a pity. Necessary as they are, they are very time consuming. In all the talk about the London ambulance service and the histrionics and accusations from the media and from hon. Members, none of us must forget that those who work at the London ambulance service are human beings who found themselves in an extremely difficult position. I firmly believe that they have come through and that the London ambulance service is in a new phase. I congratulate all those who work for the service on their successes and achievements: higher standards, better co-operation between staff and management. I am sure that we are well on the way to a London ambulance service that matches any other ambulance service in the country.

Mr. Spearing: On a point of order, Madam Deputy Speaker. Is it in order for a Minister of the Crown to criticise a Select Committee in the execution of its duty of investigation?

Madam Deputy Speaker: I do not regard that as a matter for the Chair.

Question put and agreed to.

Adjourned accordingly at Three o'clock.

Written Answers to Questions

Monday 19 June 1995

DUCHY OF LANCASTER

Food Research

Dr. Strang: To ask the Chancellor of the Duchy of Lancaster what was the total number of scientists employed by the Agricultural and Food Research Council for *(a)* 1979 and *(b)* at present. [28567]

Mr. Horam: The number of scientists employed by the Agricultural and Food Research Council in 1979 was 3,417. As at March 1995, the number employed in the Biotechnology and Biological Sciences Research Council, as it is now known, has fallen to 1,988.

Dr. Strang: To ask the Chancellor of the Duchy of Lancaster how many scientists were employed at the Institute of Food Research for each year since 1986; and what was the total expenditure for each year since 1986 in *(a)* cash and *(b)* constant prices. [28599]

Mr. Horam: The number of scientists employed at the Institute of Food Research since 1986, and the total expenditure for each year since 1986 in *(a)* cash and *(b)* constant prices are as follows:

		Expenditure £ million	
Year	*Number of Scientists*	*Cash*	*Constant*
1985–86	534	9.6	14.3
1986–87	514	10.7	15.4
1987–88	517	10.9	15.0
1988–89	463	11.4	14.5
1989–90	425	11.4	13.6
1990–91	308	11.3	12.8
1991–92	338	10.9	11.3
1992–93	335	11.8	11.8
1993–94	303	11.7	11.4
1994–95	313	11.8	11.2

Research Councils

Mr. Battle: To ask the Chancellor of the Duchy of Lancaster how many people employed on research council grants have funding from the research councils for telephone bills; and how many do not. [28678]

Mr. Horam: Research councils' databases do not hold data at this level of disaggregation. Telephone bills are covered within the indirect costs element of research grants, except where the telephone cost dedicated to a specific project exceeds £1000 per annum.

Mr. Battle: To ask the Chancellor of the Duchy of Lancaster what steps he is taking or has taken to ensure that funds provided by research councils to meet overhead costs to universities associated with the employment of those funded by such grants are used for the purposes for which they are intended. [28679]

Mr. Horam: The funds provided to universities by the research councils to meet overhead or indirect costs are intended to cover central and departmental costs that underpin research activities, but that cannot readily be uniquely assigned to particular research projects. The funding for indirect costs is therefore not earmarked in any way for particular purposes.

The Government are currently funding an independent review of new arrangements introduced in 1992 for the funding of research council work in universities to examine whether these are operating as intended.

Civil Service Retirement

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 4 May, *Official Report*, column *264*, if he will provide comparable details on civil service retirement packages on grounds of inefficiency. [29283]

Mr. David Hunt: Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years' salary may be made where a Department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over age 55, this may be forgone in favour of immediate payment of the accrued superannuation benefits which would otherwise be preserved for payment at retiring age. There have been no departures on inefficiency grounds in the past five financial years from the Cabinet Office, including OPSS and its agencies, HMSO, or the COI.

Charter Week

Mr. Morgan: To ask the Chancellor of the Duchy of Lancaster what is his current estimate of the total cost to public funds of Charter Week 1995. [29178]

Mr. Horam: A number of public service events have been timed to coincide with the fourth anniversary of the charter programme, including the publication of several new or revised charters. There will be no extra cost from holding these events in July.

TRANSPORT

Road Inquiries

Mr. Anthony Coombs: To ask the Secretary of State for Transport when he expects to publish the results of the inquiry on *(a)* Kidderminster, Hagley, Blakedown bypass and *(b)* the western orbital route; and when he will announce a decision as to the timetable for the building of these schemes. [28274]

Mr. Watts: The Secretaries of State are considering the inspector's report on the A449/A456 Kidderminster, Blakedown and Hagley bypass following public inquiry and will announce their decision in due course. No draft orders for the western orbital route, which could be the subject of an inquiry, have been published. It is not possible, therefore, to give a timetable for either scheme.

Rail Services

Mr. Keith Hill: To ask the Secretary of State for Transport how many applications for closure of rail services have been submitted to him in *(a)* the last five years and *(b)* the last 10 years; and how many of those he has accepted. [28618]

Mr. Watts: Over the past five years, 14 closure proposals have been submitted to the Secretary of State for his consent for closure. Consent was given in 13 cases and one proposal is outstanding. Thirty-six proposals have been submitted to the Secretary of State over the past 10 years. Consent for closure has been given in 30 cases, one has been refused, one is outstanding and four were withdrawn.

Mr. Tyler: To ask the Secretary of State for Transport what steps he is taking to ensure improvements in the provision for *(a)* cycles and *(b)* disabled persons on all rail services and in all rail stations; and if he will make a statement. [29253]

Mr. Watts: The franchising director is minded to include in franchise agreements the provision that, as far as is reasonably practicable, and subject to the availability of appropriate space on their rolling stock, franchise operators should ensure that facilities for the carriage of cycles on trains are provided.

The rail regulator has responsibility under the Railways Act 1993 for the protection of the interests of disabled passengers. He has included in passenger and station licences a requirement to establish and comply with a disabled persons' protection policy; and in July 1994 he issued a code of practice on meeting the needs of the disabled which offers practical guidance to the rail industry on improving accessibility to the rail network.

Motor Cars (Glass)

Mr. John Morris: To ask the Secretary of State for Transport to what extent the test for excessively dark or smoked glass in the windows in motor cars depends on whether the driver of another vehicle can see the occupants of the vehicle fitted with such glass; and if he will introduce further regulations to define the criteria. [28977]

Mr. Norris: Regulations require the glass in motor cars first used from 1 June 1978 to have at least 70 per cent. light transmittance. This allows only a light tint. Whether one can see the occupants of another vehicle depends on overall light conditions as well as the light transmittance of the glass.

National Superdome

Mr. Sutcliffe: To ask the Secretary of State for Transport (1) what assessment he has made as to the impact of the new proposed national superdome on the traffic flow of the M606, M62 and other related road systems; [29002]

(2) how many places are proposed for the car park for the proposed national superdome; and what estimate he has made of the length of time it would take to clear; [29003]

(3) what estimate he has made of the likely increase in exhaust emissions in the area should the proposed national superdome be constructed. [29001]

Mr. Watts: These are operational matters for the Highways Agency.

I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Gerry Sutcliffe, dated 19 June 1995:

As you know, the Minister for Railways and Roads, Mr. John Watts, has asked me to reply to your 3 recent Parliamentary Questions asking the Secretary of State for Transport about the proposed National Superdome.

i) The developer has made a traffic impact assessment of the effect of the proposed National Superdome on the adjacent road network. The Highways Agency has examined the effects on the M606 Euroway Junction, M606 between M62 and the Euroway, M606/M62 Junction 26 and M62 main carriageways.

ii) The proposal is for 8,750 car parking spaces at the National Superdome and a further 1,250 spaces at the nearby Richard Dunn site. The developer predicts that spectators will leave over a three hour period with half leaving in the first hour.

iii) We have made no estimate of the increase in exhaust emissions in the area. The developer's consultant has produced an environmental statement which concludes that:

'Although it will have a contribution to the levels of noise and pollution on the road network, its overall contribution is so small as to be immeasurable'.

I hope this answers your questions.

Jubilee Line

Mr. Spellar: To ask the Secretary of State for Transport if he will make a statement as to progress on the construction of the Jubilee line. [28990]

Mr. Norris: Progress continues to be made with construction of the line. London Underground is still aiming for it to be completed in early 1998.

Trust Ports

Mr. David Shaw: To ask the Secretary of State for Transport what action he intends to take concerning privatisation of the larger trust ports. [289617]

Dr. Mawhinney: Ports privatised under the Ports Act 1991 are showing already the increased efficiency which comes from full commercial management and competition on an equal footing with other ports. Both ports and port users benefit from such increased efficiency. All trust ports can, at any time, use the Ports Act 1991 to take action to privatise themselves. Five—Forth, Clyde, Tees and Hartlepool, Medway and Tilbury—have done so already. Dundee is now in the process of privatisation. I welcome this, and hope more will follow.

Under the Act, following consultation, I am able to direct a trust port with an annual turnover of more than £5.4 million in two of its last three accounting years to form a successor company and to prepare a scheme for transferring the undertaking to that company, with a view to the sale of the company to the commercial sector.

I am considering giving a direction to the Dover Harbour Board, the Port of Tyne Authority and the Ipswich Port Authority directing each to form a company and to prepare a scheme for transferring the authority's undertaking to it. I have accordingly written separately today to the chairmen of those authorities to consult them on my proposal.

I have no plans at present to consult the other ports with annual turnover above the threshold.

Railways (Vandalism)

Mr. Chidgey: To ask the Secretary of State for Transport how many *(a)* railway employees and *(b)* railway passengers have suffered injury as a result of acts of vandalism or other aspects of criminal activities on railway lines in each year since 1990. [28161]

Mr. Watts: The table shows the number of passengers and staff who have suffered injury on the railways, as a result of criminal activity, since 1991. Comparable figures for 1990 are not available.

	1991	*1992*	*1993*	*1994*
Passengers	3,316	3,523	3,745	3,742
Staff	428	442	449	344

Disabled Parking, Great Minster House

Mr. Alfred Morris: To ask the Secretary of State for Transport (1) how the number of car parking spaces that are available at Great Minster house and the Horseferry road will affect the representation of disabled people's view points by people who are themselves disabled at meetings of *(a)* the Disabled Persons Transport Advisory Committee and *(b)* the joint committee on mobility for disabled people; [28105]

(2) how many car parking spaces the city of Westminster will make available on Horseferry road for disabled orange badge holders visiting Great Minster house; [28104]

(3) how many car parking spaces are available at Great Minster house *(a)* for disabled employees and *(b)* disabled visitors. [28100]

Mr. Norris: The Disabled Persons Transport Advisory Committee is the statutory adviser to the Department of Transport on matters affecting the transport of disabled people. The needs of that committee will continue to be met when the Department moves to Great Minster house. The Royal Association for Disability and Rehabilitation was commissioned to carry out an access audit of the new building to ensure that it will meet the needs of disabled staff and visitors, including members of the DPTAC.

The joint committee on mobility for disabled people is a non-statutory body whose meetings the Department has accommodated on an informal basis for a number of years. However, the parking requirements for that committee far exceed the capacity at Great Minster house and we have regrettably had to tell the organisers that we will be unable to continue the arrangements beyond the end of July 1995. Officials will, however, continue to attend meetings of the JCMD at their new venue and to work closely with them.

Of the 21 parking spaces at Great Minster, seven will be reserved for disabled people whether staff or visitors.

Westminster City council has also agreed to make two bays available for orange badge holders in Horseferry road outside Great Minster House.

The needs of disabled staff and visitors will continue to be assessed once the new building is operational.

Bascule Bridge, Lowestoft

Mr. David Porter: To ask the Secretary of State for Transport (1) what estimate he now makes of the life expectancy of the existing A12 Bascule bridge at Lowestoft; and if he will make a statement; [28911]

(2) what contingency he has for moving traffic from north to south Lowestoft and vice versa, when breakdowns of the Bascule bridge of A12 at Lowestoft occur for *(a)* 24 hours or less, *(b)* up to three days, *(c)* up to a month and *(d)* longer than a month; and if he will make a statement. [28912]

Mr. Watts: The A12 Bascule bridge is now 22 years old and should continue to operate satisfactorily for many more years.

For planned maintenance closures, and in the event of a breakdown of the Bascule bridge, contingency arrangements are in place to divert local and through traffic via the A1117 Mutford Lock bridge. Associated British Ports, which operates the bridge, liaises closely with the police and Waveney district council to install diversion signing and managing traffic on the diversion route.

The Highways Agency and Suffolk county council are considering the possibility of a permanent diversion signing scheme to cater for closures of either the A12 Bascule bridge on the A1117 Mutford Lock bridge.

Civil Service Retirement

Mr. Milburn: To ask the Secretary of State for Transport, pursuant to his answer of 2 May, *Official Report*, column *152*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29290]

Mr. Norris: Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years' salary may be made where a Department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over age 55, this may be forgone in favour of immediate payment of the accrued superannuation benefits which would otherwise be preserved for payment at retiring age. There have been four departures on inefficiency grounds in the past five financial years. Details are contained in the table.

Year	*Number of cases*	*Immediate compensation lump sum*	*Benefits payable at age 60*	
			Annual pension	*Pension lump sum*
		£	£	£
1990–91	[1]1	Nil	Nil	Nil
1991–92 to 1993–94	Nil	n/a	n/a	n/a
1994–95	3	12,221	1,932	5,798
		4,476	1,253	3,759
		19,256	3,770	11,059

[1] The officer had under two years service and did not qualify for benefits.

Unadopted Roads

Mr. Kaufman: To ask the Secretary of State for Transport what action he intends to take to end the system of unadopted roads and pathways and to incorporate such thoroughfares within the responsibilities of local authorities. [29018]

Mr. Norris: None.

Heavy Goods Vehicles

Mr. Meacher: To ask the Secretary of State for Transport if lorry checks now include a requirement to ensure that where appropriate the connector on the brake pipe is connected to the trailer; and what spot checks are taking place to ensure that this piece of equipment is attached. [28870]

Mr. Norris: All heavy goods vehicle inspections by the Vehicle Inspectorate include a check of brake performance. Regulations requiring operating adaptors to be fitted to all heavy goods vehicles will be made shortly. In the meantime we are running a publicity campaign to alert operators to the dangers of not fitting them. In addition, the Vehicle Inspectorate is obtaining equipment with which checks for fitment can be made at annual and roadside tests.

Track Access Charges

Miss Glenda Jackson: To ask the Secretary of State for Transport what percentage of the track access subsidy paid to a private rail franchise will be tax deductible as a trading expense. [28671]

Mr. Watts *[holding answer 15 June]:* The payment of track access charges by a franchisee to Railtrack will be deductible as a trading expense. The receipt of track access charges by Railtrack will be taxable in Railtrack's hands.

Road Pricing

Mr. Gordon Prentice: To ask the Secretary of State for Transport what estimate he has made of the cost to the transport and information technology industries of the Government's postponement of road pricing. [28815]

Mr. Watts: No decision has been taken about the introduction of road pricing in urban areas, so the question of postponement does not arise.

TREASURY

Customs and Excise

Mr. Matthew Banks: To ask the Chancellor of the Exchequer whether Customs and Excise has responded to the open government initiative. [29943]

Mr. Heathcoat-Amory: Notice 950, entitled "Open Government: Access to information held by Customs and Excise", has just been published. The notice sets out what Customs and Excise is doing about the open government code of practice, and explains the kinds of information available and how to obtain it. It also sets out Customs's charging policy and the procedures for complaining to the Department, the independent adjudicator and the Parliamentary Ombudsman should the applicant be dissatisfied with the way Customs has handled their request for information. The notice includes an application form for requesting information from Customs and is available, on request, from all Customs and Excise inquiry offices.

Scott Inquiry

Mr. Bermingham: To ask the Chancellor of the Exchequer what legal advice he has sought from solicitors or barristers in respect of draft conclusions reached by the Scott inquiry; what is the estiamted cost of such legal expenses to public funds; and if he will make a statement. [28900]

Mr. Kenneth Clarke *[holding answer 15 June 1995]:* The Government do not consider it right to publish the nature or costs of any advice which may have been given to individual witnesses to the Scott inquiry. This is a matter of confidence between them and any legal advisers they may have retained.

Capital Expenditure

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estiamte of the net government capital expenditure, less net sales of public sector assets, including privatised entities, for the fiscal years *(a)* 1993–94, *(b)* 1994–95, *(c)* 1995–96, *(d)* 1996–97 and *(e)* 1997–98. [28199]

Mr. Aitken *[holding answer 14 June 1995]:* The table gives public sector capital expenditure, net of depreciation and receipts from disposals of capital assets, for fiscal years 1993–94 to 1997–98.

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Net Capital Expenditure	11,668	12,934	11,404	11,277	10,663

Figures for receipts from privatisation are given in table 5.6 of the statistical supplement of the "Financial Statement and Budget Report" (Cm 2821). In addition, since its launch in 1992, the private finance initiative has harnessed an increasing amount of private sector finance. This increase is set to continue, leading to more and better infrastructure projects and improved services.

Consultants

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what policies he intends to implement in order to reduce the expenditure of Government Departments on external consultants. [28158]

Mr. Aitken *[holding answer 14 June 1995]:* It is for individual Government Departments to decide how much of their cash provision to spend on external consultants. A report by the efficiency unit on the Government's use of external consultants, published in August 1994, indicated a number of ways in which Departments could optimise their use of consultants. Implementation of those measures, combined with continued firm control of

provision available for public expenditure, should enhance the value for money Departments obtain from the services of external consultants.

Mortgage Interest Relief

Mr. Salmond: To ask the Chancellor of the Exchequer how many individuals in Scotland are currently receiving mortgage tax relief; what estimates he has of the regional distribution of mortgagors and mortgage interest relief in each year since 1988; and what is the current cost to the Exchequer of paying mortgage interest relief in Scotland; [27369]

(2) what was the cost of mortgage tax relief *(a)* at basic rate and *(b)* in excess of the basic rate in 1993–94, 1994–95 and 1995–96. [27370]

Sir George Young *[holding answer 9 June 1995]:* Information for the years 1988–89 to 1992–93 was published in table 5.3 of "Inland Revenue Statistics 1994". Updated figures for 1993–94 and figures for 1994–95 are given in the tables.

Cost of mortgage interest tax relief and numbers of mortgagors, by region and country:

Amounts: £ million

Cost	*1993–94*	*1994–95*[1]
Northern	200	160
Yorkshire	300	240
North West	430	350
East Midlands	280	230
West Midlands	340	280
East Anglia	170	140
Greater London	580	470
Other South East	1,090	890
South West	400	320
England	3,790	3,080
Wales	150	130
Scotland	300	240
Northern Ireland	60	50
United Kingdom	4,300	3,500

[1] Provisional.

Numbers: thousands[1]

Mortgagors	*1993–94*	*1994–95*[1]
Northern	560	570
Yorkshire	840	850
North West	1,190	1,200
East Midlands	730	740
West Midlands	910	920
East Anglia	380	380
Greater London	1,060	1,070
Other South East	2,120	2,140
South West	890	900
England	8,680	8,770
Wales	450	450
Scotland	720	730
Northern Ireland	150	150
United Kingdom	10,000	10,100

[1] Provisional.

No mortgage interest relief in excess of the basic rate is available for the years specified. In 1994–95 the rate of relief was 20 per cent. and in 1995–96 the rate of relief is 15 per cent. The estimated total cost of mortgage relief in 1995–96 is about £2.8 billion with about 10.1 million married couples and single people receiving the relief. This is based on the assumption, by convention, of no change from the current estimated average building society interest rate of 8 per cent. The regional distribution for 1993–94 is a broad estimate based on analyses of family expenditure surveys up to 1993. The regional distribution for 1994–95, which is shown in the table, is a projection based on applying the same regional percentages to the total figures for 1994–95. It is not possible to provide reliable estimates of regional distributions for 1995–96.

PUBLIC ACCOUNTS COMMISSION

British Coal

Mr. Redmond: To ask the chairman of the Public Accounts Commission (1) if the National Audit Office will publish an interim report into its findings into the British Coal privatisation by N. M. Rothschild; and if he will make a statement; [28278]

(2) when the National Audit Office will publish its findings into the British Coal privatisation handled by N. M. Rothschild; and if he will make a statement. [28276]

Sir Peter Hordern: The National Audit Office is currently examining the sale by the Department of Trade and Industry of British Coal's mining activities. This examination will consider the steps taken by the Department in pursuit of its objectives for the sale, and the costs of the sale, including advisers' costs. When the examination has been completed, the National Audit Office will report to Parliament. I understand that it currently has no plans to make interim reports on any particular aspect of the sale.

LORD CHANCELLOR'S DEPARTMENT

Civil Service Retirement

Mr. Milburn: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 17 May, *Official Report*, column *232*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29281]

Mr. John M. Taylor: This information is not held by my Department in a readily accessible form. The information which the hon. Member has requested is being collated and I will provide him with a substantive answer shortly.

Mr. Reda Hanna

Mr. John Marshall: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the cost of the legal aid given to Mr. Reda Hanna; what was his contribution; and what account was taken of his parents' wealth as a means of assessing his contribution. [28364]

Mr. John M. Taylor: The trial of Mr. Hanna has only just ended and the costs have not yet been determined. Mr. Hanna was not required to contribute towards the costs of his legal aid, but was ordered to pay £200 towards the costs of the prosecution. Current legal aid regulations do

not provide for a parent's resources to be included in the means assessment of applicants for legal aid. However, the Lord Chancellor has indicated that he intends to amend the legal aid regulations to provide those conducting means assessments with a discretionary power to include in the means assessment the assets of friends, relatives and children where these appear to be providing a significant material advantage to the applicant.

PRIME MINISTER

Committee on Standards in Public Life

Mr. Malcolm Bruce: To ask the Prime Minister what has been the cost to date of the Nolan Committee on Standards in Public Life. [28931]

The Prime Minister: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Ryedale, (Mr. Greenway), 22 May, *Official Report*, columns *377–78*.

HOME DEPARTMENT

Liverpool Police

Mr. Parry: To ask the Secretary of State for the Home Department if he will make a statement on his recent meeting with the hon. Member for Liverpool, Riverside, and adeputation from the Merseyside police authority concerning recent troubles on Liverpool streets and the funding for the police. [29279]

Mr. Howard: This was a useful meeting, at which I was able to receive a personal briefing on the position in the hon. Member's constituency and to hear the views of the police authority. My Department continues to keep in close touch with events in the area.

Probation Officers

Mr. Soley: To ask the Secretary of State for the Home Department when he will reply to the letter dated 1 May from the hon. Member for Hammersmith concerning training of probation officers. [29103]

Mr. Nicholas Baker: A reply was sent to the hon. Member for Hammersmith on 16 June.

Inquests

Mr. Byers: To ask the Secretary of State for the Home Department what is the average time between a death occurring and an inquest being completed in *(a)* south Northumberland and *(b)* nationally; [29256]

(2) on how many occasions over the past five years the coroner for south Northumberland has failed to issue a death certificate within 12 months of death occurring. [29255]

Mr. Nicholas Baker: Information collected on deaths reported to coroners is published in an annual Home Office Statistical Bulletin. The latest bulletin "Statistics of Deaths reported to Coroners: England and Wales, 1994", issue 6/95, was published on 20 April 1995 and is available in the Library. This covers information on deaths reported, post-mortems, inquests held and verdicts returned at inquests.

Overseas Domestic Workers

Mrs. Fyfe: To ask the Secretary of State for the Home Department if he will make a statement on the contractual enforceability of conditions of employment which apply to overseas domestic workers. [29493]

Mr. Nicholas Baker: The position of overseas domestic workers is no different from that of other employees in this respect. Contractual terms are matters for employers and employees to agree. Once agreed they are legally binding and, in cases of non-compliance, employees can take action for breach of contract through the civil courts or, in certain circumstances, through industrial tribunals.

Blakenhurst Prison

Mr. George Howarth: To ask the Secretary of State for the Home Department what bonuses were paid to prison officers at Blakenhurst prison by United Kingdom Detention Services following the riots of February 1994; and what conditions were applied to them. [28831]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mr. George Howarth, dated 19 June 1995:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about bonuses paid to prison officers at Blakenhurst prison by United Kingdom Detention Services following the riots of February 1994; and what conditions were applied to them.

No bonuses were paid to prisoner custody officers following the disturbances at Blakenhurst prison on 24 February 1994.

Three prisoner custody officers were presented with £50 meritorious conduct awards by United Kingdom Detention Services for their conduct during the disturbance.

Immigration

Mr. Gerrard: To ask the Secretary of State for the Home Department (1) what information is recorded when a person who entered the United Kingdom as a visitor, without need for a visitor's visa, leaves the United Kingdom; [28789]

(2) what information is recorded, and how this information is stored, when a visitor to the United Kingdom who is not required to possess a visitor's visa is admitted at a port of entry; [29787]

(3) what information is recorded, and how this information is stored, when a visitor to the United Kingdom with a valid visitor's visa is admitted at a port of entry; [28786]

(4) what information is recorded when a person who entered the United Kingdom in possession of a valid visitor's visa, leaves the United Kingdom. [28788]

Mr. Nicholas Baker: Information about bona fide visitors, whether or not they require a visa, is not routinely recorded either on arrival or departure. Details of a

person's limited leave to enter, and subsequent departure, may, however, be recorded on the Immigration and Nationality Department electronic computer system depending upon individual circumstances. In such cases, information given on arrival will be recorded on an arrival card for input on INDECS. Where a detailed interview is required, any supplementary notes will be filed at the port and the outcome may be reported to the Immigration and Nationality Department for information.

Prisons

Mr. Redmond: To ask the Secretary of State for the Home Department what is the ratio of staff to prisoners at each prison in England and Wales at the latest available date; and what were the figures for 12 months ago. [28254]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mr. Martin Redmond, dated 19 June 1995:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the ratio of staff to prisoners at each prison in England and Wales at the latest available date; and what were the figures for 12 months ago.

The figures were given in a reply to a Question from Mr. Hoyle, the Member for Warrington North, on 23 March 1995 (Col 315).

Dangerous Dogs

Mr. Tipping: To ask the Secretary of State for the Home Department what estimate he has of the number of dogs destroyed under the provisions of the Dangerous Dogs Act 1991. [27855]

Mr. Nicholas Baker *[holding answer 12 June 1995]:* During 1992 and 1993, a total of 630 people were convicted either of offences under section 1 of the Act, or of aggravated offences under section 3. In each of these cases, the court would have had no option but to order the destruction of the dog concerned. This figure is therefore likely to be close to the actual number of dogs put down under the Act in that period.

Figures for 1994 are likely to be available in the autumn.

Chief Inspector of Prisons

Mr. George Howarth: To ask the Secretary of State for the Home Department what procedure he intends to adopt for appointing a successor to Her Majesty's chief inspector of prisons following the recent announcement of Judge Tumim's retirement. [28313]

Mr. Howard *[holding answer 13 June 1995]:* The post will be filled by open competition using both advertisement and executive research to identify suitable candidates.

Scott Inquiry

Mr. Byers: To ask the Secretary of State for the Home Department which Ministers, former Minsters or civil servants in his Department have sought independent legal advice in assisting their response to draft extracts from Sir Richard Scott's report; in each case from whom the advice has been sought; and what limit has been placed on payment for such advice from public funds. [28390]

Mr. Howard *[holding answer 13 June 1995]:* I refer the hon. Member to the reply given by my right hon. Friend the Prime Minster to the hon. Member for Bradford, West (Mr. Madden), on June, col. *374*.

OVERSEAS DEVELOPMENT ADMINISTRATION

Third-World Debt

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what further progress is being made in concert with the Chancellor of the Exchequer to assist in the reduction of third-world debt. [28622]

Mr. Baldry: Ten countries have benefited from debt reduction under Naples terms since these were agreed by the Paris Club in December 1994. My right hon. Friend the Prime Minister raised the Chancellor's proposals on multilateral debt at the G7 summit.

Seychelles

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs what bilateral agreements currently exist between the United Kingdom and the Seychelles. [28785]

Mr. Baldry: The following bilateral agreements are in force:

(i) Exchange of notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Seychelles concerning the return to Seychelles of the Islands of Aldabra, Desroches and Farquhar.

Signed at Victoria on 29 June 1976

Published in the Treaty Series (Command 6713)

(ii) Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Seychelles concerning public officers' pensions.

Signed at Victoria on 29 June 1976

Published in the Treaty Series (Command 6635)

(iii) Letters of understanding concerning the United Kingdom/Seychelles loan 1977.

Signed at Victoria on 10 March 1977

(iv) Exchange of notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Seychelles constituting the Overseas Service Aid Scheme (Seychelles) Agreement 1981.

Signed at Victoria on 31 March 1981. Amended by No. 6 of 6 May 1986 to 3 June 1986.

Published in the Treaty Series (Command 8343)

(v) Exchange of notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Seychelles constituting the British Expatriates Supplementation (Seychelles) Agreement 1981.

Signed at Victoria on 31 March 1981. Amended by No. 7 of 6 May 1986 to 3 June 1986.

Published in the Treaty Series (Command 6635)

(vi) Exchange of notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Seychelles amending the Overseas Service Aid Scheme (Seychelles) Agreement 1981/86).

Signed at Victoria on 6 May 1986 to 3 June 1986.

Published in the Treaty Series (Command 217)

(vii) Exchange of notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Seychelles amending the British Expatriates Supplementation (Seychelles) Agreement 1981 (The British Expatriates Supplementation (Seychelles) Agreement 1981/86).

Signed at Victoria on 6 May 1986 to 3 June 1986.

Published in the Treaty Series (Command 217)

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs what technical assistance and aid the United Kingdom gives to the Seychelles. [28784]

Mr. Baldry: Our aid programme consists of training awards, small projects and gifts under the British partnership and heads of mission gifts schemes, and residual assistance to the fire service. In addition, the UK share of EC aid to the Seychelles under Lomé IV is over £600,000.

Indonesia

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 8 February, *Official Report*, columns *289–94*, what was the nature of the technical co-operation given under the radio/rehabilitation and radio studios projects concluded with Indonesia in *(a)* 1988 and *(b)* 1989, respectively, involving David Whittle Associates, and what was the outcome of that technical co-operation. [29537]

Mr. Baldry: The appointment of David Whittle Associates was linked to the project to rehabilitate the radio studios in Jakarta.

The company was initially engaged in February 1988 to advise the ODA on the scope of project and to advise Indonesia Radio, RRI, on its implementation. Its 1989 contract covered specialist advice to RRI on studio building, acoustics and fire safety.

The technical co-operation improved the capabilities of the Indonesian team working on the project.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 6 June, *Official Report*, columns *58–59*, if he will list the sites in Indonesia at which diesel generating sets supplied under the isolated diesels project and the scattered diesels project were installed. [28185]

Mr. Baldry *[holding answer 12 June 1995]:* In my reply to the hon. Lady's earlier question, I stated that the isolated diesels project consisted of 45 diesel generating sets at 14 sites. However, further research has revealed that the scope of the project was subsequently modified. The modification was at the request of the Government of Indonesia, and was primarily for financial reasons. The revised project provided 23 generating sets at seven sites. These were located at:

Lhok Seumawe

Dumai

Bengkulu

Jambi

Pangkal Pinang

Samarinda

Kupang

The locations of the three sites covered by the scattered diesels project were:

Sungai Penuh

Ketapang

Kebayoran Senayan

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 1 February, *Official Report*, column *704*, to the hon. Member for Eccles, (Miss Lestor) regarding the national overview of land resources in Indonesia, if he will list the forestry officers trained under the project, in each case specifying the position of the officer within the Ministry of Forestry; and whom the Government engaged to carry out the training. [27827]

Mr. Baldry *[holding answer 14 June 1995]:* The national overview of land resources was a synopsis of the land resources and land use of Indonesia. On the job training under the project was provided to project staff in the department of transmigration as follows:

Mrs. Donna Sipahutar: *Co-team leader/agriculture team member*

Dr. Wahyudi: *Land resources team member*

Dr. Eko Budiman: *Remote sensing team member*

Mr. Hermono Sigit: *Soil team member*

Dr. Sukardi: *Hydrology team member*

Dr. Sarjono: *Social Demography team member*

Mr. Wirawan: *Cartography team member*

Mr. Tobing: *Cartographer*

Mr. Sarono: *Cartographer*

Mr. Dasimi: *Cartographer*

Mr. Sudirman: *Cartographer*

Mr. Mulyoto: *Cartographer*

Mr. Mulyoto: *Cartographer*

Mr. Effendi: *Cartographer*

Mr. Sutaryo: *Cartographer*

Mr. Maruwi: *Cartographer*

Mr. Sunarta: *Cartographer*

Mr. Subiono: *Cartographer*

Mr. Puji Yuwono: *Cartographer*

Mr. Pujo CH: *Cartographer*

Mrs. Sipahutar, Dr. Budiman and Mrs. Lillak Winami, secretary, also undertook training in the United Kingdom.

The land resources department of the Natural Resources Institute was engaged as project manager.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 1 February, *Official Report*, column *704*, to the hon. Member for Eccles (Miss Lestor), regarding the regional physical planning, map improvement and training project in Indonesia, what were the outer islands and other geographical area covered by the project; what was the nature of the training provided

under the project; what were the names of the trainees and what was their status within the directorate general of settlement preparations; and whom the Government engaged to carry out the project. [27828]

Mr. Baldry *[holding answer 14 June 1995]:* The project covered 26 provinces of Indonesia, and excluded Jakarta. Training was provided in Indonesia on the interpretation and improvement of land use maps and a database for land systems. Officials from all district govyernment organisations and universities concerned with land use planning attended. In total 1,237 people were trained in Indonesia. In addition, seven people involved in mapping and land use planning were trained in UK. Their details are:

Name	*Nature of training*
Mr. Herson	MSc (Econ) Development Policy Planning
Mr. K. Supraplo	Postgraduate diploma in Human Resource Development
Mr. M. Effendi	MSc Geographical Information System
Ms Diah Kirana	MSc Geographical Information System
Mr. Marsono Yullanto	Postgraduate Diploma in Digital Mapping and Automated Cartography
Mr. Syaliul Anwar	MSc in Resource Management
Mr. Muhtadl Ganda Sutrisna	MSc in Geology

The Natural Resources Institute was engaged as project manager.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 1 February, *Official Report*, column *704*, to the hon. Member for Eccles, (Miss Lestor) regarding the forestry project identification mission in Indonesia, whom the Government engaged to carry out the mission; what was the outcome of the mission and what further forestry development has been, or will be, funded in Indonesia by the Government. [27829]

Mr. Baldry *[holding answer 14 June 1995]:* The mission in 1989 was led by one of the Overseas Development Administration's senior natural resources advisers, and included a forestry specialist and commodities economist from the Natural Resources Institute as well as a private forestry consultant. The report of the mission set the future framework for UK aid to the forestry sector in Indonesia. We are now implementing the projects the mission identified, known collectively as the Indonesian tropical forest management project.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 1 February, *Official Report*, column *704*, to the hon. Member for Eccles (Miss Lestor) regarding the regional physical planning project for transmigration in Indonesia, for which specific geographical areas maps and data were provided under the project; and whom the Government engaged to carry out the project. [27830]

Mr. Baldry *[holding answer 14 June 1995]:* The project mapped the land resources and land use of the whole of Indonesia. The project was implemented by the land resources department of the Natural Resources Institute with the Department of Transmigration.

FOREIGN AND COMMONWEALTH AFFAIRS

Nuclear Non-proliferation

Mr. Jim Cousins: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's assessment of the implications for the future stability of the non-proliferation regime of agreement to the extension decision of the non-proliferation treaty by majority vote rather than by consensus.

Mr. David Davis: On 11 May the states parties to the non-proliferation treaty participating in the NPT review and extension conference decided without a vote to extend the treaty indefinitely. This decision will send the strongest possible signal of the international community's determination to prevent the proliferation of nuclear weapons.

Maastricht Negotiations

Mr. Jenkin: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the statement of 24 May in European Standing Committee B, *Official Report*, column 12, by the Minister of State, the hon. Member for Boothferry (Mr. Davis), on the 16 new areas of competence sought by the European Commission during the Maastricht negotiations, if he will list the areas of competence to which he referred; and which were conceded at Maastricht. [27493]

Mr. David Davis: During the Maastricht negotiations, new or extended Community competence was proposed in the following 16 areas: education and training; health; environment; research and technological development; development co-operation; civil protection; tourism, culture, industry; energy; trans-European networks; consumer protection; external trade in services; social policy; free movement of persons; the common foreign and security policy.

The result of the negotiation was complicated: for example the CFSP has been established in a separate pillar outside Community competence and social policy was covered in a separate protocol. It was decided not to introduce new chapters on energy, tourism or consumer protection. Community action in the majority of new chapters which were included in the treaty is either subject to unanimity or to limitations on the scope for harmonising legislation.

Seychelles

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs when a Minister last visited the Seychelles. [28785]

Mr. Baldry: My hon. Friend the Member for Chipping Barnet (Mr. Chapman), a Government Whip, attended the inauguration of President Rene in July 1993.

We look forward to a visit to Britain by the Foreign Minister of the Seychelles in July.

Gibraltar

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Spanish Government about their recent requirement that a person seeking to cross the Spain-Gibraltar border on an Isle of Man passport must also obtain a visa. [28606]

Mr. David Davis: None. We are investigating the incident.

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs on what occasions in the last five years a Foreign and Commonwealth Office Minister has visited Gibraltar. [28608]

Mr. David Davis: Francis Maude MP, Minister of State, visited Gibraltar on 23–25 January 1990.

Tristan Garel-Jones MP, Minister of State, visited Gibraltar on 26–28 July 1991.

David Heathcoat-Amory MP, Minister of State, visited Gibraltar on 30 November to 1 December 1993.

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he proposes to ensure the swift access into Gibraltar for athletes and officials travelling to Gibraltar for the Island Games in July via Malaga airport or other locations in Spain. [28610]

Mr. David Davis: The majority of teams are expected to fly to Gibraltar. But we shall of course continue to press Spain to bring an end to the unacceptable delays at the Spain—Gibraltar frontier.

European Parliament

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated cost of the European Parliament in 1995. [28680]

Mr. David Davis: The total amount in the 1995 European Community Budget for the European Parliament is 843 mecu—705 million—*.

*The figure for the European Community budget has been converted to sterling at the rate of 1 ecu = £0.8361 being the rate notified in the EC *Official Journal* as prevailing on the last working day of last month (31 May).

Iraq

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs, if he will now release the names of British supplier companies to the Iraqi nuclear programme listed in the International Atomic Energy Agency report. [28998]

Mr. David Davis: No. I have nothing to add to previous replies on this matter.

Japan

Mrs. Anne Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs, what representations he has made to the Japanese authorities concerning a Japanese apology for events during the second world war. [29068]

Mr. Byers: To ask the Secretary of State for Foreign and Commonwealth Affairs, what steps he is taking to secure a full apology from the Japanese Government for the conduct of its troops towards British prisoners of war during world war II. [29257]

Mr. Goodlad: When my right hon. Friend the Prime Minister visited Japan in September 1993, the Prime Minister of Japan expressed his deep remorse as well as apologies for the fact that Japan's past actions had inflicted deep wounds on many people including former prisoners of war.

Civil Service Retirement

Mr. Milburn: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 2 May, *Official Report*, column *150*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29291]

Mr. Goodlad: Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years' salary may be made where a Department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over the age of 55, this may be forgone in favour of immediate payment of the accrued superannuation benefits which would otherwise be preserved for payment at retiring age. Details of the departures on inefficiency grounds are not readily available and could be obtained only at disproportionate cost.

China

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what investigation his Department has *(a)* instigated and *(b)* evaluated into the allegations made by Fr. Joseph Jin Dechen in respect of forced abortions in the Chinese population control programme. [28964]

Mr. Goodlad: We are deeply concerned by the reports of enforced abortion in China on which we receive information from a number of sources including NGOs. We raise these matters with the relevant Chinese authorities, and we are in contact with the UN agencies working in this area in China. We will continue to monitor the activities of the Chinese population control programme.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what written briefing material he will be making available to those attending the UN conference on women in Beijing in respect of human rights abuses against women by the Chinese Government. [28947]

Mr. Douglas Hogg: The UK delegation will be provided with briefing covering issues to be raised at the conference. A general background brief is also being prepared and will be available to other participants.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current arrangements for non-governmental organisations in respect of the UN conference on women in Beijing. [28949]

Mr. Douglas Hogg: We welcome the conclusion of recent negotiations and the acceptance of Huairou as the site for Forum '95 by the convenor of the non-governmental organisations facilitating committee. The provision of additional accommodation and transport should facilitate the effective exchange of views between the United Kingdom delegation and British NGOs.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make further representations to the Chinese Government to request them to lift all restrictions on the movement and freedom of Fr. Joseph Jin Dechen. [28950]

Mr. Goodlad: We continue to be extremely concerned about abuses of human rights in China, including the persecution of religious believers such as Fr. Joseph Jin Dechen. We will continue to use every suitable opportunity to express our concerns to the Chinese authorities, both bilaterally and in conjunction with our European partners.

Joyce Kiiza

Ms Harriet Harman: To ask the Secretary of State for Foreign and Commonwealth Affairs, when he expects to give permission for Joyce Kiiza—Ref: 95 21 70—to come from Uganda to the United Kingdom. [29509]

Mr. Baldry: I have asked the high commission at Kampala for details and will arrange for the hon. Member to receive a substantive reply from the migration and visa correspondence unit as soon as possible.

EDUCATION

Standard Assessment Tests

Mr. Simpson: To ask the Secretary of State for Education (1) what has been the actual cost of totally funding supply cover during standard assessment tests *(a)* nationally (i) for seven-year-olds and (ii) for 11-year-olds and *(b)* in Nottinghamshire schools for (i) seven-year-olds and (ii) 11-year-olds; [28915]

(2) what is the total amount that has been *(a)* offered and *(b)* accepted in government grants by schools to subsidise the cost of standard assessment tests; [28914]

(3) what was the total projected cost of total funding supply cover during standard assessment tests *(a)* nationally (i) for seven-year-olds and (ii) for 11-year-olds and *(b)* in Nottinghamshire schools for (i) seven-year-olds and (ii) 11-year-olds. [28916]

Mr. Forth: I refer the hon. Member to the replies that I gave him on 6 June, *Official Report*, columns *10–11*.

Mr. Simpson: To ask the Secretary of State for Education what is the projected cost of assessing pupils of too low an academic standard to take the formal standard assessment tasks. [28917]

Mr. Forth: I refer the hon. Member to the reply that I gave him on 6 June, *Official Report*, column *10*. No information is available at present in respect of the projected costs of the national curriculum tasks to be used in the 1995–96 school year.

Civil Service Retirement

Mr. Milburn: To ask the Secretary of State for Education, pursuant to her answer of 2 May, *Official Report*, columns *153–54*, if she will provide comparable details on Civil service early retirement packages on grounds of inefficiency. [29289]

Mr. Boswell: Inefficiency is a ground for dismissal. There have been no departures from the Department for Education on inefficiency grounds with retirement packages in the last five years.

St. James School, Farnworth

Mr. David Young: To ask the Secretary of State for Education how much public money has been paid to St. James school, Farnworth, since it opted out; what effect there has been on spending from public funds as a result of problems in financial management at the school; and if she will make a statement. [28963]

Mr. Robin Squire: St. James is a grant-maintained school. Responsibility for payment of grants to the school and for monitoring its financial management therefore rests with the Funding Agency for Schools. I have asked the agency's chairman to write to the hon. Member.

Student Loans

Mr. Llwyd: To ask the Secretary of State for Education what is the forecast for expenditure on mandatory awards and loans given to students from Wales during the current year; and if she will make a statement. [29028]

Mr. Boswell: The Department's plans for expenditure in the 1995–96 financial year on mandatory awards and on student loans are £2,095 million and £644 million respectively. The plans relate to expenditure for students domiciled in England and Wales; separate forecasts are not made for students from Wales.

LEA Finances, Hampshire

Sir David Mitchell: To ask the Secretary of State for Education what was the total amount of local education authority holdback in Hampshire in 1994. [29561]

Mr. Robin Squire: A total of £125,952,000. This figure is derived from the budget statement for 1994–95 published by the local education authority under section 42 of the Education Reform Act, and relates to all planned expenditure on mandatory and discretionary "excepted items".

Mature Students Allowance

Mr. Watson: To ask the Secretary of State for Education how many continuing students commencing a degree course or post-graduate teacher training course in the autumn of 1995 will be eligible for the mature students allowance *(a)* in England and *(b)* in Wales. [29249]

Mr. Boswell: This information is not collected centrally.

Overseas Students

Mr. Pawsey: To ask the Secretary of State for Education, pursuant to her answer to the hon. Member for Rugby and Kenilworth of 12 June, *Official Report*, column *415*, if she will give details of the 20 countries that send most students to the United Kingdom to study in advanced education. [28926]

Mr. Boswell: The requested information is given in the table.

Full-time higher education students from overseas 1992–93[1]

(thousands)

Rank Countries	*Postgraduate*	*Undergraduate*	*Total higher education*
1. Malaysia	1.7	6.9	8.5
2. Germany[2]	1.4	5.6	7.1
3. Irish Republic	0.9	5.9	6.8
4. Hong Kong	1.3	5.3	6.6
5. France	1.2	5.1	6.3
6. Greece	2.4	3.5	5.9
7. USA	1.6	3.5	5.2
8. Singapore	0.6	2.8	3.4
9. Spain	0.7	2.1	2.8
10. Italy	0.6	1.5	2.1
11. Japan	0.9	1.1	2.0
12. Cyprus	0.3	1.6	1.9
13. Norway	0.3	1.5	1.9
14. China	1.3	0.1	1.4
15. Netherlands	0.3	1.1	1.4
16. Kenya	0.3	0.9	1.3
17. Canada	0.8	0.5	1.3
18. Belgium	0.3	0.9	1.2
19. Pakistan	0.7	0.4	1.1
20. India	0.7	0.4	1.1

Source:
Education Statistics for the United Kingdom, 1994 Edition, HMSO.
Notes:
[1] Enrolments.
[2] Includes the former East Germany.

School Safety

Mr. Jim Cunningham: To ask the Secretary of State for Education what discussions she has had with the Secretary of State for Health regarding the safety of schools with fewer than five pupils, with particular reference to schools in Coventry; and what proposals she has for the registration of private preparatory schools with a class of up to four pupils. [29008]

Mr. Forth: My right hon. Friend the responsibility for registration of independent schools; she works closely with the Secretary of State for Health who has responsibility for registration of other services for young children, including those with fewer than five full-time pupils of compulsory school age who by law are not independent schools. They keep under regular review the arrangements for ensuring appropriate standards of child care and education for young children in all settings.

Pupil-teacher Ratios

Mr. Harry Greenway: To ask the Secretary of State for Education what was the pupil teacher ratio in *(a)* primary and *(b)* secondary schools for the first six months of 1995; and if she will make a statement. [28995]

Mr. Robin Squire: Information about pupil-teacher ratios in maintained schools in England in January 1995 will be published in a statistical press notice on 29 June.

Autistic Children

Mrs. Golding: To ask the Secretary of State for Education what percentage of London education authorities provide educational support services for children with autism; and if she will make a statement. [29086]

Mr. Forth: All LEAs are required to arrange any special educational provision specified in a statement of SEN for a child for whom they have responsibility. They have the power to provide support services for children with special educational needs in their or any other area. How these services are organised is a matter to be determined by each LEA.

Innovation Grants

Mr. Sheerman: To ask the Secretary of State for Education what plans she has to provide innovation grants to universities to fund innovation projects in their communities. [29152]

Mr. Boswell: Under the 1992 Further and Higher Education Act my right hon. Friend provides grants to the Higher Education Funding Council for England to distribute to universities and colleges to fund teaching and research. She has asked the Council to take into account in its funding for research the Government's policies on competitiveness, including those concerned with innovation. Separately the HEFCE provides HE institutions with grants to promote innovation areas such as : teaching, learning and technology, teaching practices; the organisation of the academic year; improving access to local groups traditionally under represented in HE; and providing continuing professional development for local employers.

School Meals

Mr. Martyn Jones: To ask the Secretary of State for Education what nutritional quality standards are regulated by her Department in respect of school meals; and when was the last change in these standards. [28819]

Mr. Robin Squire: Under the Education Acts, the nutritional quality of school meals in England is the responsibility of local education authorities or, where applicable, the governing bodies of schools, and is not subject to regulation by the Department.

Mr. Martyn Jones: To ask the Secretary of State for Education what was the net expenditure on free school meals for each year since 1987 broken down by county. [28820]

Mr. Robin Squire: The Department does not collect this information.

Confectionery Sales (Schools)

Mr. Martyn Jones: To ask the Secretary of State for Education under what authority the selling of confectionery in schools may be prohibited; and which schools have prohibited its sale. [28830]

Mr. Robin Squire: Decisions about the sale of confectionery are the responsibility of local education authorities or, where applicable, the governing bodies of schools in England. We do not collect information on school which have prohibited the sale of confectionery.

HOUSE OF COMMONS

Facilities for Honourable Members

36. **Mr. McShane:** To ask the Lord President of the Council what assessment he has made of the adequacy of facilities for hon. Members to carry out their duties. [27635]

Mr. Newton: In the structure introduced following the Ibbs report at the start of the 1991–92 Session the facilities available to hon. Members are generally a matter for the domestic committees and the House of Commons Commission. A number of further improvements are in hand, for example, to provide additional office accommodation and to enhance the availability of information technology.

Short Money

37. **Mr. Barry Field:** To ask the Lord President of the Council what studies he has made of the accounting for, and application of, Short money following the Nolan report.

Mr. Newton: The present procedures by which a party claims financial assistance and subsequently accounts for these sums to the House, are set out in the Resolution of the House of 4 November 1993. I have made no study of these procedures since the Nolan report.

Committee on Standards in Public Life

38. **Mr. David Evans:** To ask the Lord President of the Council when he expects to propose the membership of the Select Committee to consider the first report of the Committee on Standards in Public Life. [27637]

Mr. Newton: The Select Committee on Standards in Public Life was nominated on 13 June.

All-night Sittings

41. **Mr. Harry Greenway:** To ask the Lord President of the Council what proposals he has to seek a ban on all-night sittings of the House; and if he will make a statement. [27640]

Mr. Newton: One of the aims of the current experiment with revised sitting arrangements, which the House approved on 19 December 1994, is to avoid late sittings wherever possible. There have been no all-night sittings since the experiment began, and only one occasion when the House has sat after 1 am. The experiment is at present being reviewed by the Procedure Committee.

European Union (Parliamentary Scrutiny)

42. **Mr. Jenkin:** To ask the Lord President of the Council what assessment he has made of the effectiveness of parliamentary scrutiny of the activities of the European Union. [27641]

Mr. Newton: Our scrutiny arrangements are amongst the most rigorous in the European Union, and generally work well. However, they continue to be kept under review.

Select Committee Reports

Mr. Llwyd: To ask the Lord President of the Council how many Select Committee reports have been debated on the Floor of the House during the last four years; and if he will make a statement. [27639]

Mr. Newton: Since 19 June 1991 222 Select Committee reports have been debated on the Floor of the House. A further 84 reports have been "tagged" on the Order Paper as relevant to a debate.

Written Questions

Mr. McMaster: To ask the Lord President of the Council how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because the information *(a)* could be obtained only at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered due to computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it.

Mr. Newton: The information requested could be provided only at disproportionate cost.

BMARC

Mr. Byers: To ask the Prime Minister if he will take steps to ensure that all the documents *(a)* seized by the Ministry of Defence police from the offices of British Manufacture and Research Company in April 1990 and *(b)* held by the receivers of Astra Holding and British Manufacture and Research Company are made available to the Scott inquiry.

Mr. Newton: Pursuant to the answer I gave on behalf of my right hon. Friend the Prime Minister on 4 April 1995, *Official Report*, column *987*. I refer the hon. Gentleman to the answer given by my hon. Friend the Minister of State for the Armed Forces earlier today.

Public Access (Debates)

Mr. Bayley: To ask the right hon. Member for Berwick upon Tweed, representing the House of Commons Commission, what financial provision exists to increase the number of seats available to members of the public to observe House of Commons debates. [27630]

Mr. Beith: None.

Recalling the House

Mr. Sheerman: To ask the right hon. Member for Berwick upon Tweed, representing the House of Commons Commission, what was the direct cost of recalling the House for its special sitting on Wednesday 31 May.

Mr. Beith: The cost of provision of the papers in the Vote Bundle and the *Official Report* was £11,500.

Travelling expenses and overtime payments relating to the sitting are expected to produce further costs. To date, claims totalling some £1,000 have been made.

LORD PRESIDENT OF THE COUNCIL

Judicial Committee

39. **Mr. Jim Cunningham:** To ask the Lord President of the Council what discussions he has had with the Commonwealth countries as to the current make up of the Judicial Committee of the Privy Council. [27638]

Mr. Newton: None.

UN Conference on Women

Ms Eagle: To ask the Lord President of the Council what progress he hopes to achieve in his Department over the next three months to push forward the declaration signed in October 1994 at the Vienna conference in preparation for the fourth UN conference on women; and if he will agree to incorporate a section on equal opportunities in his department's annual report.

Mr. Newton: The Government are committed to the principles set out in the regional platform for action agreed at the conference in question, and have pursued these through a wide range of programmes and initiatives. As indicated in my reply to the hon. Lady of 4 May, 60 per cent. of staff in my Department are women. I am considering the recommendation in the White Paper "Taking Forward Continuity and Change" regarding the publication of material on equal opportunities.

EMPLOYMENT

Social Charter

Mr. Gordon Prentice: To ask the Secretary of State for Employment what assurances he has given to the committee of independent experts in respect of the Government guaranteeing in practice complete and effective protection against anti-trade union discrimination based on trade union membership or activities. [27657]

Miss Widdecombe: The Government, in reporting to the Council of Europe in respect of the Council's social charter, have on a number of occasions, most recently in its 15th report which was submitted in 1994, provided information on the provisions in UK law which protect:

(a) employees against dismissal or action short of dismissal on grounds related to trade union membership or activities; and

(b) people against refusal of employment on grounds related to union membership.

Under the Council's reporting procedures, the committee of independent experts will give their opinion on the 15th report in 1996. A copy of the report has been placed in the Library.

Mr. Gordon Prentice: To ask the Secretary of State for Employment what information he has given to the committee of independent experts concerning *(a)* the proportion of the working population employed under atypical contracts, including fixed-term contracts, casual short-term work, part-time work and home-based work and *(b)* the entitlement to paid annual holiday of such workers. [27659]

Miss Widdecombe: Information was provided in 1994 in the UK Government's 15th report to the Council of Europe in respect of the Council's social charter, on the number of part-time workers in Great Britain. The report states that the seasonally adjusted level of part-time employment in December 1993 was 6,789,000 million, to the nearest thousand, of which 5,297,000 were women.

The experts have now asked for information on the proportion of the working population employed under fixed-term contracts, in casual, home-based and part-time work and the entitlements to paid annual holidays of such workers, and in line with the current reporting procedures the UK will seek to provide this information in its 17th report in 1996.

Youth Unemployment

Mr. Hardy: To ask the Secretary of State for Employment what proportion of *(a)* boys and *(b)* girls leaving school and not continuing in full-time education or training became unemployed in the Rotherham and Mexborough travel-to-work area in 1993 and in 1994. [27914]

Mr. Paice *[holding answer 15 June 1995]:* The information is not available in the form requested. Figures are available only by the areas covered by the Rotheram careers service and the Doncaster careers service. The information is taken from figures published by the local authority associations.

The following table shows the total number of statutory school leavers in both Rotherham and Doncaster in 1993 and 1994, and the numbers who at the date the information was collected were known to have been unemployed.

Date information collected	*Total number of school leavers*		*Known to have been unemployed*	
	Boys	*Girls*	*Boys*	*Girls*
Rotherham				
October 1993	1,537	1,460	97	60
November 1994	1,617	1,524	112	75
Doncaster				
November 1993	1,622	1,657	112	74
November 1994	1,790	1,618	129	80

Transsexuals

Mr. Alex Carlile: To ask the Secretary of State for Employment what employment protection is specifically available for transsexuals; and if he will make a statement. [29548]

Miss Widdecombe: Transsexuals have the same employment protection rights as other employees.

Cheetham Jobcentre

Mr. Eastham: To ask the Secretary of State for Employment what positions in rank order of employment service offices has been achieved by the Manchester Cheetham employment service office in respect of the number of people successfully removed from benefit. [29340]

Miss Widdecombe: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from M. E. G. Fogden to Mr. Ken Eastham, dated 19 June 1995:

The Secretary of State has asked me to reply to your question regarding the number of people disallowed benefit at the Cheetham Hill Employment Service Jobcentre, and how this office compares with other offices.

Clients may not receive Unemployment Benefit (UB) for a number of reasons. Some people through their own actions disqualify themselves to benefit by leaving their employment without good cause, or because of misconduct, or because they refuse employment. Others are disallowed because they fail to satisfy conditions of entitlement because they are not available for, capable of, or actively seeking work.

Decisions to stop UB being paid are made by independent Adjudication Officers appointed by the Secretary of State for Employment. Decisions to disallow other Social Security benefits are made by officers of the Department of Social Security and its various executive agencies.

It is the responsibility of my people to refer client claims to the Adjudication authorities when they have doubts about their entitlement, or that they may qualify for benefit payments.
In the period 1 April 1995 to 31 May 1995 the total number of decisions to disallow UB made by the Adjudication Officers for offices in the Manchester Employment Service District were 628. Of these, 89 were referred from the Jobcentre at Cheetham Hill and 2 have subsequently been allowed on review.

We do not rank order our offices on the basis of the number of people whose benefit is stopped. This is because many variables need to be taken into account when looking at office performance in this area, for example the size of the office. However, I can tell you that of seven offices in Manchester district Cheetham Hill Jobcentre was fourth in the number of disallowances made.

I hope this is helpful.

DEFENCE

BMARC

Dr. David Clark: To ask the Secretary of State for Defence on what date his Department took possession of documents taken from the company BMARC; on what date these documents were handed over to the Scott inquiry; and if he will list the Ministers who had access to these documents within his Department. [18300]

Mr. Soames *[pursuant to his answer, 4 April 1995, Official Report col 1097—98] :* The Ministry of Defence Police announced on Saturday 17 June 1995, that they had found additional documents, which the force obtained in 1990 during the course of an investigation into corruption involving Astra Holdings and its subsidiaries, including BMARC. This investigation was with regard to corruption in MOD procurement contracts and resulted in successful prosecutions. The discovery was made during the course of a re-sorting of all the property stores at the MDP's headquarters at Wethersfield in Essex, which commenced in January 1995, following its relocation there. Some of these items were documents which previously belonged to Astra/BMARC. These were returned to the liquidators for Astra Holdings, to whom they belong, on 15 June 1995. Additional documents belonging to the liquidators were discovered on 16 June and will be sent to the liquidators. Other documents found, which were obtained during the original investigation, belong to the Ministry of Defence and to companies other than Astra/BMARC. The latter are being examined to verify their rightful ownership. HM Customs and Excise and the Scott inquiry have been informed. This was an operational matter for the Ministry of Defence police. A copy of their statement of 17 June 1995 is being placed in the Library of the House.

The deputy chief constable has also made it clear that he has initiated an immediate inquiry to ensure that no further documents relating to the corruption investigation remain in MDP custody; to establish how the documents came to be wrongly located and why their retention by the MDP was not recognised; and to establish what action needs to be taken to ensure that similar mistakes do not recur.

Nuclear Test Veterans

Mr. Hinchliffe: To ask the Secretary of State for Defence what proportion of British nuclear test participants with a blue book entry in records currently held show a zero dosage of radiation. [27943]

Mr. Soames: Of the 14,290 UK nationals with entries in the blue books, 3,865 fall into the lowest category of measured dose. This includes all doses from zero to 0.2 millisieverts. A further 8,340 entries concern UK nationals for whom no measurements were entries concern UK nationals for whom no measurements were recorded but who are assessed as having zero dose.

Mr. Hinchliffe: To ask the Secretary of State for Defence what number of service personnel, present at British nuclear tests, were treated during their service after 1965 for skin disorders. [27972]

Mr. Soames: This information is not held centrally and could be obtained only at disproportionate cost.

Mr. Hinchliffe: To ask the Secretary of State for Defence what research has been conducted to investigate potential effects on human immune systems arising in British nuclear test participants who had a recorded level of contamination. [27973]

Mr. Soames: Although high levels of radiation exposure have been shown to affect the human immune system, there is no scientific evidence of any detrimental effect arising from exposure to the low radiation levels experienced by British nuclear test participants. It has therefore not been necessary to conduct any specific research in this area.

Mr. Hinchliffe: To ask the Secretary of State for Defence what assessment he has made of whether grounds exist for an investigation into genetic effects and deformities arising from British nuclear tests and medical conditions in participants' families. [27974]

Mr. Soames: We consider there to be no grounds for such an investigation.

Mr. Hinchliffe: To ask the Secretary of State for Defence what information is available on the health monitoring activities of Mr. Frank Morgan at Aldermaston for participants invovled in British nuclear tests. [28001]

Mr. Soames: The late Dr. Morgan worked in the chemistry division at Aldermaston until the mid-1980s and was involved in radiochemical aspects of British nuclear tests. He had no responsibility for health monitoring programmes.

Devonport

Mr. Foulkes: To ask the Secretary of State for Defence what is the estimated additional cost of continuing hunter-killer refitting at Rosyth due to the unavailability of drydock facilities at Devonport. [28238]

Mr. Freeman: I refer the hon. Member to the answer I gave my hon. Friend the Member for Cornwall, South-East (Mr. Hicks) on 17 May 1995, *Official Report*, column *229*. Discussions with the dockyard companies are on-going and costs will be one of the considerations taken into account before any final decisions are made.

Mr. Foulkes: To ask the Secretary of State for Defence what is the deadline for nuclear installations inspectorate approval of the Trident submarine refitting drydock facility at Devonport. [28236]

Mr. Freeman: The nuclear installations inspectorate is involved during all stages of approval and the aim remains to have the necessary approvals in place in time to meet the Trident refit programme, around the turn of the century.

Mr. Foulkes: To ask the Secretary of State for Defence what was the accepted price of the construction of drydock facilities for Trident refitting at Devonport when the contract was awarded; what is the current estimated total cost of building the facilities; and what is the permissible margin for increased costs on the contract. [28237]

Mr. Freeman: No contract has yet been awarded for the construction of the Trident refitting facilities. Negotiations are continuing and it would be inappropriate to speculate on the outcome in respect of costs, details of which remain commercially confidential.

RAF Harrier (Crash)

Mr. Foulkes: To ask the Secretary of State for Defence to which unit the Royal Air Force Harrier which crashed in the Solway firth on 1 June belonged; what was the nature of the trial in which it was engaged at the time; and if the aircraft was operating in concert with other aircraft or on its own. [28239]

Mr. Soames: The aircraft, from the strike attack operational evaluation unit, Boscombe Down, was on a singleton sortie to trial a new ground proximity warning system. It is not yet known whether the equipment was in use at the time of the crash.

RAF Finningley

Mr. Redmond: To ask the Secretary of State for Defence if the same consideration and help will be given to *(a)* the staff and *(b)* the local community of Royal Air Force Finningley when it is closed as is available to the staff and local communities of the Royal Air Force stations to be closed in Lincolnshire; and if he will make a statement. [28277]

Mr. Soames: In accordance with normal departmental practice, careful and sympathetic consideration is being given to the individual preferences of staff at RAF Finningley, and every effort is being made to find them alternative employment elsewhere in MOD or in other Government Departments. Any staff who are made redundant will be compensated under the appropriate regulations, and the MOD redundancy, counselling and outplacement service will be available to help those concerned to identify new work opportunities.

No final decision has yet been made on alternative military uses for RAF Finningley. However, my officials have recently held their second meeting with Doncaster metropolitan borough council at which local aspirations for the site were discussed, and a joint planning brief will be prepared which takes these into account.

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Defence what percentage of parliamentary questions, which would have been answered directly by him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28494]

Mr. Soames: Ministers are accountable to Parliament for all matters concerning their agencies. Written parliamentary questions concerning matters which have been delegated to the chief executive of an executive agency in its framework document normally receive a reply from the Minister to the effect that he or she has asked the chief executive to reply direct to the Minister by letter. The chief executive's letter is published in *Hansard* below the Minister's reply.

Training Areas

Mr. McFall: To ask the Secretary of State for Defence (1) if he will list the weapons which are permitted to be fired in the Garelochhead training area; and what changes have occurred to the list of permitted weaponry since 1990;

(2) how many training man-days were spent on the Garelochhead training area in each of the financial years 1993–94 and 1994–95;

(3) how many training man-days have been spent in each financial year since 1989–90 on *(a)* Tighnablair training area, *(b)* Cape Wrath training area, *(c)* Auchallater training area, *(d)* Barry Buddon training area, *(e)* Dreghorn training area, *(f)* Milton Bridge training area, *(g)* the Galloway training area and *(h)* Cambusbarron training area. [29072]

Mr. Soames: My noble Friend the Parliamentary Under-Secretary of State for Defence will write to the hon. Member and a copy of the letter will be placed in the Library of the House.

HMS Roebuck

Mr. Churchill: To ask the Secretary of State for Defence when HMS Roebuck was commissioned; when she is to be decommissioned; what factors led to the decision to decommission her; what is to be the future strength of the Royal Navy's hydrographic service; what proportion of such ships is to be taken up from trade or newly constructed; and what decision has been taken as to where new orders are to be placed. [29552]

Mr. Soames: HMS Roebuck was commissioned on 3 October 1986. On current plans, she will be withdrawn from service around the end of the century, as the capability of the hydrographic service is upgraded with the introduction of new vessels. We envisage that the future hydrographic surveying squadron will comprise five survey vessels, including the new ocean survey vessel, HMS Scott, an order for which was placed in January. No decisions have yet been taken on the procurement of further vessels.

Civil Service Retirement

Mr. Milburn: To ask the Secretary of State for Defence, pursuant to his answer of 2 May, *Official Report*, column *200*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29286]

Mr. Freeman: Inefficiency is a ground for dismissal. Early retirement packages are not offered to staff leaving the Department on the grounds of inefficiency, although an immediate lump payment of up to two years' salary may be made where the Department judges that the payment of compensation is appropriate. Where compensation is agreed and the person dismissed is over the age of 55, this may be forgone in favour of immediate payment of the accrued superannuation benefits which would otherwise be preserved for payment at retiring age.

HEALTH

Dental Services

Mr. Timms: To ask the Secretary of State for Health if she will list for each of the last five years *(a)* the number of dental practitioners, *(b)* the number of NHS patients registered with dental practitioners and *(c)* the proportion NHS patients were of the total numbers of patients treated, for (i) City and East London FHSA and (ii) the London borough of Newham. [27337]

Mr. Malone: Patients are free to visit or register with dentists outside their family health services authority area. Therefore the total number of patients resident in City and East London Family Health Services Authority who visit dentists either privately or on a national health service basis is not known. The available information is shown in the table.

General Dental Service: number of dentists[1] and the number of patients registered with a dentist practising in City and East London Family Health Services Authority at 30 September[2] from 1990 to 1994

	Dentists	*Patients registered*
1990	189	—
1991	173	166,940
1992	175	281,951
1993	169	288,397
1994	168	282,484

[1] Some dentists have contracts in more than one Family Health Services Authority. These dentists have been counted only once.
[2] Prior to the introduction of the new contract in October 1990, patients were not required to be registered, therefore the figures for September 1991 are not strictly comparable with later years.

Ms Jowell: To ask the Secretary of State for Health what was funding per capita on NHS dentistry for each year since 1990. [28090]

Mr. Malone: Information for the general dental services is shown in the table.

General Dental Services: Gross and net cost per capita from 1988–89 to 1994–95.

England £

Year	*Gross expenditure*	*Net expenditure*
1989–90	19.87	12.19
1990–91	21.74	13.80
1991–92	25.85	17.47
1992–93	26.99	18.83
1993–94	25.17	17.61
1994–95	26.42	18.49

Expenditure for 1994–95 is provisional.
Population estimates at June.

Emergency Admissions

Mr. Nicholas Brown: To ask the Secretary of State for Health what assessment she has made of the reasons for the increase in emergency hospital admissions in recent years. [27387]

Mr. Sackville: Studies are currently being undertaken within the national health service and associated organisations looking at the numbers and causes of emergency admissions. The NHS Executive will be circulating details of these and will, later this year, be issuing good practice guidance on contracting for emergencies, drawing on the work currently being done in five sites.

Managers (Termination Payments)

Mr. Milburn: To ask the Secretary of State for Health if she will list the individual termination payments made to general and senior managers in health authorities in the most recent years for which figures are available. [27502]

Mr. Spellar: To ask the Secretary of State for Health how many termination payments have been made by health authorities and FHSAs to *(a)* chief executives, *(b)* general managers and *(c)* senior managers; and what was the total amount for each authority over the last two years. [28448]

a **Mr. Malone:** Information is not available centrally in the form requested. The available information for 1994–95 relating to ex-gratia and contractual severance payments is shown in the table.

	£
South Thames RHA	23,575
Merton, Sutton and Wandsworth HA	14,000
North Thames RHA	75,435
Barking and Havering HA	106,808
North West RHA	108,089
North West Lancashire HA	64,549
Lancashire FHSA	26,079
Trent RHA	73,435
Nottingham HA	49,611
Anglia and Oxford RHA	74,482
Walsall HA	51,033
NHS Supplies	72,881

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 2 February, *Official Report*, columns *840-41*, if she will update the information on termination payments made to trust chief executives and managers. [27533]

Mr. Malone: The table shows the latest information about termination payments made since April 1994 which national health service trusts have notified to the National Health Service Executive, under the arrangements in TEL(94)3, copies of which are available in the Library.

NHS Trust	*Number of payments*	*Amount* £
		4,487
		7,323
Broadgreen Hospital NHS Trust		31,078
		23,128
		63,039
Bromley Hospitals NHS Trust	1	25,400
Burnley Health Care NHS Trust	1	245,000
Burton Hospitals NHS Trust	1	7,053
Cheviot and Wansbeck NHS Trust		10,086
		6,329
Chorley and South Ribble NHS Trust	1	28,749
Cornwall and Isles of Scilly Learning Disabilities NHS Trust	1	11,000
		37,222
Dudley Priority Health NHS Trust		7,481
		9,639
East Hertfordshire NHS Trust	1	22,500
East Surrey Learning Disability and Mental Health Services NHS Trust	1	36,677
Enfield Community Care NHS Trust	1	35,522
Epsom Healthcare NHS Trust	1	15,000
Fosse Health NHS Trust	1	19,500

NHS Trust	Number of payments	Amount £
Frimley Park Hospital NHS Trust	1	6,328
Hammersmith Hospital NHS Trust		47,616
		75,073
Herefordshire Community Health NHS Trust	1	28,416
Healthlands Mental Health NHS Trust	1	25,008
Hertfordshire Health Agency NHS Trust		3,000
		3,000
		3,000
		55,573
Kings Healthcare NHS Trust		1,005
		23,627
		10,261
Kingston Hospital NHS Trust		4,365
		14,903
		7,873
		12,991
The Medway NHS Trust		12,803
		13,501
Mid Anglia Community Health NHS Trust	1	5,449
Mid Cheshire Hospitals NHS Trust	1	31,549
New Possibilities NHS Trust	1	65,199
North East Essex Mental Health Service NHS Trust	1	26,188
North Hampshire Hospitals NHS Trust	1	30,000
North Mersey Community NHS Trust	1	11,300
North Middlesex Hospital NHS Trust	1	11,328
North Tees Health NHS Trust	1	27,764
North West London Mental Health NHS Trust	1	6,500
Northern Birmingham Mental Health NHS Trust		45,155
		29,372
Northern Devon Healthcare NHS Trust	1	25,000
Northampton Community Healthcare NHS Trust		20,259
		19,540
Northgate and Prudhoe NHS Trust	1	6,500
		13,814
Nottingham City Hospital NHS Trust		23,642
		13,556
		3,948
Nottinghamshire Ambulance Service NHS Trust	1	17,500
Pilgrim Health NHS Trust	1	7,864
Plymouth Hospital NHS Trust		7,865
		21,900
Queens Medical Centre Nottingham University NHS Trust	1	77,715
Royal Free Hampstead NHS Trust	1	35,295
		47,355
Royal Liverpool University Hospital		7,242
		28,384
Royal Liverpool Children's NHS Trust		18,466
		12,122
Royal National Orthopaedic Hospital NHS Trust	1	7,130
Royal United Hospital Bath NHS Trust	1	19,343
Salford Mental Health Services NHS Trust	1	15,874
South Bedfordshire Community Healthcare NHS Trust	1	17,771
South Devon Healthcare NHS Trust	1	37,740
South Downs Health NHS Trust	1	8,727
South Kent Community Healthcare NHS Trust	1	30,636
South Kent Hospitals NHS Trust	1	8,626
South Warwickshire General Hospital NHS Trust	1	34,829
		43,908
Southend Healthcare NHS Trust		29,901
		7,031
Southmead Health Services NHS Trust	1	30,649
Stockport Healthcare NHS Trust	1	21,940
Teddington Memorial Hospital NHS Trust	1	18,750
United Leeds Teaching Hospitals NHS Trust	1	30,000
Walsall Community NHS Trust	1	35,000
Walsall Hospital NHS Trust	1	6,926
West Herts Community Health NHS Trust		2,633
		2,276
		29,505
		40,000
Wiltshire Ambulance Service NHS Trust	1	27,314
Winchester and Eastleigh NHS Trust	1	19,504
Worcester Royal Infirmary NHS Trust	1	22,167
Worthing and Southlands Hospitals NHS Trust		34,547
		18,200
York Health Services NHS Trust	1	55,000

Secure Residential Care

Mr. Sykes: To ask the Secretary of State for Health if she will add the police to the list of those persons the local authority must notify before a child is placed in secure residential care under the Arrangements for Placement of Children (General) Regulations 1991, Regulation 5, where that child is a known offender. [27986]

Mr. Bowis: If the hon. Gentleman wishes to write to me to set out reasons for such a change, I should be happy to consider them.

NHS Management Costs

Mr. Redmond: To ask the Secretary of State for Health what action she proposes to take regarding the management costs of the national health service benevolent fund. [28268]

Mr. Malone: I am unaware of this organisation.

Minocycline

Mr. Alan W. Williams: To ask the Secretary of State for Health how many cases have been recorded of severe rheumatic side effects from the use of acne tablets containing the drug minocycline. [28347]

Mr. Sackville: Since the introduction of minocycline in 1973, 119 cases of rheumatic symptoms suspected as associated with minocycline have been reported through the United Kingdom's spontaneous adverse drug reaction scheme. A report of a suspected adverse reaction does not necessarily mean that it was caused by the drug. Rheumatic reactions are a well-recognised side effect of minocycline, but are uncommon in relation to the wide usage of the product.

The majority of the patients experienced transient joint pains which resolved when minocycline was stopped. Systemic lupus erythematosus, a multi-system condition which may present with severe joint pains, was reported in

13 cases. The current product information for minocycline provided to doctors includes joint pain and SLE as side effects.

"The Patient's Charter and You"

Mr. Steen: To ask the Secretary of State for Health what was the cost of preparation, production, printing and distribution of "The Patient's Charter and You", (F82/005 1687 1P 25m Jan 95). [28546]

Mr. Malone: The cost of producing, printing and distributing "The Patient's Charter and You" was £376,000.

Naltrexone

Mr. Rathbone: To ask the Secretary of State for Health what tests have been carried out on the use of naltrexone to treat heroin addiction and avoid death from heroin misuse; and when naltrexone will become available under prescription for such treatment. [28544]

Mr. Bowis: In the United Kingdom naltrexone is not recommended by the British National Formulary in the treatment of patients who are currently addicted to heroin, although recent studies, mainly in the United States of America, have used naltrexone in combination with other drugs to assist rapid detoxification. In the United Kingdom, naltrexone may be prescribed to prevent relapse in detoxified, formerly opiate dependent, addicts. Its prescription is a matter for individual clinicians in discussion with their patients.

Pregnant Women (Diet)

Mr. Martyn Jones: To ask the Secretary of State for Health what specific research her Department has commissioned into food purchasing and food consumption patterns of pregnant women in receipt of income support. [28805]

Mr. Sackville: None.

Marriages

Mr. Barry Field: To ask the Secretary of State for Health what plans she has to control the level of charges for the performance of civil marriage services by registrars away from their normal offices; what recent estimate she has made of these charges; and what representations she has received on this subject since 1994. [28833]

Mr. Sackville: We have no plans to control the level of charges levied by local authorities for the attendance of registration officers at civil marriage ceremonies on approved premises under the Marriage Act 1994, beyond the provisions of The Marriage (Approved Premises) Regulations 1995 which limit such fees to an amount, determined by local authorities, as reasonably representing the costs to them of providing a registrar and superintendent registrar to attend at a solemnization. Difference fess may be set for different cases and circumstances.

No information is available centrally about these charges, and, to date, one representation has been received on this subject.

Mr. Barry Field: To ask the Secretary of State for Health what plans she has *(a)* to regulate and *(b)* to review the charges made by local authorities for inspection of premises under the Marriage Act 1994. [28835]

Mr. Sackville: None.

Regulations made under the provisions of the Marriage Act 1994 empower local authorities to charge a fee for a particular application for the approval of premises or for applications generally. The fee charged shall not exceed the amount which reasonably represents the costs incurred in the former case or which reasonably represents the average costs incurred in the latter.

Mr. Barry Field: To ask the Secretary of State for Health what is the highest and lowest charge made for inspection of premises under the Marriage Act 1994. [28834]

Mr. Sackville: Information about the fees charged by local authorities in respect of applications for the approval of premises under the Marriage Act 1994 is not available centrally.

Mr. Barry Field: To ask the Secretary of State for Health what is the average charge made by a registrar for a wedding service *(a)* in their own offices and *(b)* at licensed premises outside. [28832]

Mr. Sackville: The fee payable for the attendance of a registrar at a register office wedding is set centrally and currently stands at £23.

The fee payable for civil ceremonies conducted on premises approved under the Marriage Act 1994 is one determined by each local authority as reasonably representing all the costs to it of providing both a registrar and superintendent registrar to attend the solemnization. The local authority may set different fees for different cases and circumstances. Information about the level of fees set by local authorities is not available centrally.

Miscarriages

Mr. Martyn Jones: To ask the Secretary of State for Health what are the rates of miscarriages *(a)* in terms of total numbers and *(b)* as a percentage for the individual groups for (i) pregnant women in receipt of income support and (ii) pregnant women not in receipt of income support. [28802]

Mr. Sackville: This information is not available centrally.

Food Safety

Dr. Strang: To ask the Secretary of State for Health what was the total number of food poisoning notifications to the Office of Populations Censuses and Surveys in each year since 1982 and for 1995 to date. [28614]

Mr. Sackville: Information on the numbers of food poisoning cases reported to the Office of Population Censuses and Surveys is published annually in the MB2 series, communicable disease statistics, copies of which are available in the Library. For the years 1982–94, I refer the hon. Member to the reply I gave him on 26 October 1994 at cols. *684–85*.

The final figure for 1993 and provisional figures for 1994 and 1995 to date are given in the table:

Numbers of cases of food poisoning in England and Wales reported to OPCS

	Number
1993 (final)	68,587
1994 (provisional)	82,587
1995 (provisional) to 12 May 1995	22,275

Dr. Strang: To ask the Secretary of State for Health (1) what financial assistance will be given to local environmental health officers to ensure that additional training measures are met to comply with the Food Safety (General Food) Regulations 1995; [28591]

(2) what estimate she has made of the total administrative costs in enforcing the new Food Safety (General Food) Regulations 1995. [28593]

Mr. Sackville: We expect there to be no net cost for local authorities arising from the introduction of the new regulations, since they will replace broadly similar existing regulations. The Department has provided training seminars, free of charge, for local environmental health officers to learn the content of the new regulations.

£30 million, which was index-linked, was added to the revenue support grant on a continuing basis following the passage of the Food Safety Act 1990. The new regulations will be enforced under the provisions of the Act.

Dr. Strang: To ask the Secretary of State for Health what plans she has to ensure that training regulations are met by food handlers handling high-risk foods following the introduction of the new Food Safety (General Food) Regulations 1995. [28595]

Mr. Sackville: The regulations will require food handlers to be

"supervised and instructed and/or trained in food hygiene matters commensurate with their work activities"

The Department is preparing detailed guidance on this, including a revision of Food Safety Act code of practice No. 9 on food hygiene inspections and a free booklet, to explain the requirements of the Regulations.

In addition, voluntary industry guides to good practice, which are being developed by sectors of the food industry in consultation with Government, enforcement and consumer interests will provide guidance on the level of training required by staff engaged on various duties.

Dr. Strang: To ask the Secretary of State for Health what guidelines have been issued in respect of additional training for environmental health officers which she will be required to meet in order to comply with the new Food Safety (General Food) Regulations 1995. [28592]

Mr. Sackville: The Department of Health has held a series of training seminars on the new regulations. Two environmental health officers were invited from each environmental health department in England and Wales. One lecturer from each academic establishment running courses leading to qualification as an environmental health officer was also invited.

Dr. Strang: To ask the Secretary of State for Health what representations she has received regarding the introduction of the new Food Safety (General Food) Regulations 1995. [28594]

Mr. Sackville: The Department issued the draft regulations for consultation on 18 February 1994 and received representations from 225 organisations and individuals. The vast majority welcomed the proposed regulations.

Dr. Strang: To ask the Secretary of State for Health what guidelines have been issued to outline what requirements hygiene hazard analysis systems should meet in food businesses following the introduction to the new Food Safety (General Food) Regulations 1995. [28596]

Mr. Sackville: The Department is preparing a revision of Food Safety Act code of practice No. 9 on food hygiene inspections and a free booklet explaining the requirements of the regulations. In addition, voluntary industry guides to good hygiene practice, which are being developed by sectors of the food industry, in consultation with Government, enforcement and consumer interests will provide more specific guidance.

Environmental Health Officers

Dr. Strang: To ask the Secretary of State for Health (1) how many environmental health officers were employed in England and Wales *(a)* for each year since 1979 and *(b)* at the latest available date; [28589]

(2) how many trainee environmental health officers there were in England and Wales *(a)* for each year since 1979 and *(b)* for the latest available date. [28590]

Mr. Sackville: This information is not held centrally.

Salmonella

Dr. Strang: To ask the Secretary of State for Health how many laboratory reports of salmonella in foodstuffs have been received by the Public Health Laboratory Service in England and Wales for 1995; and what was the final figure for 1994. [28615]

Mr. Sackville: In 1994, the Public Health Laboratory Service identified 2076 salmonella strains from foodstuffs. In the first five months of 1995, 451 salmonella strains were identified.

Breast Cancer

Ms Jowell: To ask the Secretary of State for Health what are the mortality and five-year survival rates for women diagnosed as having breast cancer for each year since 1989. [28089]

Mr. Sackville: The mortality rates for England and Wales are shown in the table.

Mortality from malignant neoplasm of the female breast (ICD[1] 174): deaths per 100,000 women 1989–1993.

1989	54.0
1990	52.4
1991	52.8
1992	52.2
1993	49.5

[1] International Classification of Diseases, 9th Revision.

The latest available information for England and Wales indicates that in the mid-1980s the five-year relative survival was 63 per cent.

Epilepsy

Ms Jowell: To ask the Secretary of State for Health how many people suffer from epilepsy in the Dulwich constituency; and what is the average national incidence. [28091]

Mr. Bowis: This information is not available centrally, for particular or average constituencies.

Richmond House

Mr. Alfred Morris: To ask the Secretary of State for Health how many car parking spaces are available at Richmond house for *(a)* disabled employees and *(b)* disabled visitors. [28099]

Mr. Sackville: Two parking spaces at Richmond house are designated as being for disabled people, whether staff or visitors. If more spaces are needed on a particular day they will be found.

Committee on Safety of Medicines

Mr. Alex Carlile: To ask the Secretary of State for Health if she will list the names, positions and declared personal interests of the current membership of the Committee on Safety of Medicines; and if she will make a statement. [28913]

Mr. Sackville: This information will be placed in the Library.

Tuberculosis

Mr. Alex Carlile: To ask the Secretary of State for Health how many children had tuberculosis in each health authority area in England and Wales for each of the last three years for which figures are available; and if she will make a statement. [28714]

Mr. Sackville: The Office of Population, Censuses and Surveys receives reports of cases of tuberculosis notified to proper officers of local authorities. Information is not available on notified cases by district health authority. The approximate numbers of cases for regional health authorities are published in the series "MB2: Communicable Disease Statistics" and are placed in the Library. A table giving the number of reports of tuberculosis in children aged under 16 by local authority in England and Wales has been placed in the Library.

BCG immunisation to protect against tuberculosis is normally given to children between the ages of 10 and 14 but is recommended at birth for children born into high-risk families.

NHS Bodies

Mr. Alex Carlile: To ask the Secretary of State for Health how many NHS bodies have a publicised system of informing staff whom they should contact if they suspect wrong-doing; what measures are in place to encourage NHS bodies to offer such advice; and if she will make a statement. [28719]

Mr. Malone: The codes of conduct and accountability for national health service boards, published in April 1994, make plain that all NHS boards are responsible for ensuring that staff have a proper and widely publicised procedure for voicing complaints or concerns about maladministration, breaches of the code and other concerns of any ethical nature. The NHS executive's guidance to staff on relations with the public and the media—EL(93)51—clearly indicates the manner by which staff concerns about health care issues should be raised. Copies of all documents are available in the Library.

NHS Appointments

Mr. Alex Carlile: To ask the Secretary of State for Health for how many appointments within the NHS she has direct responsibility; if she will express the number of appointments per title of the position and if she will make a statement. [28721]

Mr. Malone: A number of appointments for which my right hon. Friend the Secretary of State has direct responsibility if listed in the table:

	Chairmen	*Non-executives*	*Executives*
Regional Health Authorities	8	40	—
District Health Authorities	104	—	—
Family Heath Services Authorities	90	—	—
National Health Service Trusts	440	1,291	—
Special Trustees	—	137	—
National Blood Authority	1	5	—
National Health Service Supplies Authority	1	5	—
Special Hospital Services Authority	1	4	—
United Kingdom Transplant Support Services Authority	1	4	1
Dental Vocational Training Authority	1	40	—
Dental Practice Board	1	6	—
Mental Health Act Commission	1	90	—
Prescription Pricing Authority	1	6	—
Health Education Authority	1	7	2
Microbiological Research Authority	1	4	—
Special Health Authorities for London Postgraduate Teaching Hospitals	2	11	—

Pharmaceuticals

Mr. Steen: To ask the Secretary of State for Health what plans she has for changing the arrangements whereby the public is precluded under the amended

National Health Service (General Medical and Pharmaceutical Services) Regulations 1992 from making representations on appeals against applicants to the pharmaceutical list. [29017]

Mr. Malone: None. Members of the public can make their views known through the community health council which the family health services authority is required by the NHS (Pharmaceutical Services) Regulations 1992 to consult on applications for entry to the pharmaceutical list. Community health councils can also comment on appeals that are made against FHSAs' decisions under the regulations.

Private Finance Initiative

Mr. Fatchett: To ask the Secretary of State for Health if she will set out the procedures by which Newchurch was awarded the contract to advise the NHS executive on the private finance initiative. [29016]

Mr. Sackville: Newchurch and Company was awarded the contract to provide a private finance database service which brings the national health service and potential private sector together. Registration on the database and searches are free of charge to NHS users.

Nine companies and the NHS Supplies authority were invited to tender. They were sent details of the aim and objectives of the private finance database project, the main tasks to be undertaken, the performance criteria and a specification of tenders.

Six tenders were received. These were considered and three of the bidders were shortlisted for interview. A selection panel of four conducted the interviews at which Newchurch was successful.

Mental Health

Mr. Nicholas Brown: To ask the Secretary of State for Health how many people were subject to a guardianship order under the Mental Health Act 1983 for each of the past 12 years. [29556]

Mr. Bowis: The centrally available information on the number of orders at the end of each financial year and the number of cases opened and closed during the year, was published in "Guardianship under the Mental Health Act (1983) Year Ending 31 March 1994, England", copies of which are available in the Library.

Mr. Nicholas Brown: To ask the Secretary of State for Health what are the latest figures by region for the number of doctors approved under section 12 of the Mental Health Act 1983 currently working within the NHS per head of population; and what proportion of these are registered psychiatrists. [29558]

Mr. Bowis: Regional directors of public health are responsible for ensuring that sufficient suitably trained and experienced doctors are approved under the Act and we are satisfied that this requirement is being properly met.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Health when she intends to reply to the letter sent to her on 3 April by the right hon. Member for Manchester, Gorton with regard to Mr. K. McGeever, a further copy of which was sent to her on 11 May. [29346]

Mr. Sackville: My right hon. Friend the Secretary of State replied today.

Transsexuals

Mr. Alex Carlile: To ask the Secretary of State for Health if she will make a statement on the availability of treatment in the NHS for transsexuals. [29549]

Mr. Sackville: Transsexualism is a clinically recognised condition for which, in certain cases, gender reassignment is considered appropriate. A system of referral exists within the national health service for patients to be seen by specialists through the recommendation of their general practitioner. The decision on whether a particular course of treatment should be given is based on the assessment made by the consultant in charge of each case.

Charter Week

Mr. Nicholas Brown: To ask the Secretary of State for Health what estimate she has made of the cost to her Department, to health authorities and to NHS trusts of the current year's Charter Week celebrations, including the costs of publicity. [29557]

Mr. Malone: Health authorities and national health service trusts already inform their local communities about performance against the patients charter initiative and about local services more generally. The fourth anniversary of the citizens charter gives them an opportunity to further strengthen this important communication process. We do not collect data on the cost of these local management initiatives centrally.

Gender Dysphoria

Mr. Alex Carlile: To ask the Secretary of State for Health if she will ensure that patients undergoing treatment for gender dysphoria benefit from the same medical confidentiality as other patients; and if she will make a statement. [29547]

Mr. Sackville: All involved in the treatment of patients in the National Health Service have a legal duty, reinforced by their contracts of employment, of confidentiality in respect of their patients.

NATIONAL HERITAGE

Civil Servants

Mr. Milburn: To ask the Secretary of State for National Heritage pursuant to his answer of 2 May, *Official Report*, column *169*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29287]

Mr. Dorrell: Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years salary may be made where a Department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over 55, this may be forgone in favour of immediate payment of the accrued

superannuation benefits which would otherwise be preserved for payment at retiring age. There have been no departures on inefficiency grounds from the Departments of National Heritage since its creation in April 1992.

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for National Heritage how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because the information *(a)* could only be obtained at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered now due to computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28512]

Mr. Dorrell: The information requested could be provided only at disproportionate cost.

Mount Grace Priory

Mr. Redmond: To ask the Secretary of State for National Heritage what research and action he had taken in conjunction with English Heritage over the archaeological findings at Mount Grace priory, near Northallerton, North Yorkshire on the making of liqueur by the Carthusian monks at the priory; and if he will make a statement. [27934]

Mr. Dorrell: Mount Grace priory is an historic property managed by English Heritage. I understand that, using general archaeological evidence, English Heritage has planted a herb garden which, for 1995, contains many of the plants likely to have been used in the manufacture of herbal beverages in the 15th century, but that there is no direct archaeological evidence for the manufacture of any particular liqueur by Carthusian monks at Mount Grace priory.

Broadcasting Sponsorship Unit

Mr. Nicholas Winterton: To ask the Secretary of State for National Heritage if he will make a statement on the membership, aims and strategy of broadcasting sponsorship unit. [27361]

Mr. Dorrell *[holding answer 13 June 1995]:* I established a new division in my Department in April to sponsor the broadcasting and audiovisual industry.

The recent White Paper "Competitiveness: Forging Ahead" (Cmd 2867) set out the Government's principal aim for, and general approach to, industrial sponsorship: working with UK industry to help it compete more effectively at home and abroad. Over the coming months, the new division, in consultation with the industry, will be developing a detailed strategy for its work with the broadcasting and audiovisual sector.

The division is headed by a grade 5 on loan from the Department of Trade and Industry who currently has two other staff in post. Further staff are being recruited. I envisage a mix of officials and those with practical experience of the industry.

Island Games

Mr. Mackinlay: To ask the Secretary of State for National Heritage which Minister will be attending the Island games in Gibraltar in July. [28609]

Mr. Sproat: No Ministers will be attending the games.

Mr. Mackinlay: To ask the Secretary of State for National Heritage which islands of the United Kingdom will be represented at the Island games to be held in Gibraltar in July. [28607]

Mr. Sproat: Alderney, Guernsey, Isle of Man, Isle of Wight, Jersey, Orkney, Sark, Shetlands and Ynys Môns, Anglesey.

Office of the National Lottery

Mr. Redmond: To ask the Secretary of State for National Heritage (1) what was the cost of the move of the office of the National Lottery to 2 Monck street, London SW1; [28265]

(2) if he will list by month since its inception the cost of *(a)* rent, *(b)* rates and *(c)* staff for the office of the national lottery; and if he will make a statement. [28267]

Mr. Dorrell: This is an operational matter for the Office of the National Lottery I have therefore asked the Director General of the National Lottery, to write to the hon. Member, placing copies of his response in the Libraries of the House.

NORTHERN IRELAND

Smoking

Mr. Peter Griffiths: To ask the Secretary of State for Northern Ireland, what facilities are provided and arrangements made for the well-being and comfort of staff who *(a)* smoke and *(b)* do not wish to be affected by smoking at (i) the workstation and (ii) rest, recreation and refreshment facilities at the Northern Ireland Office, Whitehall, London. [27085]

Sir John Wheeler: The Northern Ireland Office in Whitehall has a smoking policy which states that staff are not allowed to smoke anywhere in the accommodation occupied by the Department, other than in the smoking room provided. This ensures a smoke-free environment for non-smokers. Line managers are responsible for ensuring that the smoking room facility is not abused. The smoking room is equipped with a desk and telephone as well as easy chairs to enable smokers to carry on working.

The refreshment facilities are shared with other Government Departments and have separate smoking and non-smoking areas.

Northern Ireland Tourist Board

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland if he will list the businesses in which the Northern Ireland tourist board has taken the preference share options and indicate *(a)* the amount of each investment, *(b)* which of these businesses have received within the past three years development grants from schemes directly administered by the board from

European Union funds, *(c)* the amount of grant awarded in total and expressed as percentage of the approved cost of each development, *(d)* the number of additional jobs created in each of the businesses which benefited from the preference share option scheme or the development grants; and what monitoring he has carried out to ensure that these businesses have not received any more preferential support or advice in the marketing and promotion of their activities from the Northern Ireland tourist board, either directly or indirectly, to that which is available to other hotels in Northern Ireland. [26629]

Mr. Ancram: The businesses in which the Northern Ireland tourist board has taken preference share options are:

1. Clandeboye Lodge Hotel, Bangor: £250,000
2. Radisson Roe Park Hotel, Limavady: £550,000
3. Manor House Hotel, Killadeas: £330,000

Of these businesses, the following accepted offers of assistance under European Union funds:

Radisson Roe Park Hotel, Limavady: £1,250,000

Manor House Hotel, Killadeas: £200,000

The amount of grant awarded in total from NITB and EU sources and expressed as a percentage of approved costs is as follows:

Clandeboye Lodge Hotel, Bangor: £450,000, representing 30 per cent. of approved costs and 13.5 per cent. of approved costs on redemption of the preference shares, ignoring any redemption premium.

Radisson Roe Park Hotel, Limavady: £3,450,000, representing 41 per cent. of approved costs and 34.7 per cent. of approved costs on redemption of the preference shares, ignoring any redemption premium.

Manor House Hotel, Killadeas: £630,000, representing 34 per cent. of approved costs and 16 per cent. of approved costs on redemption of the preference shares, ignoring any redemption premium.

The number of jobs created in each of the businesses is as follows:

	Full-time	*Part-time*
Clandeboye Lodge Hotel, Bangor	22	15
Radisson Roe Park, Limavady	60	50
Manor House Hotel, Killadeas	20	34

Applications for support for marketing and promotional activities are considered by NITB on an individual basis and on ability to meet the established published criteria. Companies which have not been financially assisted through the NITB are equally able to apply for support or advice on marketing or promotional activities.

Firearms

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many weapons are currently on issue for personal protection purposes in Northern Ireland. [28224]

Sir John Wheeler: The total number of firearms held at 30 April 1995, on foot of firearms certificates issued by the Chief Constable under article 28 of the Firearms (Northern Ireland) Order 1981, for personal protection purposes, was 10,418. Firearms certificates for personal protection weapons are issued only where the Chief Constable judges that the individual's life is at serious risk, and where other legal criteria have been satisfied.

Framework Agreement

Mr. Trimble: To ask the Secretary of State for Northern Ireland if any unqualified commitment has been given to the Government of the Irish Republic to incorporate *(a)* some or all of the principles set out in the new framework for agreement. [28365]

Mr. Ancram: The proposals in "A New Framework for Agreement" are

"A shared understanding between the British and Irish Governments to assist discussion and negotiation involving the Northern Ireland parties".

The proposals are based firmly on the principle of consent of the people of Northern Ireland to any political settlement negotiated with the parties. There is therefore no predetermined outcome.

Sheep Dip

Mr. Spellar: To ask the Secretary of State for Northern Ireland what action his Department is taking to prevent organophosphate poisoning among those involved in sheep dipping. [28452]

Mr. Ancram: The controls in Northern Ireland on the sale and supply of organophosphorous sheep dip products are similar to those in Great Britain. From 1 April 1995, such products can be sold only to people holding a certificate of competence in the safe use of sheep dips or the representatives of those people. A one-day training course on the use of sheep dips is available at the Department's agricultural colleges free of charge to farmers. The Department of Agriculture has written to sheep farms providing information about the certificate of competence scheme and has issued a leaflet on the Health and Safety aspects of using organophosphorous sheep dip products.

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Northern Ireland how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because of the information *(a)* could be obtained only at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered now due to computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28507]

Sir John Wheeler: The information requested could be provided only at disproportionate cost.

Mr. McMaster: To ask the Secretary of State for Northern Ireland what percentage of parliamentary questions, which would have been answered directly by him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28488]

Sir John Wheeler: Ministers are accountable to Parliament for all matters concerning their agencies. Written parliamentary questions concerning matters

which have been delegated to the chief executive of an executive agency in its framework document, normally receive a reply from the Minister to the effect that he or she has asked the chief executive to reply direct to the Member by letter. The chief executive's letter is published in *Hansard* below the Minister's reply.

Health

Mr. Worthington: To ask the Secretary of State for Northern Ireland whether he operates upon the World Health Organisation definition of health in carrying out his health responsibilities in Northern Ireland. [28543]

Mr. Moss: The regional strategy for the Northern Ireland health and personal social services 1992 to 1997, with its emphasis on the promotion of health and the prevention of disease, is based on the principles of the World Health Organisation's "Health for All" concept.

National Lottery

Mr. Worthington: To ask the Secretary of State for Northern Ireland how much national lottery money is expected to be distributed by the Arts Council of Northern Ireland and the Sports Council for Northern Ireland in the current financial year. [28542]

Mr. Ancram: Based on current forecast information, the proceeds in the national lottery distribution fund for each council are expected to be in the region of £7 million in 1995–96.

Landfill Project, Magheramorne

Mr. Beggs: To ask the Secretary of State for Northern Ireland if a decision has been taken within the Northern Ireland Department of the Environment to support landfill at Magheramorne prior to the public inquiry. [29172]

Mr. Moss: No.

Mr. Beggs: To ask the Secretary of State for Northern Ireland if the US Trade and Development Agency or Louis Berger International Inc. was advised that the Northern Ireland Department of the Environment had announced that a public inquiry would be held into the Blue Circle, Magheramorne quarry landfill application later in 1995 when briefed by the Northern Ireland Department of the Environment town and country planning service prior to the Washington conference; [29176]

(2) if Louis Berger International Inc. was advised of the likelihood of a public inquiry into the suitability of the limestone based quarry at Magheramorne, Country Antrim and of its timing; [29174]

(3) what information the US Trade and Development Agency or Louis Berger International Inc. was given by the Northern Ireland Department of the Environment officials on their assessment of the viability of the Blue Circle landfill proposed project; [29173]

(4) what advice was given by the Northern Ireland Department of the Environment to *(a)* the US Trade and Development Agency or *(b)* Louis Berger International Inc. regarding the Magheramorne quarry landfill project prior to the White House conference held in Washington on 24 to 26 March. [29171]

Mr. Moss: The chief scientist, Louis Berger International Inc. (Engineers, Scientists, Economists, Planners) was part of a trade delegation from the United States of America visiting Northern Ireland prior to the Washington conference. He met an official of the town and country planning service of the Northern Ireland Department of the Environment to discuss environmental information, including prospective developments.

Arising from the general discussion the chief scientist expressed interest in the Blue Circle Magheramorne landfill project and was then shown the environmental statement which accompanied the planning application relating to the project. The environmental statement is a document available for public scrutiny. He was told that a local public inquiry would be held later this year. No further advice was given either on the likely outcome of the application nor on the viability of the project.

Mr. Beggs: To ask the Secretary of State for Northern Ireland when the town and country planning service will complete its environmental impact assessment of the magheramorne quarry landfill project. [29175]

Mr. Moss: Assessment of the environmental effects of the proposal will not be completed until after the local public inquiry into the planning application and consideration of the report of the Planning Appeals Commission which is not expected until late spring 1996.

Higher Education

Mr. Llwyd: To ask the Secretary of State for Northern Ireland how many students were attending Northern Irish higher education institutions in *(a)* 1993–94 and *(b)* 1994–95; and if he will make a statement. [29022]

Mr. Ancram: The information is as follows:

Year	*Number of students*
1993–94	32,608
1994–95	37,247 (provisional)

Mr. Llwyd: To ask the Secretary of State for Northern Ireland what was the proportion of students obtaining *(a)* first class and *(b)* upper second class degrees at Northern Irish higher education institutions in (i) 1991–92 and (ii) 1992–93; and if he will make a statement. [29025]

Mr. Ancram: The information is as follows:

Per cent.

Year	*First class honours*	*Upper second class honours*
1991–92	5.5	44.6
1992–93	6.4	42.3

Student Grants and Loans

Mr. Llwyd : To ask the Secretary of State for Northern Ireland what is the forecast for expenditure on mandatory awards and loans given to students from Northern Ireland during the current year; and if he will make a statement. [29029]

Mr. Ancram: Expenditure for the 1995–96 financial year is estimated at £118.3 million.

Civil Service Retirement

Mr. Milburn: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 2 May, *Official Report*, columns *161–62*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29238]

Sir John Wheeler: Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years' salary may be made in respect of non-industrial personnel where a Department judges payment of compensation to be appropriate. Where compensation is payable and the person dismissed is over age 55, the compensation payment may be forgone in favour of immediate payment of accrued superannuation benefits which would normally be preserved for payment at retiring age. The latter would usually be more beneficial to the officer.

For staff departures from the Northern Ireland Departments and the Northern Ireland Office the relevant information is not available for the financial years 1990–91 and 1991–92. The information of subsequent years is as follows:

Year	*Number of departures*	*Total compensation paid* £
1992–93	5	38,395.07
1993–94	9	41,233.15
1994–95	6	60,494.90

Training and Employment Agency

Mr. Duncan: To ask the Secretary of State for Northern Ireland what targets have been set for the Training and Employment Agency for Northern Ireland for the period 1995 to 1998; and if he will make a statement about the agency's future. [29852]

Mr. Ancram: The following targets have been set for the agency:

1. Within the company development programme to increase the percentage of companies using national vocational qualification based training to raise the competence of their work forces from 35 per cent. at March 1995 to 75 per cent. by March 1998.

2. To encourage the commitment of Northern Ireland industry and commerce to the Investors in People standard with the aim of increasing the number of recognitions from 20 in March 1995 to 50 in March 1996, 100 in March 1997 and 150 in March 1998. At least 50 per cent. of the companies to be in manufacturing and tradeable services.

3. To provide a range of relevant, high quality management development programmes and to achieve a customer satisfaction rating of at least 80 per cent. as reviewed at the end of each year, that such provision will increase individual and/or business performance.

4. To support the IDB's objective of attracting 20 inward investment projects with 4,500 job promotions by 31 March 1996 and the Northern Ireland Tourist Board's aim of attracting strategically important investment which strengthens the tourism and hospitality infrastructure.

5. In the first year of operation, 1995–96, 25 per cent. of mainstream participants in Jobskills will achieve NVQ level 2 or above, increasing to at least 35 per cent. in 1996–97 and 45 per cent. in 1997–98.

6. To provide an average of 9,400 temporary employment places with training through the ACE programme with the aim of increasing the number of leavers into jobs, training or further education within three months of leaving from 41 per cent. in 1994–95 to 43 per cent. in 1995–96 to 45 per cent. in 1996–97 to 47 per cent. in 1997–98.

7. By 1998 to agree and implement at least 40 modern apprenticeships frameworks with the appropriate sectoral representative bodies—20 in 1995–96, 15 in 1996–97 and five in 1997–98.

8. To carry out a full evaluation of the community work programme pilots by March 1997.

9. Over the next three years the agency will place a total of 114,000 people into jobs—36,000 in 1995–96, 38,000 in 1996–97 and 40,000 in 1997–98.

10. The agency will review its customer service standards, publish a revised customer charter by December 1995, have identified appropriate areas for entry for the nation-wide Chartermark competition for services in the public sector by March 1996 and have reached the standard in these areas by March 1998.

11. To revise by March 1997 the agency management accounting system to provide full cost management accounts and improve the integration of unit costs with performance measures.

12. To achieve Investors in People national standard for employers by September 1995.

13. To achieve annual efficiency savings of at least 4 per cent. over the period 1995 to 1998.

14. To complete by end 1995 the equality and equity benchmarking of the agency's programmes and services, set targets for action to redress imbalances, and by March 1998 to demonstrate progress by meeting the targets established.

15. To ensure that the objectives of the targeting social need and policy appraisal and fair treatment initiatives are reflected in all reviews of the agency's programmes and services carried out over the period of this plan.

Copies of the agency's published corporate plan, 1995–98, will be placed in the Library.

In accordance with next steps principles, the agency has been subject to an evaluation review and the case for its continuaton assessed. The evaluation report confirms that, since its inception in 1990, the agency has been a success, both in terms of bringing together a central operational focus for training and employment services and as a next steps agency. It will continue as a next steps agency with the same operational responsibilities. Work is presently in hand to revise its framework document in the light of the findings of the evaluation report and changes in next steps policy and procedures.

A copy of the evaluation report will be placed in the parliamentary Library.

Ordnance Survey

Mr. Duncan: To ask the Secretary of State for Northern Ireland what performance targets have been set for Ordnance Survey of Northern Ireland in 1995–96. [29851]

Mr. Moss: For 1995–96 the following performance targets have been set for Ordnance Survey of Northern Ireland:

1. to survey 32,000 house units in the continuous revision programme;

2. to complete 850 data capture units representing 1,630 basic scale map sheets converted to digital format;

3. to update the digital topographical database with 91 per cent. of the surveyed change within seven days of receipt of the field data;

4. to dispatch, within seven working days, 91 per cent. of orders for folded and basic scale maps;

5. to reduce unit costs so that the weighted mean percentage reduction of selected representative activities is three per cent.; and

6. to recover from the supply of goods and services, 28 per cent of the total cots incurred by OSNI.

Gross Indecency

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many persons were convicted of gross indecency in Northern Ireland in each of the last five years. [28222]

Sir John Wheeler: The information in respect of persons found guilty of gross indecency, attempted gross indecency and gross indecency with a child, is as follows:

Offence	*Year 1990*	*1991*	*1992*	*1993*	*1994*
Gross indecency	35	7	2	9	3
Attempted gross indecency	2	0	0	0	0
Gross indecency with a child	17	12	10	4	7
Total	54	19	12	13	10

Crown Immunity

Mr. Foulkes: To ask the Secretary of State for Northern Ireland if he will list all areas within *(a)* his Department, *(b)* agencies under his Department's control and *(c)* organisations for which he has ministerial responsibility to which Crown immunity applies; what consideration he has given to removing this; and if he will make a statement. [28650]

Sir John Wheeler *[holding answer 15 June 1993]:* The Crown is not bound by any NI legislation unless the contrary intention is clearly stated, or there is a necessary implication that the Crown is to be bound.

Whether Crown immunity applies to statutory bodies other than Government Departments and agencies depends on whether they are carrying out functions on behalf of the Crown. The legislative provisions establishing many statutory bodies expressly state that they are not emanations of the Crown and shall not act or be treated as servants or agents of the Crown. For such bodies, no question of Crown immunity arises.

The Government's policy on Crown immunity, as set out in the Cm 1599, "The Citizens Charter—Raising the Standard", is that Crown immunity is being progressively reduced as legislative opportunities arise. In the meantime, Crown bodies are expected to behave as though they were bound by regulations.

TRADE AND INDUSTRY

Military Exports

Mr. Bennett: To ask the President of the Board of Trade (1) how many export licence applications, by country, were approved in 1993 for the export of goods defined as PL 5020 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27487]

(2) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 1 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27460]

(3) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 5 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27464]

(4) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 9 in group 1 of part III of schedule 1 of SI 1992 No.3092; [27468]

(5) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 14 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27472]

(6) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 16 in group 1 of part III of schedule 1 of SI. 1992 No. 3092; [27474]

(7) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 23 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27478]

(8) how many export licence applications, by country, were approved in 1993 for the export of goods defined as PL 5021 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27483]

(9) how many export licence applications, by country, were approved in 1993 for the export of goods defined as PL 5028 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27491]

(10) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 26 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27480]

(11) how many export licence applications, by country, were approved in 1993 for the export of goods defined as PL 5002 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27481]

(12) how many export licence applications, by country, were approved in 1993 for the export of goods defined as PL 5001 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27490]

(13) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 3 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27462]

(14) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 7 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27466]

(15) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 11 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27470]

(16) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 18 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27476]

(17) how many export licence applications, by country, were approved in 1993 for the export of goods defined as PL 5029 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27485]

(18) how many export licence applications, by country, were approved in 1993 for the export of goods defined as PL 5017 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27488]

(19) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 2 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27461]

(20) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 6 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27465]

(21) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 10 in group 1 of part III of schedule 1 of SI 1992 No. 3092; [27469]

(22) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 15 in group 1 of part III of schedule 1 of S.I. 1992 No. 3092; [27473]

(23) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 17 in group 1 of part III of schedule 1 of S.I. 1992 No. 3092; [27475]

(24) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 24 in group 1 of part III of schedule 1 of S.I. 1992 No. 3092; [27479]

(25) how many export licence applications, by country, were approved in 1993 for the export of goods defined as PL 5006 in group 1 of part III of schedule 1 of S.I. 1992 No. 3092; [27484]

(26) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 20 in group 1 of part III of schedule 1 of S.I. 1992 No. 3092; [27477]

(27) how many export licence applications, by country, were approved in 1993 for the export of goods defined as PL 5018 in group 1 or part III of schedule 1 or S.I. 1992 No. 3092; [27482]

(28) how many export licence applications, by country, were approved in 1993 for the export of goods defined as PL 5027 in group 1 of part III of schedule 1 of S.I. 1992 No. 3092; [27489]

(29) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 4 in group 4 of part III of schedule 1 of S.I. 1992 No. 3092; [27463]

(30) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 8 in group 1 of part III of schedule 1 of S.I. 1992 No. 3092; [27467]

(31) how many export licence applications, by country, were approved in 1993 for the export of goods defined as ML 13 in group 1 of part III of schedule 1 of S.I. 1992 No. 3092; [27471]

(32) how many export licence applications, by country, were approved in 1993 for the export of goods defined as PL 5014 in group 1 of part III of schedule 1 of S.I. 1992 No. 3092. [27486]

Mr. Ian Taylor: The hon. Gentleman will appreciate that his questions involve a very large quantity of statistical information. I shall provide the information which he has asked for, to the extent that it is available on my Department's databases. However, the task involved in gathering and collating the data is a considerable one. I shall therefore send the information, in tabular form, to the hon. Gentleman. I shall also arrange to have a copy placed in the Library of the House.

Mr. Byers: To ask the President of the Board of Trade, pursuant to his answer of 24 May, *Official Report*, column *676*, if he will state the number of cases in which end-use certificates, end-use statements or international import certificates were not insisted upon for military list goods; if he will identify the companies concerned; and if he will make a statement. [27701]

Mr. Ian Taylor *[holding answer 9 June 1995]:* A full answer to the hon. Member's question could be obtained only at disproportionate cost. However, some work has been done on this issue in my Department on a sample basis. I refer the hon. Member to my answer given today to the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) for further details of the sample survey commissioned last month by my right hon. Friend the President of the Board of Trade into the supporting documentation supplied with export licence applications for military list goods during the period 1986–90.

Mr. Byers: To ask the President of the Board of Trade on how may occasions between 1985 and 1990 his Department received representations from right hon. or hon. Members in support of applications for export licences in respect of military list goods for export to Iran and Iraq. [27550]

Mr. Ian Taylor *[holding answer 9 June 1995]:* It would be possible to determine on how many occasions between 1985 and 1990 my Department received representations from right hon. or hon. Members in support of applications for export licences in respect of military list goods for export to Iran and Iraq only by combing a very large number of files, and each individual export licence over the period. This exercise could be undertaken only at seriously disproportionate cost.

Mr. Byers: To ask the President of the Board of Trade, pursuant to his answer of 24 May, *Official Report*, column *676*, how many applications for export licences in respect of military list goods to Iran and Iraq between 1985 to 1990 were specifically drawn to the attention of Ministers; and how many of those approved by Ministers did not provide end-use certificates, end-use statements or international import certificates. [27702]

Mr. Ian Taylor *[holding answer 9 June 1995]:* It would be possible to determine how many applications for export licences, in respect of military list goods to Iran and Iraq between 1985 and 1990, were specifically drawn to the attention of Ministers only by combing a very large number of files, and each individual export licence over the period. This exercise could be undertaken only at seriously disproportionate cost and time.

Mr. Cousins: To ask the President of the Board of Trade how many military list export licences applications were the subject of his recent internal inquiries into the possible absence of full documentation; and if that sample was focused on particular countries or types of product. [29166]

Mr. Ian Taylor: The full results are set out of the sample survey commissioned last month by the President of the Board of Trade into the supporting documentation supplied with export licences.

The survey was set up as follows. A randomly selected sample was taken of 10 per cent. of all military list export licence applications for the following destinations: Pakistan, Singapore, Hong Kong, Portugal, Thailand and Cyprus. There was no focus on particular types of product. The figure of 74 per cent. quoted in the President's statement was an average of the figures for 1986 to 1989.

Military list licences 1986–90

	1986	*1987*	*1988*	*1989*	*1990*
Government applications	19	24	20	23	7
Private applications	25	37	45	29	25
Total	44	61	65	52	32
Number supporting documents (Government)	13	19	12	7	4
Number supporting documents (private)	25	30	40	19	22
Number supporting documents (total)	38	49	52	26	26
Percentage of applications with no supporting documents	86	80	80	50	81

The results are also set out of a similar survey commissioned last month by the President of the Board of Trade for all BMARC export licence applications between 1986 and 1989. The figure of 36 per cent. quoted in the President's statement is an average of the figures for BMARC for 1986 to 1989.

BMARC licences 1986–89

	1986	*1987*	*1988*	*1989 (BMARC)*	*1989 (ASTRA)*
Government applications	59	96	70	31	24
Private applications	65	73	58	15	13
Total	124	169	128	46	37
Number of supporting documents (Government)	14	8	4	5	3
Number of supporting documents (private)	43	46	42	9	9
Number of supporting documents (total)	57	54	46	14	12
Percentage of applications with no supporting documents	46	32	36	30	32

Mr. Miller: to ask the President of the Board of Trade, pursuant to his oral statement of 13 June, *Official Report*, columns 595–606, if he will list those cases amongst the 74 per cent. of the applications to which he referred which have subsequently been discovered to have an end use in a nation with which his Government have an arms embargo. [29102]

Mr. Ian Taylor: I refer the hon. Member to my answer given today to the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) for further details of the sample survey commissioned last month by my right hon. Friend the President of the Board of Trade into the supporting documentation supplied with export licence applications for military list goods during the period 1986–90.

All licence application forms contain a question requiring a statement of end use and the ultimate consignee.

The purpose of my officials in examining this relatively small random sample of 254 export licences was to take a quick check on the state of export licence administration in the DTI over the period 1986–90. They were not asked to investigate the final destination of the goods covered by the licences. This would not have been part of their duties. The investigation of alleged breaches of export controls is a matter for Customs and Excise in its role as an independent prosecuting authority of the Crown.

There are boxes on the export licences application forms which ask the applicant to state both the end use and the end user of the goods in question. My Department has no evidence to suggest that the goods relating to any of the licences sampled ended up anywhere other than as stated on the application form. It would be entirely wrong to assume from the figure of 74 per cent. given in my right hon. Friend's oral statement on 13 June that a large proportion of exporters misled my Department.

Scott Inquiry

Mr. Byers: To ask the President of the Board of Trade which Minister, former Minister or civil servants in his Department have sought independent legal advice in assisting their response to draft extracts from Sir Richard Scott's report; in each case from whom the advice has been sought; and what limit has been placed on the cost of such advice to public funds. [28384]

Mr. Heseltine *[holding answer 13 June 1995]*: I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister on 14 June 1995, *Official Report*, column *530*.

Departmental Contracts

Mr. Harvey: To ask the President of the Board of Trade what criteria for determining increased effectiveness apart from the issue of benchmarking costs, will be applied in awarding contracts for work currently carried out by civil servants in his Department. [29191]

Mr. Heseltine: The criteria vary depending on the particular exercise but commonly include the quality of service offered, the bidder's understanding of the Department's needs, their ability to bring new innovative approaches to the delivery of the services, the continuity of service offered on taking over the work, their commitment to developing a co-operative partnership with the DTI, and the overall value for money offered.

Insolvency Service

Mr. Harvey: To ask the President of the Board of Trade what is the projected cost of the Insolvency Service's local office ledger accounting computer system. [29245]

Mr. Jonathan Evans: The set-up cost of the LOLA—local office ledger accounting system—is estimated to be £1,543,000.

Mr. Harvey: To ask the President of the Board of Trade what measures he proposes taking to ensure creditors' meetings take place in areas affected by particular insolvencies in the event of official receivers' offices being closed as a result of contracting out. [29189]

Mr. Jonathan Evans: The venue of a creditors meeting will still be governed by rules 4.60 and 6.86 of the Insolvency Rules 1986, which states:

"the person summoning the meeting is to have regard for the convenience of persons (other than the chairman) invited to attend".

There is no obligation to hold meetings at official receivers' offices; and they may be held at any convenient venue considered appropriate.

Mr. Harvey: To ask the President of the Board of Trade what steps he plans to take to conserve the training investment in the specialist accountancy staff in the organisation in the event of the work of the Insolvency Service being contracted out. [29192]

Mr. Jonathan Evans: In the event of any contracting out of official receiver's functions, the residual work of the Insolvency Service would require the continued employment of the bulk of its specialist staff.

Mr. Harvey: To ask the President of the Board of Trade, following the implementation of current proposals to contract out the work of the Insolvency Service, which offices he proposes to close. [29190]

Mr. Jonathan Evans: No decisions have yet been taken in relation to the size and location of the Insolvency Service. It is not expected that such decisions will be made until conclusions on contracting out have been reached.

Mr. Harvey: To ask the President of the Board of Trade what plans he has to raise the standards of conduct for private insolvency practitioners to *(a)* the current performance level and *(b)* the current targets set for official receivers' staff as condition for proceeding further with contracting out proposals for the Insolvency Service. [29186]

Mr. Jonathan Evans: The requirement scoping document recently issued to potential bidders set out levels of experience and competencies of staff that will be required. Any provider, who may or may not be an insolvency practitioner, must satisfy these requirements. In addition, the performance of contractors would be closely monitored to ensure that standards were being consistently maintained to an equal or better level than the standards of expertise and performance currently achieved by the Insolvency Service.

Mrs. Helen Jackson: To ask the President of the Board of Trade how many *(a)* bankruptcy orders and *(b)* winding up orders were dealt with by the Sheffield official receiver's office during each of the last five years. [28797]

Mr. Jonathan Evans: The total numbers of bankruptcy orders and winding up orders dealt with by the official receiver's Sheffield office in each of the last five years were as follows:

Financial year	*Bankruptcy*	*Winding up*
1990–91	288	102
1991–92	570	110
1992–93	640	120
1993–94	559	94
1994–95	488	98

Mrs. Helen Jackson: To ask the President of the Board of Trade, what plans the Insolvency Service has to administer those cases not finalised by 31 March 1996 following contractorisation of the official receiver. [28799]

Mr. Jonathan Evans: Official are exploring arrangements which would enable existing cases at 1 April 1996 to be transferred to contractors to complete their administration.

Mrs. Helen Jackson: To ask the President of the Board of Trade if staff of the official receiver's office transferred to the private sector will have their salaries enhanced to compensate for the absence of non-contributory pensions for the purpose of the Transfer of Undertakings (Protection of Employment) Regulations 1981. [28827]

Mr. Jonathan Evans: Although TUPE does not cover the transfer of occupational pension rights, a new employer will be required to provide broadly comparable pension arrangements. These arrangements would be considered by the Department as part of the preparations for any transfer. The Government Actuary will provide an independent analysis of comparability and will need to approve the new arrangements as offering broadly comparable benefits. The Government Actuary will assess the arrangements as a whole to ascertain their comparability to the principal civil service pension scheme and these arrangements may

include compensation, for example, for employee contributions or different levels of benefit.

Mrs. Helen Jackson: To ask the President of the Board of Trade how many permanent staff were employed by the Insolvency Service in the Sheffield office on 31 March for each year since 1990. [28795]

Mr. Jonathan Evans: Numbers of permanent staff employed at the official receiver Sheffield office as at 1 April in each of the last five years were as follows:

Year	*Number of permanent staff*
1 April 1990	24
1 April 1991	23.5
1 April 1992	22.5
1 April 1993	23.5
1 April 1994	21.5
1 April 1995	20

Mrs. Helen Jackson: To ask the President of the Board of Trade how many members of the Insolvency Service are solely engaged on work surrounding the contracting out proposals; and what is the cost of their work. [28803]

Mr. Jonathan Evans: There are currently five members of the Insolvency Service solely engaged in work concerning the proposed contracting out of the functions of the official receiver. Other members of staff spend varying proportions of their time dealing with the issues associated with this work.

It is estimated that the cost to the Insolvency Service of the options exercise will be approximately £1.35 million in the 1995–96 financial year.

Mrs. Helen Jackson: To ask the President of the Board of Trade if he will make a statement on the effects the contracting out of the administrative functions of the official receiver will have on the Sheffield office. [28798]

Mr. Jonathan Evans: Any decisions and any effects of contracting out in relation to the Sheffield office of the official receiver will be known only once decisions are reached regarding the whole of the Insolvency Service.

Mrs. Helen Jackson: To ask the President of the Board of Trade how many directors were disqualified from managing a limited company under section 6 of the Company Directors Disqualification Act 1986 in the courts covered by the official receiver's office, Sheffield during the past eight years. [28794]

Mr. Jonathan Evans: The numbers of disqualification orders made under section 6 of the Company Directors Disqualification Act 1986 in the Sheffield, Doncaster, Chesterfield and Barnsley courts covered by the official receiver Sheffield office in each of the last eight years were as follows:

Financial year	*Number of orders made*
1 April 1987—31 March 1988	0
1 April 1988—31 March 1989	3
1 April 1989—31 March 1990	1
1 April 1990—31 March 1991	6
1 April 1991—31 March 1992	2
1 April 1992—31 March 1993	3
1 April 1993—31 March 1994	0
1 April 1994—31 March 1995	1

Mrs. Helen Jackson: To ask the President of the Board of Trade how many members of the Sheffield office will be surplus of requirement following contractorisation of the functions of the functions of the official receiver. [28826]

Mr. Jonathan Evans: Any decisions in relation to the staff in the official receiver's office in Sheffield will be made in the light of decisions taken on contracting out.

Mrs. Helen Jackson: To ask the President of the Board of Trade how many firms or companies resident in Sheffield have expressed an interest in bidding for some of the functions of the official receiver. [28800]

Mr. Jonathan Evans: No firm responding to the advertisements calling for expressions of interest in the contracting out of functions of the official receiver listed a Sheffield address.

Mrs. Helen Jackson: To ask the President of the Board of Trade what plans his Department has for providing information to staff regarding their future employment options following contractorisation of the functions of the official receiver. [28824]

Mr. Jonathan Evans: A communications strategy is currently in place within the Insolvency Service with the aim of keeping the staff as up to date with the status of contracting out as possible. The intention is to provide information on the options available to staff as it becomes known.

Mrs. Helen Jackson: To ask the President of the Board of Trade how many casual and short-term contract staff were engaged at the official receiver's office in Sheffield in each of the past four years. [28796]

Mr. Jonathan Evans: The number of casual and short-term contract staff employed at the official receiver Sheffield office as at 1 April in each of the last four years was as follows:

Year	*Casual staff*	*Staff on loan from other Government Departments*
1 April 1992	3	0
1 April 1993	1	0
1 April 1994	2	2
1 April 1995	0	2

Mrs. Helen Jackson: To ask the President of the Board of Trade what additional resources the Insolvency Service has been given to enable the contracting out process to be completed. [28804]

Mr. Jonathan Evans: Approximately an additional £1.3 million has been allocated to cover the Insolvency Service's costs for the contracting out exercise.

Departmental Grants

Mr. Martyn Jones: To ask the President of the Board of Trade if he will list the amounts received by each organisation which receives a grant from his Department for each of the last five years. [28967]

Mr. Heseltine: The information sought could be provided only at disproportionate cost.

Patent Office

Mr. Llwyd: To ask the President of the Board of Trade if he will make a statement on his policy in respect of potential *(a)* conflicts of interest and *(b)* breaches of confidentiality in respect of the contractorising of functions of the Patent Office. [28684]

Mr. Ian Taylor: The Patent Office is looking at the potential for contractorisation where that is compatible with its statutory role and good value for money. Issues such as possible conflicts of interest and risks to confidentiality are considered when areas which might in principle be handled by the private sector are assessed and, if appropriate, will be addressed when detailed specifications are drawn up.

Mr. Llwyd: To ask the President of the Board of Trade if all areas within the Patent Office apart from the core functions will be considered for contractorisation; and if he will make a statement. [28688]

Mr. Ian Taylor: As my right hon. Friend the President of the Board of Trade stated in his announcement of 14 December 1994, *Official Report*, columns *657–58* about the Patent Office review, the Patent Office will be encouraged to contract out activities wherever this is compatible with its statutory role and good value for money.

Mr. Llwyd: To ask the President of the Board of Trade how many representations he has received during the last six months on the question of the contractorisation of the Patent Office; of those, how many were *(a)* in favour and *(b)* against the proposals; and if he will make a statement. [28682]

Mr. Ian Taylor: Since my right hon. Friend the President of the Board of Trade announced the outcome of the Patent Office review on 14 December, *Official Report*, columns *657-58*, he has received 11 letters specifically referring to the contractorisation of Patent Office functions. Of these, three asked for information about the process of contractorisation, and eight covered correspondence from the Patent Office trade unions expressing their concerns.

Mr. Llwyd: To ask the President of the Board of Trade, how many members of staff are currently employed in the registration of trademark section of the Patent Office; what was the figure for 1991; and if he will make a statement. [28686]

Mr. Ian Taylor: A total of 237 Patent Office members of staff are currently engaged in the administration of trademarks. The equivalent figure in June 1991 was 308.

Mr. Llwyd: To ask the President of the Board of Trade how many members of staff were employed in the core functions of the Patent Office in 1990; and if he will make a statement. [28681]

Mr. Ian Taylor: In June 1990 the Patent Office employed 1,134 staff. The number of staff in branches which award intellectual property rights under statutory powers was 851.

Mr. Llwyd: To ask the President of the Board of Trade how many members of staff are currently employed in the core function activities of the Patent Office. [28685]

Mr. Ian Taylor: In June 1995 the Patent Office employs 954 staff. The number of staff in branches which award intellectual property rights under statutory powers is 673.

Mr. Llwyd: To ask the President of the Board of Trade what factors precluded the staff at the Patent Office from eligibility to form an in-house bid; and if he will make a statement. [28689]

Mr. Ian Taylor: Since bids for contracted-out services will be assessed against benchmarks for the forecast cost and quality of service from in-house provision, staff already have the opportunity to prove that they can match or beat the private sector if the services remain in-house. Additionally, staff may choose to enter a bid on the same basis as the private sector, with the corollary that they will cease to be civil servants if their bids is successful.

Mr. Llwyd: To ask the President of the Board of Trade how many members of staff are employed in the patents and deigns section of the Patent Office; what was the figure for 1992; and if he will make a statement. [28687]

Mr. Ian Taylor: A total of 436 Patent Office members of staff are currently engaged in the administration of patents and designs. The equivalent figure in June 1992 was 474.

Mr. Llwyd: To ask the President of the Board of Trade if he will list the private consultants engaged in respect of the Patent Office; what are their precise terms of reference and their agreed remuneration for carrying out those functions; and if he will make a statement. [28683]

Mr. Ian Taylor: Three firms of private sector consultants are currently engaged by the Patent Office.

Apex Planning and Design is advising the office on accommodation issues, and in particular on means to accommodate within the principal building—Concept house—staff currently housed at two smaller locations.

Marketing Improvements plc has been retained to explore market potential for Patent Office services, focusing on demand for non-statutory serves such as commercial searches and technical advice, and means of realising it. Coopers and Lybrand has been retained to advise on the feasibility of contracting out the Patent Office's front office in London, which receives, logs and forwards incoming mail, and the terms on which such contractorisation might take place. In neither case have specifications to tender for the work involved yet been drawn up.

Levels of remuneration associated with these individual consultancy contracts are commercial in confidence.

Mr. Llwyd: To ask the President of the Board of Trade how many letters were received by the Patent Office during 1994; how may of these were replied to within seven days; and if he will make a statement. [28699]

Mr. Ian Taylor: The Patent Office does not hold central records of individual letters received except in the case of letters from Members of Parliament to the chief executive, and letters of complaint under its chartermark procedures. The target for response in both of these cases is 10 working days. In 1994 six letters from Members of Parliament were received and five were answered within the deadline. Fourteen letters of complaint were received and all were answered within the deadline.

Parliamentary Questions

Mr. McMaster: To ask the President of the Board of Trade what percentage of parliamentary questions, which would have been answered directly by him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28500]

Mr. Heseltine: Ministers are accountable to Parliament for all matters concerning their agencies. Written parliamentary questions concerning matters which have been delegated to the chief executive of an executive agency in its framework document, normally receive a reply from the Minister to the effect that he or she has asked the chief executive to reply direct to the Member by letter. The chief executive's letter is published in *Hansard* after the Minister's reply.

Mr. McMaster: To ask the President of the Board of Trade how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because the information *(a)* could be obtained only at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered now due to computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28517]

Mr. Heseltine: The information requested could be provided only at disproportionate cost.

Chernobyl Nuclear Plant

Mr. Matthew Taylor: To ask the President of the Board of Trade what information Her Majesty's Government possess on the current safety of the Chernobyl nuclear plant; and if he will make a statement. [28603]

Mr. Page: The safety of the Chernobyl nuclear plant is the responsibility of the relevant Ukrainian authorities. Only they would be able to provide detailed information on the current safety situation at the plant.

Mr. Matthew Taylor: To ask the President of the Board of Trade (1) how much contaminated debris is estimated to be present inside the concrete sarcophagus built around the remains of the Chernobyl nuclear reactor number 4; [28604]

(2) what is his latest estimate of the time necessary to clean up the Chernobyl nuclear plant. [28605]

Mr. Page: A recent interim report from an on-going EU funded study estimated that 500,000 cu m of short-lived radioactive waste and 40,000 cu m of long-lived high level waste, including over 200 tonnes of the reactor's original fuel, lie inside the sarcophagus built over the destroyed unit 4 at Chernobyl.

While no precise estimate of the time necessary to clean up Chernobyl has been made, the same report indicated that it could take up to 100 years to complete the segregation, treatment, conditioning, storage and ultimate disposal of all the radioactive arisings from the remains of unit 4. Copies of the executive summary of this report—"Stabilisation of the existing shelter and the containment of both the existing shelter and the damaged remains of reactor 4 at the Chernobyl nuclear power plant"—have been placed in the Library of the House.

Post Office

Mr. Wareing: To ask the President of the Board of Trade what progress has been made with the Post Office performance review and if he will make a statement. [28705]

Mr. Heseltine *[holding answer 15 June 1995]:* Work started on the performance review on 22 May and is on schedule for completion by 31 August 1995.

Nuclear Industry Privatisation

Mr. Wilson: To ask the President of the Board of Trade what restrictions he intends to impose on any foreign Government, corporation or individual purchasing shares in a privatised nuclear industry. [28665]

Mr. Eggar *[holding answer 15 June 1995]:* The full details of the sale have yet to be finalised. It is, however, the Government's intention to hold special shares in the holding company and in its two subsidiary companies, Scottish Nuclear and the successor to Nuclear Electric.

Land Mines

Mr. Hanson: To ask the President of the Board of Trade what considerations led to the exclusion of Smart mines from the Government's recent mine export ban. [28229]

Mr. David Davis: I have been asked to reply.

Our moratorium bans the export of non-self-destructing and non-detectable anti-personnel mines, which are the most dangerous to civilians. It also prohibits the export of *any* anti-personnel mines to countries which have not ratified the UN weaponry convention, thereby ensuring that even self-destructing mines are acquired only by responsible countries.

ATTORNEY-GENERAL

Civil Servants

Mr. Milburn: To ask the Attorney-General, pursuant to his answer of 2 May, *Official Report*, column *142*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29293]

The Attorney-General: Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years' salary may be made where a Department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over age 55, this may be forgone in favour of immediate payment of the accrued superannuation benefits, which would otherwise be preserved for payment at retiring age. There have been 15 departures on inefficiency grounds in the past five financial years in the Departments for which I am responsible. Of these, there were four cases when no compensation payment was made. The remaining 11 cases are shown in the table:

Year	Compensation payment £
1991–92	4,000
1992–93	2,436
	3,220
	18,384
	19,798
	31,634
1993–94	7,492
	9,608
	11,044
1994–95	3,037
	10,403

Mr. Roger Levitt

Mr. Donald Anderson: To ask the Attorney-General if he has anything to add to his answer to the hon. Member for Hendon, South (Mr. Marshall) of 9 December 1993, *Official Report*, columns *332–33*, concerning the conduct of the case against Mr. Roger Levitt. [27886]

The Attorney-General: The Serious Fraud Office and prosecuting counsel have been asked to re-examine the events that led up to Mr. Levitt's plea in the light of recent media reports and questions from hon. Members.

Various counsel-to-counsel discussions about possible pleas, of the sort indicated to the hon. Member for Hendon, South in my answer on 17 December 1993, *Official Report*, column *1046*, took place before 22 November. Such informal discussions are not unusual and would normally be confidential. They were not fully noted and there is no agreed record of what took place. I am, however, informed by prosecuting counsel that the discussions were initiated by counsel for only one of the defendants—not Mr. Levitt—and, following a later approach by counsel for another defendant, not Mr. Levitt, were necessarily expanded by counsel for the Crown to cover the position of all the defendants by 2 November 1993.

The discussions consequential on these initial approaches from the defence included a discussion which is believed to have taken place between leading counsel for the Crown and for Mr. Levitt around 5 November and a discussion between junior counsel for the Crown and leading counsel for Mr. Levitt on 9 November 1993 stating what the Crown's attitude was likely to be if Mr. Levitt tendered particular pleas. Prosecuting counsel continues, however, to reject the notion that it at any stage "suggested" that Mr. Levitt plead guilty to only some of the charges.

The Serious Fraud Office was aware of the discussions that were taking place. The Director of the Serious Fraud Office and prosecuting counsel have now considered together a copy letter from the solicitor for Mr. Levitt to his client dated 5 November 1993, which was handed to the director in the course of his appearance before the Treasury and Civil Service Select Committee on 12 June 1995. They have recalled that the director and case controller had a meeting with prosecuting counsel on 5 November 1993. The joint recollection of all present is that the director was then informed of possible pleas which leading counsel for the Crown advised should, in the event that they were tendered, be accepted. The director and prosecuting counsel inform me that, although the director was minded to accept such pleas, he did not give instructions that the pleas should be accepted if tendered and would have needed to consider the position further in that event. He expected discussions on a counsel-to-counsel basis to continue. The director is writing to the Select Committee about this and to offer to give further evidence if requested.

The plea ultimately accepted from Mr. Levitt was in the judgment of prosecuting counsel and the Serious Fraud Office significantly different from those under consideration on 5 and 9 November in that it did not include Mr. Levitt's admitting knowledge of, and participation in, any of the false valuations sent to private investors in TLG Ltd.

Prosecuting counsel and the Serious Fraud Office have again assured me that the Crown did not know the sentence which the judge was minded to impose for the relevant offence at the time it committed itself to accepting this plea on 22 November, prior to the visit to the judge, and did not know whether or not Mr. Levitt intended to proceed with the plea if the judge indicated an intention to impose a custodial sentence. As was made clear by the director in his evidence to the Select Committee, it would not in any event have been open to the Crown to resile from its acceptance of the plea because the judge indicated an intention to impose a non-custodial sentence.

WALES

NHS Administration Costs

Mr. Ron Davies: To ask the Secretary of State for Wales what were the administration costs incurred by *(a)* NHS purchasers and *(b)* NHS providers in Wales in each year since 1990–91, in cash prices and real terms. [27776]

Mr. Redwood: The information is as follows:

Administrative costs of the NHS in Wales

£000

	NHS Trusts		*Other health bodies*	
	(1)	*(2)*	*(3)*	*(4)*
1991–92	—	—	107,018	114,685
1992–93	4,188	4,316	119,964	123,635
1993–94	50,107	50,107	91,214	91,214

Source: Annual accounts/Financial returns of DHA's, SHAs, FHSA's, NHS Trusts and Welsh Office records.

Environmentally Sensitive Areas

Mr. Martyn Jones: To ask the Secretary of State for Wales what was *(a)* the total budget spent and *(b)* the total administrative budget spent for the environmentally sensitive area grants. [28305]

Mr. Gwilym Jones: *(a)* Total grants paid under the environmentally sensitive area schemes in 1994–95 was £1,533,000; *(b)* precise administrative costs are not available, because staff combine work on this area and others schemes. However, the costs of relevant administrative work alone will have amounted to around £276,000. In addition, professional ADAS staff provided scientific and technical advice at a cost of around £1,965,000. Most staff time was devoted to developing detailed rules and regulations for the new scheme, in preparing scheme literature, and in providing farmers with assistance in drawing up whole farm plans and preparing their management agreements.

Mr. Welsh: To ask the Secretary of State for Wales *(a)* what percentage of the total land area of Wales was designated as environmentally sensitive; *(b)* what financial provision his Department allocated to environmentally sensitive areas in the years 1993–94, 1994–95 and 1995–96; *(c)* what percentage of the total land area of Wales will be designated as environmentally sensitive; and *(d)* what financial provision his Department will allocate to environmentally sensitive areas in each of the years 1996–97 and 1997–98. [29327]

Mr. Gwilym Jones: The information requested is as follows:

(a) 25 per cent.

(b) Total payments for years:

1993–94: £5.8 million

1994–95: £6.9 million

1995–96: £7.0 million

(c) 25 per cent. There are no plans at present to designate further areas of Wales as environmentally sensitive.

(d) 1996–97: £6.9 million

1997–98: £6.9 million

These are planned figures which may be subject to change.

Mr. Martyn Jones: To ask the Secretary of State for Wales what is the *(a)* total annual budget *(b)* annual budget for administration and *(c)* number of administrative staff for the environmentally sensitive area grants. [28301]

Mr. Gwilym Jones: The total programme budget for 1995–96 is £6,971,000. Precise administrative staff figures and costs cannot be given, because staff combine work on this area and other schemes. However, relevant administrative work alone is likely to account for approximately 18 staff years at a cost of around £264,000. In addition, professional ADAS staff are expected to provide scientific and technical advice at a cost of around £1,798,000. Most staff time in 1995–96 will be devoted to advising farmers on the key habitats to be included in their agreements; in drawing up maps of their farms showing the relevant features; and in negotiating and preparing their written management agreements.

Housing

Mr. Martyn Jones: To ask the Secretary of State for Wales how many Welsh households are on local authority and housing association waiting lists. [28444]

Mr. Gwilym Jones: The information requested is not available centrally.

European Council of Ministers

Mr. Llwyd: To ask the Secretary of State for Wales what plans he now has to attend the Council of Ministers; on what occasions in the past he has planned to do so; and if he will make a statement. [28698]

Mr. Redwood: I shall be attending the next Transport Council meeting on 19 June for one day and previously, as a Department of Trade and Industry Minister, I have attended some 22 other Council meetings.

School Meals

Mr. Martyn Jones: To ask the Secretary of State for Wales what was the percentage and number of children receiving *(a)* free school meals and *(b)* parentally paid for school meals for the last 10 years. [28443]

Mr. Richards: The information requested is shown in the following table:

	Percentage of pupils receiving [1]		*Number of pupils receiving* [2]	
	Free meals	*Paid meals*	*Free meals*	*Paid meals*
1984–85	22.8	36.3	97,437	155,132
1985–86	21.3	33.0	90,739	140,416
1986–87	22.1	32.6	92,416	136,020
1987–88	21.7	33.1	89,550	136,290
1988–89	14.6	37.4	59,802	153,539
1989–90	14.1	38.0	58,303	156,675
1990–91	14.4	38.1	59,338	156,951
1991–92	16.6	34.6	70,088	145,938
1992–93	18.5	35.3	79,934	152,299
1993–94	20.7	35.8	90,875	157,481

[1] The number of pupils taking meals as a percentage of all pupils present on enumeration day.
[2] On enumeration day.

Mr. Martyn Jones: To ask the Secretary of State for Wales what was the net expenditure on school catering services *(a)* in total and *(b)* in respect of free school meals for each year since 1987 broken down by county. [28822]

Mr. Richards: The available information is given in the following tables. Separate information on the costs of free school meals is not held centrally.

Net current expenditure on school meals and milk[1]

£ million

	1987-88	*1988-89*	*1989-90*
Clywd	4.4	3.0	3.2
Dyfed	3.5	3.1	3.4
Gwent	5.7	4.3	4.9
Gwynedd	2.9	2.8	2.3
Mid Glamorgan	7.5	5.8	7.5
Powys	1.1	1.1	1.1
South Glamorgan	2.1	1.9	1.8
West Glamorgan	2.9	2.9	2.9
Total Wales	30.2	24.7	27.1

	1990-91	*1991-92*	*1992-93*
Clywd	3.3	3.8	4.0
Dyfed	4.5	6.3	6.1
Gwent	5.3	5.1	5.5
Gwynedd	3.0	3.6	3.9
Mid Glamorgan	8.3	9.2	10.1
Powys	1.3	1.5	1.4
South Glamorgan	2.2	2.9	4.8
West Glamorgan	2.7	3.2	3.5
Total Wales	30.5	35.6	39.9

	[2]1993-94	*[2]1994-95*	*[3]1995-96*
Clywd	2.2	2.7	2.7
Dyfed	5.7	5.6	5.7
Gwent	6.2	6.0	5.7
Gwynedd	3.5	2.9	2.9
Mid Glamorgan	9.8	10.1	10.2
Powys	1.3	1.2	1.2
South Glamorgan	3.9	3.7	3.8

	[2]1993-94	[2]1994-95	[3]1995-96
West Glamorgan	3.4	3.4	3.3
Total Wales	35.9	35.7	35.4

Source: Local authority.
Notes:
[1] Excludes grant maintained schools.
[2] Revised Estimates.
[3] Budgets.

Countryside Council For Wales

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make available the results of the financial management policy review of the Countryside Council for Wales initiated in 1994, and if he will make a statement. [28477]

Mr. Redwood *[holding answer 15 June 1995]:* The financial management policy review of the Countryside Council for Wales was overtaken by the review of the council's functions which I announced in my response to the question by my right hon. Friend the Member for Conwy (Sir W. Roberts) on 3 November 1994, columns *1331–32*. The action plan resulting from that review has been placed in the Library of the House.

Charter Week

Mr. Morgan: To ask the Secretary of State for Wales (1) what was the total cost to public funds to Charter Week in Wales in 1995; [28637]

(2) how many civil servants are engaged in preparations for Charter Week; what are their grades; and in which sections of his Department they are working; [29237]

(3) what was the total cost of Charter Week in Wales. [29229]

Mr. Redwood *[holding answer 15 June 1995]:* A number of public service events have been timed to coincide with the fourth anniversary of the charter programme, including the publication of NHS performance tables. In Wales there will be no significant staff or cost implications, apart from the work on NHS performance tables which would have taken place anyway.

Correspondence

Mr. Wigley: To ask the Secretary of State for Wales what representations he has received regarding the length of time his office takes to reply to letters, what difference there is in the time taken to respond to letters written in the Welsh language, and if he will make a statement. [28479]

Mr. Redwood: From time to time my Department receives representations about delays in answering letters. The Welsh Office target for replying to letters to Ministers is 12 working days. The target for replying to all other correspondence is 15 working days. These targets apply to letters in Welsh and in English.

Welsh Assembly

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his oral answer to the hon. Member for Ogmore (Mr. Powell) of 12 June, column 483 if he will list *(a)* the calculations and *(b)* the assumptions he has made in arriving at his estimated cost of the Labour party's proposed directly elected Welsh Assembly. [28879]

Mr. Redwood: I refer the hon. Member to the information I put out in my press notice on Friday 16 June.

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his oral answer to the hon. Member for Ogmore (Mr. Powell) of 12 June, *Official Report*, column 483, what information he has sought from the Labour party Wales concerning the detail of its proposed Welsh Assembly. [28878]

Mr. Redwood: I have seen a copy of the Labour party proposals for a Welsh Assembly, and have often asked the hon. Member to clarify matters.

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his oral answer to the hon. Member for Ogmore (Mr. Powell) of 12 June, *Official Report*, column 483, if he will make a statement in the work carried out by his departmental officials on the likely cost of the Labour party's proposals for a directly elected Welsh Assembly. [28880]

Mr. Redwood: I refer the hon. Member to the reply I gave him on Thursday 15 June, column *660*.

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his oral answer to the hon. Member for Ogmore (Mr. Powell) of 12 June, *Official Report*, column 483, if he will list those organisations in Wales he has consulted on the desirability of creating a directly elected Welsh Assembly. [28877]

Mr. Redwood: It is not Government policy to create an assembly.

Earnings

Mr. Alex Carlile: To ask the Secretary of State for Wales what is the average wage for *(a)* full-time manual males, *(b)* full-time non-manual males, *(c)* full-time manual females and *(d)* full-time non-manual females in (i) Wales and (ii) each county in Wales for the last two years for which figures are available; and if he will make a statement. [28720]

Mr. Redwood: Average gross weekly earnings in each of the requested categories and for each county of Wales are published in part E of the "New Earnings Survey", published annually by the Employment Department, copies of which are available in the Library of the House.

Council of Europe Chapter

Mr. Roy Hughes: To ask the Secretary of State for Wales, pursuant to his answer of 17 May, *Official Report*, column *269*, if he will list the Government Departments with an interest in the Council of Europe charter for regional or minority languages which are involved in the consideration of its implications; and if he will make a statement. [28871]

Mr. Redwood: Apart from the Welsh Office, the Departments which have an interest in the charter are the Northern Ireland Office, the Scottish Office, the Home Office and the Foreign and Commonwealth Office.

Cardiff Bay

Mr. Morgan: To ask the Secretary of State for Wales if he will make a statement about the consultation with

the members of the Cardiff bay coalition about proposals to acquire suitable land for the creation of wetlands in the Severn estuary to compensate for the loss of the Cardiff bay site of special scientific interest; and if all members of the coalition were consulted. [29254]

Mr. Redwood: This is an operational matter for the corporation and I have asked the chief executive to reply.

Mr. Morgan: To ask the Secretary of State for Wales what progress has been made on the monitoring exercise of United Kingdom populations of the dunlin and redshank and their use of estuarine mud flat habitat as part of the compensatory measures agreed with the European Commission in respect of the Cardiff bay barrage project. [29232]

Mr. Redwood: The United Kingdom population of dunlin and redshank are constantly monitored under programmes coordinated by the wetland bird surveys which are endorsed by the Government. Good progress is being made by the Institute of Terrestrial Ecology on its long-term study on wading birds and their use of estuarine mud flats.

Mr. Morgan: To ask the Secretary of State for Wales how much is remaining of the money allocated for the creation of wetland habitat in the Severn to compensate for the loss of the Cardiff bay SSSI; and if he will report progress on the acquisition of suitable coastal land and mud flats for this purpose. [29233]

Mr. Redwood: About £350,000 has been incurred on expenditure related to the bird compensation/mitigation measures for the loss of the Cardiff bay habitat out of the £5.7 million provision. On progress I refer the hon. Member to the reply I gave him on 22 May 1995, column *461*.

Welsh Development Agency

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 12 June, *Official Report*, col. *414*, if his Department received the application for authorisation from the Welsh Development Agency for the redundancy costs to be approved separately from the other elements of the package agreed by his Department on 27 March 1990. [29250]

Mr. Redwood: Separate agreement to elements of the transfer cost was not sought.

Education Expenditure

Mr. Llwyd: To ask the Secretary of State for Wales what proportion of identifiable Government expenditure on education in Wales, including mandatory loans and awards to students, is devoted to *(a)* primary education, *(b)* secondary education, *(c)* further education and *(d)* higher education; and if he will make a statement. [29024]

Mr. Richards: Identifiable Government expenditure on education in Wales in 1993–94, the most recent year for which complete data are available was £1,688 million, of which £165 million was expenditure by Department for Education on mandatory student awards for further and higher education. I will write to the hon. Member with further details of the breakdown of Welsh Office expenditure between sectors, and place a copy of the letter in the Library of the House.

NHS Performance Tables

Mr. Morgan: To ask the Secretary of State for Wales if he will list the arrangements for informing the media of *(a)* the publication of the 1995 NHS performance tables and *(b)* ancillary events during Charter Week. [29230]

Mr. Redwood: The media have been given the opportunity to receive advance embargoed copies of the performance tables on 30 June. A press release will also be issued by my Department. It will be for local service providers to publicise any events held during Charter Week.

Mr. Morgan: To ask the Secretary of State for Wales what representations he has made to the chief executives of health authorities and trusts requesting the provision of good news stories about patients charter achievements in connection with the publication of the 1995 performance tables during Charter Week. [29236]

Mr. Redwood: Chief executives of health authorities and trusts have been asked to announce to the press and public what action they are taking to improve performance where this is needed and to take this opportunity to set out their successes, where this is merited. I have not asked them to spend extra money on publicity or advertising.

Mr. Morgan: To ask the Secretary of State for Wales what is his current estimate of the total cost to public funds of the NHS 1995 performance tables publication and the media exercise connected with it during Charter Week. [29228]

Mr. Redwood: The total Welsh Office budget for the 1995 NHS comparative performance tables is £45,000.

Mr. Morgan: To ask the Secretary of State for Wales what is his current estimate of the number of doctors and nurses to be involved in the press launches for the publication of the NHS patients charter 1995 performance tables during Charter Week; and how much time they will be required to spend *(a)* in total and *(b)* away from their regular medical duties. [29231]

Mr. Redwood: The degree to which health professionals are involved in publicising some of their achievements, as illustrated by patients charter comparative performance tables, is an issue for each NHS trust.

Dr. Audrey Giles

Mr. Morgan: To ask the Secretary of State for Wales (1) pursuant to his answer of 18 May, *Official Report*, columns *374–75*, what was the grade of the civil servant who signed the acknowledgement of receipt of the recorded delivery package of documents sent by Dr. Audrey Giles on 10 March 1992 to his Department for the purposes of the appeal hearing subsequent to her forensic examination of those documents; what record his Department still holds of acknowledgement of the receipt of the package sent by the forensic scientist; and if he will make a statement; [29252]

(2) if he will list the documents contained in the recorded delivery package sent to his Department by Dr. Audrey Giles on 10 March subsequent to her forensic examination of them; and on what date they were received in his Department. [29251]

Mr. Redwood: I am advised that no such package was received by my Department on or around this date.

Higher Education

Mr. Llwyd: To ask the Secretary of State for Wales what was the proportion of young people from Wales entering HE in *(a)* 1993–94 and *(b)* 1994–95; and if he will make a statement. [29012]

Mr. Richards: Information for Wales for 1993–94 and 1994–95 is not yet available. The most recent data show that in 1992–93 an estimated 26 per cent. of young persons from Wales entered higher education.

Mr. Llwyd: To ask the Secretary of State for Wales how many students were studying at a Welsh higher education institution in *(a)* 1993–94 and *(b)* 1994–95; and if he will make a statement. [29100]

Mr. Richards: Information on the number of students studying at Welsh higher education institutions in 1993–94 and 1994–95 is shown in the following table.

Students studying at Welsh Higher Education Institutions

	[1]*1993–94*	[2]*1994–95*
University of Wales	36,390	39,499
Open University	4,376	n/a
Other publicly funded higher education institutions:		
higher education courses	30,538	38,900
further education courses	4,205	n/a

Sources: [1] Welsh Office Further Education Student Record, Universities Statistical Record, Open University. At November for publicly funded higher education institutions, December for University of Wales and January for Open University. Data provisional pending publication.
Source: [2] Higher Education Statistics Agency. Data are provisional and exclude students on further education and open university courses. At December.

Mr. Llwyd: To ask the Secretary of State for Wales what proportion of Welsh higher education departments received a research rating of *(a)* three or above and *(b)* five during the recent research assessment exercise; and if he will make a statement. [29027]

Mr. Richards: Sixty-three per cent. of Welsh higher education departments assessed during the 1992 research assessment exercise received a research rating of three or above; 4 per cent. of the departments received the top rating of five. The Higher Education Funding Council for Wales has as one of its objectives to "double the units of assessment graded four and five in the research assessment exercise conducted every four years".

The HEFCW has been allocated an additional £2 million in support of this objective in each public expenditure survey round since 1992. The next research assessment exercise is to be undertaken in 1996.

Civil Servants

Mr. Milburn: To ask the Secretary of State for Wales, pursuant to his answer of 2 May, *Official Report*, column *139*, if he will provide comparable details of civil service early retirement packages on grounds of inefficiency. [29294]

Mr. Redwood: Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years' salary may be made where a Department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over age 55, this may be forgone in favour of immediate payment of the accrued superannuation benefits which would otherwise be preserved for payment at retiring ages. Three people have left the Welsh Office on inefficiency grounds during the last five years. Details are as follows:

Compensation lump sum

£

1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
—	6,926	—	—	4,162
—	1,683	—	—	—

Welsh Office Buildings

Mr. Ron Davies: To ask the Secretary of State for Wales what was the total running cost of Gwydyr house in the last year for which figures are available. [29554]

Mr. Redwood: The cost for 1994–95 was £334,780.

Mr. Ron Davies: To ask the Secretary of State for Wales how many meetings he hosted in the last year in *(a)* Gwydyr house and *(b)* Cathays park and what are the associated costs of these meetings. [29553]

Mr. Redwood: I have hosted a wide range of meetings throughout the year including delegations from Members of Parliament, local authorities and representatives from industry and other groups. A precise breakdown of the figures is not available. The cost of these meetings is small. My office provides tea or coffee or occasionally cold drinks to all visitors.

AGRICULTURE, FISHERIES AND FOOD

Fisheries Council

Mr. Harris: To ask the Minister for Agriculture, Fisheries and Food if he will make a statement on the European Fisheries Council meeting of 15 June. [29594]

Mr. Jack: I represented the United Kingdom at the meeting of the Fisheries Council in Luxembourg on 15 June with my hon. Friend the Under-Secretary of State for Scotland the hon. Member for Dumfries (Sir H. Monro).

The Council agreed unanimously ceilings on fishing effort in western waters as required by the agreement reached in December on the integration of Spain and Portugal into the common fisheries policy. The figures agreed reflect actual recent fishing effort and will enable UK fishermen to continue their normal patterns and levels of fishing activity without new restriction, provided effort does not increase. Limitations on the disposition of the Spanish fleet in the Irish box were also introduced with the result a maximum of eight vessels are allowed in the northern part and a maximum of 32 in the south.

The Commission presented to the Council its proposals for monitoring and inspection arrangements in western waters. These measures are important because they will provide the basis for enforcing effort controls. I confirmed to the Council that these proposals must be both practicable and realistic in terms of their application. The

Council agreed to consider them urgently so that they can be adopted before the end of this year and come into operation along with the effort controls from 1 January 1996.

Most member states indicated they could agree to a presidency compromise concerning a proposal for funds from the existing financial instrument for fisheries guidance to be used to support national early retirement schemes for fishermen and for compensation payments to crews of decommissioned vessels. The Commission's original proposals relating to bad weather payments and additional support for market price fluctuation were excluded. The United Kingdom continued to argue that such measures should be covered by national social polices and were not appropriate use of FIFG funds.

There was a discussion of drift net fishing and, once again, no conclusions were reached on the Commission's proposal, dating from last year, to phase out the use of drift nets. I emphasised the importance of drift net fishing to British fishermen. I also set out the arrangements, which we have in hand to ensure compliance with the rules in this summer's tuna fishery in the north-east Atlantic, and to discourage any possible disruption of fishing. The Council noted with satisfaction the measures being implemented by member states and the deployment of a vessel carrying Commission inspectors.

The Council discussed progress in the United Nations conference on straddling and highly migratory fish stocks. This conference is looking at ways of improving co-operation between states in the management of international fisheries. I stressed the importance of achieving a binding convention which will lead to more effective conservation of fish stocks in international waters and should reduce the risk of disputes. The Council agreed that the Community should continue to play a constructive role in the negotiations and decided that further work should be done in defining its position before the next session of the Conference.

The Council confirmed its commitment to the full implementation of the April agreement reached between the Community and Canada on fishing in the north-west Atlantic, including the important new provisions to secure effective enforcement. It agreed unanimously to adopt a regulation fixing the 1995 Community quota for Greenland halibut at 5,013 tonnes for the period from 16 April onwards.

The Council unanimously agreed a presidency compromise setting quotas for imports of fish into the Community at reduced rates of import duty for the remainder of 1995. The quotas on cod and haddock were set lower than proposed by the Commission, reflecting concern about weak market prices.

I drew the Council's attention to a Commission proposal to be considered by the Agriculture Council which would introduce harmonisation of inspection charges for fish. I said that, in the absence of distortion of the market, this is an unnecessary measure which could increase costs. I pressed my colleagues to look at the proposal critically, involving fisheries experts to the full.

I also took the opportunity of this meeting of the Council to invite Fisheries Ministers to consider a proposal made by the Government's panel on sustainable development that there should be an intergovernmental panel on the oceans. The panel would be set the task of examining the science, assessing the human impact and putting in place a framework for the responsible management of the world's oceans. It would cover fish stocks, other marine resources and measures to cope with pollution. The Government are currently studying this proposal and wish to take into account the views of other member states before reaching conclusions.

Environmentally Sensitive Areas

Mr. Welsh: To ask the Secretary of State for the Environment what percentage of the total land area of England was designated as environmentally sensitive; what financial provision his Department allocated to environmentally sensitive areas in the years 1993–94, 1994–95 and 1995–96; what percentage of the total land area of England will be designated as environmentally sensitive; and what financial provisions his Department will allocate to environmentally sensitive areas in each of the years 1996–97 and 1997–98. [29326]

Mr. Jack: I have been asked to reply.

The 22 currently designated English environmentally sensitive areas (ESAs) cover 1,149,217 hectares. This is 8.8 per cent. of the total land area of England, excluding inland waters, and includes approximately 10 per cent. of agricultural land in England. Provision for payments to farmers was £30 million in 1993–94, £31 million in 1994–95 and is £43 million per annum for 1995–96 to 1997–98. There are no plans at present to increase the area designated.

Soya Milk

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what research his Department has *(a)* commissioned and *(b)* evaluated on the levels of oestrogen in soya milk. [29457]

Mr. Jack: MAFF has commissioned two projects and a further project is under discussion. All these projects include measurement of plant oestrogens in soya milk, but no results from them are available for evaluation at present.

Spitzbergen (Spanish Fishing Rights)

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food how long Spain has been fishing off Sptizbergen; and what considerations underlie the different allocations for Spain and the United Kingdom. [29207]

Mr. Jack: Spain, like the United Kingdom, is a signatory to the Treaty of Paris 1920, which determined the status of Spitzbergen and Bear Island—Svalbard—and has been fishing at Svalbard since before her accession to the European Community in 1986. The relative stability keys for cod at Svalbard were laid down in 1987 and reflects historic track records in the fishery.

Crown Immunity

Mr. Foulkes: To ask the Minister of Agriculture, Fisheries and Food if he will list all areas within *(a)* his Department, *(b)* agencies under his Department's control and *(c)* organisations for which he has ministerial responsibility to which Crown immunity applies; what

consideration he has given to removing this; and if he will make a statement. [28655]

Mr. Jack *[holding answer 15 June 1995]:* The Government's policy on Crown immunity as set out in CM 1599—"The Citizen's Charter—Raising the Standard" is that Crown immunity is being progressively reduced, as legislative opportunities arise. In the meantime, the Ministry of Agriculture, Fisheries and Food, its agencies and the non-departmental public bodies for which it has responsibility, behave as though bound by regulations.

Chernobyl

Mr. Simpson: To ask the Minister of Agriculture, Fisheries and Food how many farms in England are still affected by restriction notices imposed due to contamination following the Chernobyl nuclear accident; what land area these farms constitute; and what percentage of available farmland in England this represents. [28600]

Mrs. Browning: When restrictions were first introduced, they covered about 197,000 hectares which affected over 1,670 holdings. Restrictions now apply to 66 farms occupying a land area of around 14,568 hectares, which represents about 0.1 per cent. of available farmland in England. An intensive survey is taking place this summer to establish the scope for further derestrictions.

Agricultural and Food Research Council

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many commissions his Department entered into with the Agricultural and Food Research Council for each year since 1979; how many such commissions he expects to make this year; and what is the value of those commissions in *(a)* cash and *(b)* constant prices. [28598]

Mr. Waldegrave: My Department issued a single commission each year for its research and development requirements from the institutes of the Agricultural and Food Research Council. Details of the amounts spent in cash and constant prices are set out in the table:

£ million

Year	*Cash*	*Constant prices*[1]
1979–80	30.4	74.6
1980–81	37.4	77.6
1981–82	44.3	83.8
1982–83	48.6	85.8
1983–84	51.3	86.6
1984–85	52.8	84.9
1985–86	51.8	78.9
1986–87	47.9	70.8
1987–88	44.2	62.1
1988–89	46.4	61.1
1989–90	46.0	56.6
1990–91	45.6	51.9
1991–92	34.5	37.0
1992–93	34.8	35.9
1993–94	36.0	36.0
MAFF Commission with BBSRC		
1994–95	34.6	33.9

[1] Using the GDP deflator (1993–94 = 100).

Parliamentary Questions

Mr. McMaster: To ask the Minister of Agriculture, Fisheries and Food how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because the information *(a)* could be obtained only at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered due to computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28504]

Mr. Jack: The information requested could be provided only at disproportionate cost.

Tobacco Industry

Mr. Byers: To ask the Minister of Agriculture, Fisheries and Food what level of financial support has been given to the Italian and Greek tobacco industry over the last five years from the European Community, and what is the forecast of funding for each of the next three years. [28156]

Mr. Jack *[holding answer 13 June 1995]:* Details of expenditure on the tobacco regime by the EU, broken down by member state, are contained in annex 2 of the annual financial reports of the European agricultural guidance and guarantee fund—EAGGF—guarantee section, copies of which have been deposited in the Library of the House. The latest report available relates to 1993. Figures for 1994, taken from the draft annual financial report are set out in the table.

Greece: 426.06 mecu (£326.48[1])

Italy: 394.53 mecu (£302.32[1])

The CAP budget is drawn up only a year in advance and is set in relation to forecast expenditure throughout the Community and not on the basis of allocations to individual member states. The figures for 1995 and 1996 are as follows:

1995: EU 15 1,132 mecu (£914 million[2])

1996: EU 15 1,087 mecu (£909 million[1])

Since 1992, the Commission has been conducting a detailed investigation into EC tobacco expenditure in member states. Disallowance—costs not being met from the EC budget—has been applied to Greece and Italy to the value of 16 mecu—£12 million—and 8 mecu—£6 million—in respect of the 1990 budget, and 35 mecu—£28 million—and 22 mecu—£17 million—respectively, with regard to 1991, the last year where the accounts have been cleared. Concerns about tobacco expenditure have, of course, been covered in European Court of Auditors special report 8/93. Earlier this year, the Commission undertook to submit a report on the operation of the new regime agreed in 1992, together with an account of irregularities and fraud committed, and of measures already taken or to be taken in the clearance of accounts procedures.

[1] £1 = 1.3050 ecu. [2] £1 = 1.2389 ecu. [3] £1 = 1.1960 ecu.

Goosanders

Sir Cranley Onslow: To ask the Minister of

Agriculture, Fisheries and Food if he will place in the Library a copy of the conditions attached to a licence to shoot goosanders, as an aid to scaring, as issued by his Department, together with a specimen of the sample daily return issued by the Agricultural Development Advisory Service. [27440]

Mrs. Browning: I have arranged to be placed in the Library of the House information as to the conditions that might be attached to a licence to shoot goosanders under section 16 of the Wildlife and Countryside Act 1981. No licences to shoot goosanders were issued in 1994–95 by MAFF.

An example of the daily return issued by ADAS has also been placed in the Library of the House.

Structural Fund

Mr. McGrady: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with his ministerial counterpart in Northern Ireland about the grant allocations from the European Community structural funds for infrastructure and fish diversification projects; and if he will make a statement. [27150]

Mr. Jack: Northern Ireland is a designated objective 1 area for EC structural purposes. A breakdown of the 15.12 mecu—£12.72 million at 15 May green rate prices—allocation for infrastructure measures and other fisheries measures is set out in the Northern Ireland single programming document 1994–99, a copy of which is available in the Library. The Northern Ireland expenditure on these measures is also set out in the UK fisheries sectoral plan 1994–99 required under EC regulation No.3699/93, which I am arranging to be placed in the Library. These documents were the subject of normal inter-departmental consultation and reflect an agreed view.

Northern Ireland plans on PESCA initiative for fish diversification projects were subject to similar consultation and are contained within the UK integrated operation programme 1994–99 which has been submitted to the European Commission for approval. Copies have been placed in the Library of the House.

Quotas

Mr. McGrady: To ask the Minister of Agriculture, Fisheries and Food when he will undertake a review of the quota situation for first-time applicants who wish to participate in the dairy and sheep sectors of the industry, and if he will make a statement. [27149]

Mr. Jack: The quota schemes in the sheep and dairy sectors are based on EC legislation and the Government's ability to review operational aspects of those schemes is constrained by the requirements of the legislation. There are no plans to review the quota provisions for first-time applicants for sheep annual premium, who are able to apply to the national reserves of quota under one of three categories: newcomers to farming under 40; newcomers to farming over 40; other first-time applicants for premium. Nor do the Government have any plans to make special provision for new entrants under the milk quota system. We have, however, indicated that we would be prepared to consider any plans that the NFU and others may have for assisting new entrants to the dairy industry.

Disposal at Sea

Mr. Llew Smith: To ask the Minister of Agriculture, Fisheries and Food what responsibilities his Department has for monitoring sites where military chemicals and surplus explosives have been disposed at sea. [26699]

Mr. Jack: The Ministry has a major monitoring programme with a network of locations at which samples of biota, sediments and the water column are taken. Measurements are made of a wide range of substances and biological responses to assess the impact on the marine environment of human activities, on land and at sea. The results of this monitoring are published annually.

Pest, Disease and Weed Control

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food, what assessment Her Majesty's Government have made of the costs of *(a)* bio-control, *(b)* mechanical weeding and *(c)* use of pesticides for the needs of agriculture in the United Kingdom. [26329]

Mr. Jack *[holding answer 13 June 1995]:* The needs of agriculture are addressed in the research and development programmes of the agriculture departments, which include examination of various methods of pest, disease and weed control. The results are widely published and help guide agricultural and environmental policy and practice. I will write to the hon. Member shortly with details of work on integrated crop management.

Multi-annual Guidance Programmes

Dr. Godman: To ask the Minister of Agriculture, Fisheries and Food if he will list the maritime member states of the European Union which have met their obligations under the terms of the multi-annual guidance programmes in the past five years; which such nations have failed to match the criteria specified in the programmes; and if he will make a statement. [26193]

Mr. Jack *[holding answer 7 June 1995]:* At their inception, multi-annual guidance programmes involved member states setting objectives in agreement with the Commission in order to help re-establish the balance between resources and their exploitation. These objectives were subsequently made mandatory as a result of Council decision 94/15/EC, which set a deadline of 31 December for compliance

The Commission report to the Council and to the European Parliament on the progress of MAGPs for the fishing fleet at the end of 1993, a copy of which is in the Library of each House, showed that Belgium, Denmark, Germany, Greece, Spain and Portugal had achieved their interim targets at that date. France had done so for tonnage, but not for vessel power. Documents had been submitted showing that the Italian targets had been met, but the Commission was unable to verify this prior to publication. Ireland, the Netherlands and the United Kingdom had not met their interim targets.

Compliance with interim targets is not mandatory. A further report, detailing the position at the end of 1994, is expected to be published soon.

SOCIAL SECURITY

Disabled People

12. **Mrs. Gillan:** To ask the Secretary of State for Social Security what plans he has to assist disabled people. [27611]

Mr. Hague: Substantial help is given to disabled people through the social security system. Expenditure on disability living allowance, attendance allowance and disability working allowance for 1993–94 was more than £4.5 billion and estimated expenditure for 1994–95 is more than £5 billion. In excess of £530 million was spent on benefits for those caring for disabled people in 1994–95.

23. **Mr. Nigel Griffiths:** To ask the Secretary of State for Social Security what recent discussions he has had with people with disabilities on the level of benefits. [27623]

Mr. Hague: No such discussions have taken place recently. Benefit levels are kept under review and we are confident that current policies are targeting available resources where they are most needed.

Mr. Harry Greenway: To ask the Secretary of State for Social Security what new measures the Government are taking to help disabled people; and if he will make a statement. [27971]

Mr. Hague: The Government's Disability Discrimination Bill, currently being considered in another place, will do much to end discrimination against disabled people. The Bill will give disabled people new rights of non-discrimination in employment and access to goods and services as well as creating a National Disability Council to advise the Government on the elimination of discrimination. The Government have extended their proposals to protect people who have had a disability but since recovered; to set access standards for taxis; and to place extra duties on schools and colleges to have regard to their arrangements for disabled pupils and students. We also propose a power in the Bill to set accessibility standards for land-based public transport vehicles.

Funded Pension Schemes

16. **Mr. Spring:** To ask the Secretary of State for Social Security what other EU countries have funded pension schemes. [27616]

Mr. Lilley: All other EU countries have some funded pension provision. The UK has more assets invested in pension funds than the rest of Europe put together. Many EU countries are taking steps to develop further their funded pension provision.

Child Support Agency

19. **Mr. Mike O'Brien:** To ask the Secretary of State for Social Security what representations he has received from right hon. and hon. Members on *(a)* the future of the Child Support Agency and *(b)* the efficiency of its present administration. [27619]

Mr. Burt: I have received a large number of representations from hon. Members over time on all matters relating to the CSA, although in recent months there has been a reduction in the numbers of such representations.

On the future of the agency, I can assure the hon. Member that the agency is here to stay. We shall, of course, continue to monitor and evaluate the effects of the Child Support Act 1991 and continue to listen.

Means-tested Benefits

21. **Mr. Etherington:** To ask the Secretary of State for Social Security how many people are presently in receipt of means-tested benefits; and what was the comparable figure 10 years ago. [27621]

Mr. Roger Evans: The latest available information indicates that an estimated 8.53 million people were in receipt of an income-related benefit in May 1993, after taking into account those receiving more than one benefit. The earliest directly comparable data is for May 1989, which indicates that an estimated 6.65 million people were in receipt of an income-related benefit.

Bronchitis and Emphysema

22. **Mr. Clapham:** To ask the Secretary of State for Social Security what plans he has to prescribe chronic bronchitis and emphysema in respect of industries other than the coal industry. [27622]

Mr. Hague: We have no such plans. The Secretary of State is advised on the prescription of diseases under the industrial injuries scheme by the independent Industrial Injuries Advisory Council. The council has recommended prescription of chronic bronchitis and emphysema only in respect of underground coal mining.

Social Security Card

25. **Mrs. Angela Knight:** To ask the Secretary of State for Social Security if he will make a further statement on his plans to introduce a social security card for the payment of benefits. [27625]

Mr. Arbuthnot: It was announced last year that a new system would be developed to automate the payment of benefits at post offices. Order books and girocheques will be phased out and replaced by a benefit payment card which will allow access to payment information held electronically. This will reduce costs for taxpayers, be more secure for customers and support the future of the post office network.

This important project is being taken forward under the private finance initiative. In December 1994, five companies or consortia were invited to develop their proposals and all five have now submitted detailed plans. These are being evaluated by a team of experts from both Post Office Counter Ltd. and the DSS to determine which of the suppliers will be invited to take part in the next stage of the development; detailed demonstrations and contractual negotiations.

Post Office Payment of Pensions

27. **Mr. David Martin:** To ask the Secretary of State for Social Security if he will make a statement on the means by which pensioners will be able to choose to have their benefits paid through the Post Office. [27627]

Mr. Arbuthnot: Pensioners will continue to be able to choose to have their benefits paid directly into their bank

or building society accounts by automated credit transfer or to collect it at the post office.

Plans are well advanced to automate the system for paying benefit at post offices. This will mean the phasing out of orderbooks and giros, and replacing them with a benefit payment card. It is envisaged that the pensioner will hand his card to the post office clerk who will use it to access information about benefit entitlement which will be held electronically on a database. The customer will sign a receipt at the counter to confirm receipt of the cash.

Benefit Fraud

Mrs. Gorman: To ask the Secretary of State for Social Security what is the most recent estimate he has made of the cost of fraud by benefit claimants. [27608]

Mr. Lilley: I refer the hon. Member to the oral answer that I gave earlier today to the hon. Member for Aylesbury (Mr. Lidington).

Mortgage Arrears

Ms Jane Kennedy: To ask the Secretary of State for Social Security when he next intends to meet the Council of Mortgage lenders to discuss the current level of arrears. [27620]

Mr. Roger Evans: We have regular meetings with the council in order to discuss issues of mutual interest.

Performance Measurement

Mrs. Hodge: To ask the Secretary of State for Social Security (1) what performance indicators and performance targets there are for measuring the performance of his Department in *(a)* answering letters from members of the public and *(b)* answering telephone calls from members of the public; how performance is monitored; and what are the latest figures for performance measured against the target set; [26227]

(2) what policy and procedures exist for dealing with complaints against his Department by members of the public; when his Department last updated its policy; what time limit and target for dealing with such complaints his Department has; and what follow-up procedure exists where complaints are not satisfied with his Department's response to a complaint. [26211]

Mr. Hague: DSS headquarters aims to answer all correspondence within 20 working days of receipt. For the period 1 January 1995 to 31 May 1995, a total of 12,317 replies to letters from members of the public were sent, of which 83 per cent. were answered within this target. The public inquiry line handles telephone calls from members of the public. It aims to provide good quality answers to customers' inquiries rather than process a set quantity of telephone calls. Quality performance is continually monitored by electronically tracking the number of calls dealt with and by a supervisor routinely listening in to a number of calls. Staff also receive continuous training on information available in addition to regular specific assessment of their individual performance.

The responsibility for day-to-day operations, including the handling of letters, telephone calls and complaints from members of the public, rests with the chief executive of each agency. Each of them will write to the hon. Member.

Letter from Paul Winstanley to Ms Margaret Hodge, dated 19 June 1995:

I have been asked by the Department's Parliamentary Branch to provide you with further information about the Resettlement Agency's handling of telephone calls and letters from members of the public.

Before answering the specific questions that you raise I should explain that in terms of this Agency members of the public are the residents of our resettlement units.

On arrival at resettlement units residents are advised that if they are not satisfied with the service or feel that they have been treated unfairly they should tell a member of the management team who will investigate and report back to them the same day.

If they are still unhappy, the are invited to contact the Chief Executive who undertakes to acknowledge any letter and reply within ten working days. Telephone complaints to the Chief Executive care answered either on the same day or the next.

All residents receive a pamphlet on arrival that explains the procedures. The message is reinforced by Standards of Service posters and posters that deal exclusively with the complaints procedure. These are situated prominently in all units.

The achievement is monitored through records kept at Headquarters on behalf of the Chief Executive. In 1994/95 100% of letters and telephone calls were answered within the prescribed time limits.

The last independent Customer Care Survey (1944) found that 84% of residents were satisfied with the complaints procedure.

Where a customer is not satisfied with the outcome of a complaint dealt with by the Chief Executive they may ask their Member of Parliament to submit the complaint to the Parliamentary Commissioner for Administration for investigation and review.

The Resettlement Agency complaint procedure was last reviewed in June 1994.

If I can be of any further assistance do not hesitate to contact me.

Letter from Faith Boardman to Ms Margaret Hodge, dated 19 June 1995:

As Chief Executive of the Contributions Agency, I have responsibility for answering questions about operational matters relating to the Agency and the National Insurance scheme. I have been asked to reply to your questions concerning performance indicators, targets for answering letters and telephone calls, and the Agency's policy and procedures for dealing with complaints. In view of the nature of the questions I have combined the responses.

The Contributions Agency Charter standard for written enquiries is to despatch either a full reply, or an informative response to 95% of customer enquiries within 10 working days of receipt.

Performance in answering written enquiries is measured using information from the Agency's management information systems which is subsequently independently validated using sampling techniques. In 1994/95 the target was met in 90.8% of cases.

In the case of telephone enquiries, we aim to answer these immediately where we can. Where this is not possible we will advise why and inform the customer when a full reply can be expected. Our target is to provide an overall level of customer service considered to be satisfactory by at least 90% of our customers. We measure this by an annual customer satisfaction survey and this showed that in 1994 a satisfaction rate of 83% was achieved.

With regard to your second question, in April 1995 the Contributions Agency updated its policy and procedures for dealing with complaints from members of the public.

Our system is publicised in a new complaints leaflet for customers entitled "Unhappy with Our Service?" The leaflet is displayed in all Social Security and Contributions Agency offices and I enclose a copy for your information.

Customers can use any method (letter, telephone, fax) to make a complaint and it can be made to anyone in Contributions Agency

who will immediately pass it on to the person dealing with that area of work. All expressions of dissatisfaction are recorded and dealt with immediately where practical. An interim response is issued to the customer if the query cannot be resolved quickly. If it relates solely to another Government Department it is acknowledged and passed to the appropriate area. Managers are encouraged to review cases locally to identify trends/problems and to record any changes or improvements made.

Agency staff in Contributions Agency aim to deal with customer complaints within 5 working days. They will provide information on the next stage in the complaints procedure if the complainant is not satisfied. Those customers who are still dissatisfied may complain directly to me and I will normally reply within 10 working days.

From 1 June 1995, customers who have had their cases investigated by myself but feel that it has not been satisfactorily resolved can have it investigated by an Independent Adjudicator.

Where the customer is still not satisfied with the outcome, they may ask their Member of Parliament to submit the complaint to the Parliamentary Commissioner for Administration for investigation and review.

There is a separate route of complaint to the Office for the Determination of Contribution Questions (ODCQ) in the case of disagreements with a Secretary of State decision or a ruling on a contribution question.

I hope that you will find this information useful. If I can be of any further assistance please let me know.

Letter from K. C. Caldwell to Ms Margaret Hodge, dated 19 June 1995:

The Secretary of State has asked me to reply to your recent Parliamentary Questions about:

> performance indicators and targets for measuring performance in answering letters and telephone calls from members of the public and
>
> what policy and procedures exist for dealing with complaints from members of the public; when this policy was last updated; what time limit there is for dealing with complaints and what follow-up procedure exists where complainants are not satisfied with the given response.

The Information Technology Services Agency provides computer systems and support to all DSS Agencies, DSS Headquarters, Employment Services and the Northern Ireland Social Security Agency, to enable them to provide services to their direct customers. Contracts, in the form of Service Agreements, are in place to cover the supply of these services to our internal customers and to enable them, in turn, to meet their performance targets.

If a member of the public had an enquiry or complaint this would be addressed to the branch of the Department that handles their business. For example, the Benefits Agency, Contributions Agency, Employment Service, would have lead responsibility and, if the topic involved information technology, we would be asked to provide comment and support. We would do this within timescales and targets that are set by the branch taking the lead for the Department.

This Agency participates in Open Government and has one point of contact for this, ITSA Public Relations.

I hope you find this reply helpful.

Letter from Ann Chant to Ms Margaret Hodge, dated 19 June 1995:

I am replying to your recent Parliamentary Questions to the Secretary of State for Social Security about the Child Support Agency's procedures and performance in dealing with correspondence and telephone calls.

The Agency's Charter includes standards to be achieved in responding to letters and telephone calls from clients.

Performance on telephone calls is measured by the British Telecom call handling service, and we aim to respond to 80 per cent. of telephone calls to the National Enquiry Line (NEL) or Child Support Agency Centres (CSAC) within 20 seconds. NEL is a dedicated service which provides advice and information on more straightforward enquiries. More detailed and case specific enquiries are generally referred to the CSACs. During the year ending 31 March 1995, over 90 per cent. of telephone calls to NEL and 66 per cent. to CSACs were answered within 20 seconds.

We aim to reply to clients' written enquiries within 10 days and performance is monitored centrally within the Agency. During the year ending 31 March 1995 the Agency replied to 34 per cent. of written enquiries within 10 days.

We aim to acknowledge clients' complaints within 2 days and to send a full response within 10 days. Complaints procedures were reviewed in January 1994. Customer Services Managers record correspondence received from clients or their representatives indicating dissatisfaction with the Agency's service or procedures. If the complainant is not satisfied with the response, they may write to the CSAC Manager, or, in field offices to the Divisional Manager. If, following their response, the complainant is still not satisfied, our Charter invites them to write to me at the Child Support Agency, Room 2420, Millbank Tower, 21–24 Millbank, London SW1 4QU.

Clients may, of course, also request their Member of Parliament to submit their complaint to the Parliamentary Commissioner for Administration for investigation and review.

I hope this is helpful.

Letter from Ian Magee to Ms Margaret Hodge, dated 19 June 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about what performance indicators and targets there are for measuring the performance of his Department in answering letters and telephone calls and what policy and procedures exist for dealing with complaints by members of the public. I will explain the performance and target indicators and the policy and procedures that exist for the Benefits Agency (BA).

As stated in the BA Customer Charter, we aim to reply to correspondence within 10 working days. The BA carries out an annual National Customer Survey which includes a question about the length of time customers have had to wait for a reply to their letters. The 1994 National Customer Survey showed, on average, that customers waited 12 days compared to 13 days in 1993. The BA is continuing to look at ways of improving the service provided in order to fully meet our Charter commitment.

All BA offices have their own standard for how quickly they answer telephone calls. As BA customers increasingly prefer to conduct their business by telephone, traffic volumes have risen. The capacity of many office switchboards has not been adequate to keep pace with the increase and a programme is under way to replace or upgrade all switchboards to provide easier and faster access. The programme is scheduled for completion during the year beginning April 1997 when National guidelines will be set.

Telephone performance is currently monitored by Area Directors' staff who telephone every office in their area 20 times a quarter. The aim is to measure response times and quality of greeting; in addition one of these calls asks a question and measures staff knowledge. Results show that the average response time is 8 rings for an office to answer the telephone and three rings for an extension within the office to respond.

The complaints system is also explained in the BA's Customer Charter as well as the Tell Us About It leaflets. I enclose a copy of both leaflets for your information and they have also been placed in the Library. They are available in eleven languages including Urdu, Punjabi, Turkish, Chinese and Welsh.

The BA's complaints policy was revised in 1991 with the appointment of Customer Service Managers.

If a customer is dissatisfied with the level of service they receive from the BA they can complain to the appropriate Customer Service Manager. The Customer Service Manager's name and telephone number is displayed in the public caller area of each BA office. The customer will receive a response within 7 days.

If the customer remains dissatisfied, they can write to the District Office Manager whose name will be provided by the office on request.

You may also be interested to know that the BA is currently reviewing its complaints procedures and we expect to have completed this by July 1995.

I hope you find this reply helpful.

Letter from Peter Mathison to Ms Margaret Hodge, dated 19 June 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about our performance targets for answering telephone calls and letters, and our complaints procedure.

Over the past two years we have made many improvements in the service we can give to war pensioners. The launch of the War Pensions Agency in April 1994 included the publication of our first Charter Standard Statement, which defines service targets and standards including a complaints procedure if we fail to deliver the service we promise. Our published targets are:

> Telephone calls to War pensions Helpline answered within 30 seconds. If we cannot answer the question straight away, we will call back at a time convenient to the pensioner.
>
> letters from the public acknowledged within 5 working days followed by a full response by letter or telephone within 10 working days.

The War Pensions Agency telephone Helpline provides the main point of contact for the whole of the Agency and is the number quoted on all correspondence and publicity material. It includes a new automatic call distribution system which amongst other things provides statistics for monitoring and target purposes.

Six months after Helpline was set up, we started a rolling programme of customer perception surveys. In December 1994, these showed that 93% of those asked said the service they received was either very good or good. In 1994/5 calls were answered with an average wait time of only 6.9 seconds and 95% of calls were answered within 30 seconds.

As part of our continued drive to improve standards of service, the use of customer satisfaction surveys are reflected in our business plans. We are currently awaiting results of the 1995 survey, including the area of correspondence, which will be carefully examined and improvement initiatives coordinated by the Total Quality Management team.

In 1994/95, 1,781 replies were sent by our operational sections in respect of letters addressed to Ministers or myself within 95 per cent. being sent within the 10 day target. The complaints system we now have in place, including a database of information, will enable us to monitor our targets for acknowledgement and replies in other areas of correspondence.

Turning to our complaints system, pensioners with concerns can telephone the War Pensions Helpline on 01253 858858, the Helpline staff will be only too pleased to answer the query.

Our Charter Standard Statement states that if things go wrong, any written complaint will be acknowledged within 5 working days, and a full reply sent within 10 working days. If we think it will take longer than this, we will write or telephone the person concerned to explain why and let them know when to expect a full reply to their complaint.

If a person is dissatisfied with the way the complaint has been dealt with, they can contact our Customer Service Manager. If, however, they are still not satisfied they can get in touch with me. Details of how to do this are contained within the Charter Standard Statement. In addition to this, a person can also ask their MP to refer their case to the Parliamentary Commissioner for Administration for investigation and review.

In addition to the formal complaints procedure, pensioners can discuss any concerns with the many ex-service organisations and we fully investigate any matters referred to us as a result. People can also, if they wish, discuss their cases with their local War Pensions Committee (WPC). These are independent of the Agency and are made up of members who are disabled ex-service persons, some of whom work for voluntary associations. Again, any recommendations mady by the WPCs are fully considered. Information on how to contact ex-service organisations or the WPCs is contained in leaflets available from the Agency and our national network of War Pensioner's Welfare Service offices.

I hope you have found this information useful.

Invalidity Benefit

Mr. Redmond: To ask the Secretary of State for Social Security how many invalidity benefit awards have been *(a)* reviewed, *(b)* disallowed following review and *(c)* reinstated on appeal in each of the last 12 months in the Doncaster and Mexborough area of the Benefits Agency. [28262]

Mr. Hague: This is a matter for Mr. Ian Magee, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Ian Magee to Mr. Martin Redmond, dated 15 June 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about Invalidity Benefit (IVB) awards in Doncaster and Mexborough in each of the last 12 months. As you may know, Incapacity Benefit (IB) replaced IVB on 13 April 1995.

The Benefits Agency's (BA) Doncaster District has offices on two sites at Castle House and St Peters House. Unfortunately, statistics of IVB decisions reviewed, and IVB decisions disallowed on review at Doncaster District are not available for the period June 1994 to September 1994 because they have been destroyed.

Mexborough BO is part of the BA'S Rother and Dearne District which comprises offices at Rotherham, Goldthorpe, Mexborough and Rotherham North. Reviews of IVB/IB cases for customers of Mexborough BO are dealt with at that office.

The available information is provided in the table at Appendix 1.

I hope you find this reply helpful.

Appendix 1

Month	*IVB/IB awards applications for review/awards reviewed*	*IVB/IB awards disallowed following review*	*IVB/IB awards reinstated on appeal*
June 1994			
Doncaster DO	[1]—	[1]—	24
Mexborough BO	49	30	14
July 1994			
Doncaster DO	[1]—	[1]—	17
Mexborough BO	28	22	7
August 1994			
Doncaster DO	[1]—	[1]—	21
Mexborough BO	42	23	9
September 1994			
Doncaster DO	[1]—	[1]—	26
Mexborough BO	49	43	7
October 1994			
Doncaster DO	107	67	31
Mexborough BO	25	11	5
November 1994			
Doncaster DO	124	89	28
Mexborough BO	37	22	6

Appendix 1

Month	*IVB/IB awards applications for review/awards reviewed*	*IVB/IB awards disallowed following review*	*IVB/IB awards reinstated on appeal*
December 1994			
Doncaster DO	75	54	23
Mexborough BO	18	4	2
January 1995			
Doncaster DO	161	127	14
Mexborough BO	37	16	0
February 1995			
Doncaster DO	93	68	22
Mexborough BO	45	19	0
March 1995			
Doncaster DO	177	125	8
Mexborough BO	40	18	0
April 1995			
Doncaster DO	36	26	1
Mexborough BO	7	0	0
May 1995			
Doncaster DO	4	2	0
Mexborough BO	3	3	0

[1] Records not available.

Industrial Injuries Disablement Benefit

Mr. Redmond: To ask the Secretary of State for Social Security how many individuals applied for benefit in respect of chronic bronchitis or emphysema by Benefits Agency area directorate for the year 1994–95; how many of those claims have been successful; how many of the claims were refused on the basis of *(a)* insufficient lung function loss; *(b)* insufficient length of service and *(c)* non-diagnosis of class 1 pneumoconiosis; and what were the percentages of those whose claims were refused by each directorate. [28261]

Mr.Hague: The administration of industrial injuries disablement benefit is a matter for Mr. Ian Magee, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Ian Magee to Mr. Martin Redmond, dated 15 June 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about claims made for chronic bronchitis and emphysema in each Benefits Agency (BA) area directorate in 1994–95.

Information about the number of claims, their success rate and the number disallowed for various reasons is not available in the exact format requested. This is because figures for the number of claims made in the 6 months since the end of the initial 12 month take-on period, September 1993–October 1994, have been collected separately and in a slightly different format. This is because during the take-on period some claim details were collected by the BA's Disability Benefit Centres for ease of reference.

The available information is shown at Appendices A, B and C. Appendix A outlines the numbers of claims made, those successful and the numbers and percentage refused on the basis of insufficient length of service ie 20 year rule. This information was collated at Area Directorate (AD) level and covers the period from September 1993–October 1994. Appendix B outlines the numbers and percentages of claims disallowed as a result of insufficient lung function loss and non-diagnosis of Class 1 pneumoconiosis. This information was collated by the Disability Benefit Centres.

Since October 1994, information on the number of customers who did not meet the criteria for lung function loss and category 1 pneumoconiosis has been collated by the AD's. Appendix C details information about the number of claims made, those successful and the claims disallowed as a result of the three categories. This information covers the 6 month period October 1994 to March 1995, the end of the 94/95 statistical year.

I hope you find this reply helpful.

Appendix A September 1993–October 1994

Area	*Claims*	*Successful*	*Failed (20 year rule)*	*Per cent.*
Scotland and Northern Territorial Directorate				
AD1 Tyne Tees	7,142	583	148	2
AD2 South Yorkshire and Humberside	6,521	773	171	3
AD3 North and West Yorkshire	2,676	420	90	3
AD4 Glasgow	242	8	20	8
AD5 North, Central and West Scotland	1,895	60	93	5
AD6 East Scotland	2,394	94	86	4
Wales and Central Territorial Directorate				
AD1 East Midlands	5,685	611	135	2
AD2 Midlands South West	652	55	29	4
AD3 West Mercia	3,668	381	217	6
AD4 Wales	9,388	1,316	616	7
AD5 Merseyside	501	49	25	5
AD6 Greater Manchester	328	31	15	5
AD7 Lancashire and Cumbria	2,270	147	148	7
Southern Territorial Directorate				
AD1 Anglia	25	3	5	20
AD2 Chilterns	22	4	6	27
AD3 South London and West Sussex	0	0	0	0
AD4 West Country	144	3	11	8
AD5 East London and Essex	0	0	0	0

Appendix A September 1993–October 1994

Area	Claims	Successful	Failed (20 year rule)	Per cent.
AD6 South East	470	32	35	7
AD7 Wessex	0	0	0	0

All tables include claims received but not decided within the period.
Source: 100 per cent. count and subject to amendment.

Appendix B September 1993–October 1994: Claims disallowed due to insufficient lung function loss or less than category 1 pneumoconiosis—by disability benefit centre

DBC	Failed lung test	Per cent.	Less than category 1	Per cent.
Edinburgh	1,296	49	1,113	42
Glasgow	855	48	754	43
Leeds	6,551	50	3,957	30
Leeds (Appeals)	780	40	1,161	59
Llanishen	2,142	49	1,358	31
Manchester	1,187	48	900	36
Euston	221	46	204	42
Stoke	1,926	51	2,250	60
Newcastle	3,965	53	2,598	35

Appendix C: October 1994–March 1995

Area	Claims	Success	Fail (reason) 20 year rule	Lung test	Pneumo. category
Scotland and Northern Territorial Directorate					
AD1 Tyne Tees	185	31	5	81	65
AD2 South Yorkshire and Humberside	214	33	9	127	95
AD3 North and West Yorkshire	121	21	9	59	23
AD4 Glasgow	5	0	1	9	10
AD5 North, Central and West Scotland	24	1	6	20	10
AD6 East Scotland	29	2	1	20	24
Wales and Central Territorial Directorate					
AD1 East Midlands	223	53	11	109	96
AD2 Midlands and South West	8	1	3	0	4
AD3 West Mercia	100	9	11	55	35
AD4 Wales	387	92	54	332	206
AD5 Merseyside	14	0	6	9	7
AD6 Greater Manchester	14	1	0	2	0
AD7 Lancashire and Cumbria	53	6	13	37	18
Southern Territorial Directorate					
AD1 Anglia	0	0	1	0	2
AD2 Chilterns	0	0	0	0	1
AD3 South London and West Sussex	0	0	0	0	0
AD4 West Country	8	3	1	4	3
AD5 East London and Essex	42	0	3	1	0
AD6 South East	17	1	4	15	8
AD7 Wessex	0	0	0	0	0

All tables include claims received but not decided within the period. Similarly some claims received in the earlier period will have been decided later. For this reason percentages of unsuccessful claims are not included as they would be misleading.

Income Support

Mr. Bradley: To ask the Secretary of State for Social Security what was the outcome of the audit of the administration of income support discretionary severe hardship payments to persons aged 16 and 17 years and what changes in policy or practice have resulted. [28303]

Mr. Roger Evans: The administration of income support is a matter for Mr. Ian Magee, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Ian Magee to Mr. Keith Bradley, dated 15 June 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking about the outcome of the audit of the administration of Income Support discretionary severe hardship payments to persons aged 16 and 17 years.

Prior to 3 May 1994, all decisions on claims for Income Support from 16/17 year olds, under the severe hardship provision, were made by the Severe Hardship Claims Unit (SHCU) in Glasgow. These decisions, with the exception of likely nil and complex decisions, were devolved during April 1994 to the District Offices. I have attached, at Annex A, a list of the cases that are now referred to SHCU.

During May 1994, the Benefits Agency Internal Audit carried out a review of the procedures for dealing with claims for Income Support from 16/17 year olds under the severe hardship provision. Their report was produced in July 1994. Annex B outlines the main findings.

As a result of the report the Benefits Agency has introduced one procedural change involving the introduction of a register of officers

who are authorised by the Secretary of State to make decisions under the severe hardship provisions. We have also reminded staff of previously issued advice on best practices to follow in administrating claims from 16/17 year olds.

I hope you find this reply helpful.

ANNEX A

Cases to be referred to SHCU for decision

1. Likely nil decisions
2. Likely revocations
3. Where a care order is currently in force
4. Partner cases
5. If payment is not appropriate from the date of claim
6. If backdating because of good cause is appropriate
7. If severe hardship payments have been made for 16 weeks continuously
8. All cases if an authorised officer is unavailable
9. If a young person has not registered for Youth Training after a short term direction has expired

ANNEX B

Findings of the Benefit Agency Internal Audit Report on Income Support for 16/17 year olds

1. Development of decision making in the pilot exercise was extremely successful and there is no reason to doubt effective national devolution.
2. From the sample of cases examined, the average time from receipt of claim to interview was 2.74 days. This delay was compounded by the number of claims which were not identified on receipt.
3. Audit established a payment accuracy rate of 93.17 per cent. from the cases examined which was in line with Agency targets despite the devolution of some of the decision making from the Severe Hardship Claims Unit (SHCU).
4. Development of decision making has produced an administrative saving for the Agency.

Lone Parents

Mr. Frank Field: To ask the Secretary of State for Social Security what research he has undertaken into the halving of the population of single parents who work rather than draw income support; and if he will make a statement. [27220]

Mr. Burt: Research commissioned by this Department on changes in lone parenthood between 1989 to 1993, due to be published shortly, suggests that the proportion of lone parents in work is now increasing steadily and that the increase is directly associated with the 1992 change in the qualifying hours condition in family credit. Benefit statistics show that in 1988 there was one lone parent on family credit for every 10 on income support; by 1994, this ratio had improved to around one for every four.

The Department commissions extensive research on lone parenthood and the barriers to working for all those on income support. A large part of the reduction in the proportion of lone mothers in employment since the 1970s is accounted for by an increase in the proportion of lone mothers with a child below school age. The introduction of assistance with child care costs in family credit housing benefit and council tax benefit in October 1994 should help to address changes caused by changes in the composition of lone parenthood.

The table shows that the proportion of lone mothers in work fell from 47 per cent. in 1977 to 1979 to 41 per cent. in 1991 to 1993—general household survey data. These figures include those working part time within the rules of income support and supplementary benefit. However, the number of lone parents in work is now actually increasing—from around 375,000 in 1980 to around 500,000 in 1992.

Changes in the proportion of lone mothers in employment 1977–79 to 1991–93

Percentage

	1977–79	*1979–81*	*1981–83*	*1983–85*	*1985–87*	*1987–89*	*1989–91*	*1991–93*
Working full-time	22	23	19	17	18	17	18	17
Working part-time	24	25	23	22	24	23	24	23
All working	47	49	42	39	42	40	43	41

Notes:
Part-time work is defined as work for less than 30 hours per week.
Source:
1. Table 5.9 General Household Survey 1993.
2. Policy Studies Institute, "Changes in Lone Parenthood 1989 to 1993" (awaiting publication). General Household Survey 1977–79 and 1991–93.

Housing Benefit

Mr. Bradley: To ask the Secretary of State for Social Security what plans he has to assist families in the private rented sector whose levels of housing benefit have been restricted. [28307]

Mr. Roger Evans: As a part of the October changes to housing benefit, we have proposed that local authorities should have discretion to pay more than the restricted rent in cases where they believe failure to do so would cause exceptional hardship. My right hon. Friend the Secretary of State is considering the report of the Social Security Advisory Committee, together with representations received from the local authority associations.

Mr. Bradley: To ask the Secretary of State for Social Security what representations he has received from landlords about the impact of the proposed housing benefit changes on the availability of private rented accommodation to people on housing benefit; and if he will make a statement. [28304]

Mr. Roger Evans: The Department has received a number of representations from landlords. These have expressed concerns about a number of aspects of the proposals. My right hon. Friend the Secretary of State is considering the report of the Social Security Advisory Committee, together with representations received as a result of consultation with the local authority associations.

Mr. Bradley: To ask the Secretary of State for Social Security if he will reconsider his plans to tighten restrictions in housing benefit rent levels. [29084]

Mr. Roger Evans: My right hon. Friend the Secretary of State is currently considering the report of the Social Security Advisory Committee on the proposed changes. He is also considering views expressed by the local authority associations.

Family Credit

Mr. Martyn Jones: To ask the Secretary of State for Social Security what estimate he has made of the number of children who live in a family which is in receipt of *(a)* income support and *(b)* family credit. [28807]

Mr. Roger Evans: The information is set out in the table:

Benefit	*Number of children*[1]
Income Support	[2]3,185,000
Family Credit	[3]1,180,000

[1] Figures include dependent children up to the age of 18.
[2] Income Support Statistics Quarterly Enquiry May 1994.
[3] Family Credit Statistics Quarterly Enquiry October 1994.

Refugees and Asylum Seekers

Mr. Riddick: To ask the Secretary of State for Social Security how many *(a)* refugees and *(b)* of those seeking refugee status are in receipt of one or more social security benefits; and what is the cost of *(a)* and *(b)*. [28882]

Mr. Roger Evans: In May 1994, there was 42,140 asylum seekers in receipt of income support. The estimated annual cost of providing income support and housing benefit is £210 million. Information about asylum seekers receiving other social security benefits is not collected. Information is not available in respect of refugees who are not separately identified within the social security scheme.

Motability

Mr. Alex Carlile: To ask the Secretary of State for Social Security (1) if he will institute an independent review of the necessity and size of the contingency reserve held in respect of car leasing facilitated by Motability; and if he will make a statement; [28715]

(2) what is the current level of the contingency reserve held in respect of car leasing facilitated by Motability; and if he will make a statement; [28716]

(3) what assessment he has made of the arrangements for the financing of car leasing for disabled people via Motability; and if he will make a statement; [28717]

(4) what assessment he has made of the relationship between Motability and Motability Finance Ltd. in connection with the provision of mobility services for disabled people to whom mobility allowance is paid. [28718]

Mr. Hague: The level of the contingency reserves held by Motability Finance Ltd. are a matter for discussion between MFL and Motability, an independent charity. When Motability and MFL reviewed the level needed early last year they agreed that £25 million, including tax credit, should be transferred by way of gift aid into Motability charitable funds. MFL states that the current level of the combined contingency reserves for car leasing and hire purchase schemes is £37.1 million. The level required is currently being considered as part of an annual review of financial arrangements by Motability and MFL. The Department and Motability have recently finalised a financial memorandum, the aim of which is to ensure that Motability can continue to build on its success in providing some 5,000,000 vehicles to disabled people at good value for money.

National Insurance

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is his estimate of the number of employees for whom employers' national insurance contributions are paid in the ranges of weekly earnings from *(a)* below £58, *(b)* £58 to £104.99, *(c)* £105 to £149.99, *(d)* £150 to £204.99, *(e)* £205 to £440 and *(f)* above £440. [29010]

Mr. Arbuthnot: The information in respect of the 1995–96 year is in the table:

£ per week	*less than 58*	*58 to 104.99*	*105 to 149.99*	*150 to 204.99*	*205 to 439.99*	*Above 440*
Number in millions	3.1	1.8	1.7	2.6	8.9	3.3

Source: Government Actuary's Department

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is his estimate of the total revenue yield from employers' national insurance contributions for 1994–95. [29009]

Mr. Arbuthnot: The total yield is estimated at £23.4 billion.

Source: Government Actuary's Department.

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is his estimate of the revenue which would be raised by charging employers national insurance contributions at 20 per cent. for weekly incomes in excess of £1,500. [29011]

Mr. Arbuthnot: The additional revenue is estimated at £650 million in a full year.

Source: Government Actuary's Department.

Ms Primarolo: To ask the Secretary of State for Social Security in what circumstances his Department or the Contributions Agency is informing people in receipt of invalidity or incapacity benefit that they have insufficient national insurance credits or contributions to entitle them to the retirement pension; for what reasons; and if he will make a statement. [29015]

Mr. Arbuthnot: Fifteen months after the end of each contribution year, the Department's national insurance recording system examines more than 59 million records

to identify those accounts where it appears that insufficient contributions have been recorded to make the year a qualifying one for retirement pension purposes. When this happens, a computer-produced letter is issued to the contributor.

The purpose of this letter is to keep contributors informed of their national insurance contribution record position and, in particular, to advise them of the deficiency. If they feel that their record should reflect more contributions that those recorded, it invites them to let the Contributions Agency know so that it can investigate the matter. Alternatively, it gives contributors the opportunity to pay sufficient voluntary contributions for the year to count towards their retirement pension.

Additionally, the Benefits Agency provides a retirement pension forecast service to all customers on request provided that the customer is not within six months of state retirement age.

Funeral Expenses

Mr. Corbett: To ask the Secretary of State for Social Security when he intends to reply to a letter from Mr. Derek Case, president of the Birmingham Funeral Directors' Guild, on his proposals for the capping of funeral expenses for social security claimants. [29450]

Mr. Roger Evans: A reply was sent today.

SCOTLAND

Housing Expenditure

Mr. McAllion: To ask the Secretary of State for Scotland what was the outturn public expenditure on housing in Scotland for each year since 1979-80, expressed as *(a)* a gross figure, including capital receipts, *(b)* net of capital receipts and *(c)* gross capital investment only, combining local authority non-housing revenue account, local authority HRA, Scottish Homes/Housing Corporation development programme, Scottish Homes/Scottish Special housing association own stock and new towns; and what is the planned public expenditure on housing in Scotland for each year between 1995-96 to 1997-98 expressed in the same way. [27930]

Lord James Douglas Hamilton: The available information is set out in the table.

Public expenditure on housing (including new towns)

	1979–80	*1980–81*	*1981–82*	*1982–83*	*1983–84*	*1984–85*	*1985–86*	*1986–87*	*1987–88*	*1988–89*
(a) Gross including capital receipts + NLF repayments	698.9	781.0	703.4	727.2	836.4	704.7	693.6	710.4	887.5	913.4
(b) Net of capital receipts + NLF repayments	660.2	706.6	717.5	687.8	717.4	523.8	517.4	558.5	658.3	589.6
(c) Gross capital investment	421.0	477.0	480.1	561.3	706.0	583.0	565.7	605.1	791.4	800.7

Public expenditure on housing (including new towns)

	1989–90	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*
(a) Gross including capital receipts + NLF repayments	1,122.4	[1]1,082.5	[1]1,212.9	[1]1,303.9	1,047.7	1,040.0	992.2	954.2	926.6
(b) Net of capital receipts + NLF repayments	602.5	662.4	710.7	665.2	654.5	690.9	623.0	608.8	600.7
(c) Gross Capital Investment	954.8	942.7	954.2	947.5	965.0	963.3	908.6	871.1	847.7

[1] Figures are high due to large National Loans Fund repayments by Scottish Homes in 1991–92 and 1992–93

Primary School, Grangemouth

Mr. Connarty: To ask the Secretary of State for Scotland what health and safety constraints apply to any application from Central regional council or its successor to build a school to replace Zetland primary school in Dalgrain park in Grangemouth. [27669]

Lord James Douglas-Hamilton: Any new school building work is subject to planning permission requirements; the provisions of building regulations; regulations relating to the general requirements and standards for school premises; and to general health and safety legislation.

Compulsory Competitive Tendering

Mr. McAllion: To ask the Secretary of State for Scotland what were the percentages of contracts, both by number and by value, won by in-house direct service organisations in Scotland since 1988, in the areas of *(a)* building cleaning, *(b)* refuse collection, *(c)* other cleaning, *(d)* vehicle maintenance, *(e)* catering, educational and welfare, *(f)* catering other, *(g)* grounds maintenance and *(h)* sports and leisure; and what where the average percentages for each category for Scotland as a whole. [28122]

Mr. Kynoch: My Department does not collect this information. However, the CCT information service survey report No. 10 December 1994 published by the Local Government Management Board provides information in this area. This report shows the following in relation to current contracts:

Per cent.

Activity		*Number of contracts won-in-house*	*Value of contracts won-in-house*
Building cleaning	Client authority's DSO	87.9	97.9
	Other authority's DSO	0.9	—

Per cent.

Activity		Number of contracts won-in-house	Value of contracts won-in-house
Refuse collection		88.7	[1]100
Other cleaning[2]		100	100
Vehicle maintenance	Client authority's DSO	86.3	97.4
	Other authority's DSO	2.7	0.5
Catering (education and welfare)		91.1	[3]97.4
Other catering[4]		29.7	[5]71.7
Ground maintenance	Client authority's DSO	77.5	94.3
	Other authority's DSO	9.1	2.6
Sports and leisure management		98.0	99.4

Notes:
[1] The contracts won by private contractors were won by individuals and have an average value of £2,186 pa. As such, DSOs have won effectively 100 per cent. of work by value.
[2] In 23 contacts other cleaning has been packaged in by authorities with refuse collection.
[3] This figure does not take account of one contract held by the private sector, for which the value is unknown.
[4] In a number of cases other catering may be packaged in with catering (education and welfare).
[5] Many of the contracts held by the private sector are held by individuals and are of relatively low value.
A copy of the LGMB report is available in the library.

Civil Servant Secondment

Mr. McAllion: To ask the Secretary of State for Scotland which senior Scottish Office official is currently on secondment with the British Linen Bank Group; what position that official has within the Scottish Office; and what is the purpose of the secondment. [27931]

Mr. Lang: Dr. W. Moyes began a two years' secondment with the British Linen Bank in October 1994. He is a grade 5 officer and prior to his secondment was head of the purchasing strategy division in the NHS management executive. This move is part of a civil service-wide initiative to encourage interchange between Government, commerce and industry; its purpose is to develop staff by widening their skills and experience, and to promote greater understanding between these sectors.

Food Safety

Mrs. Liddell: To ask the Secretary of State for Scotland how many cases before Scottish courts have been dismissed by reason of a successful due diligence defence in relation to the Food Safety Act 1990. [28291]

Sir Hector Monro: This information is not held centrally.

Mrs. Liddell: To ask the Secretary of State for Scotland what United Kingdom industry guides to good hygiene practice will be approved prior to the introduction of the New Food Safety (General Food Hygiene) Regulations to assist enforcement authorities in the application of the legislation. [28283]

Sir Hector Monro: In line with the EC food hygiene directive, UK Government Departments have encouraged the food industry to set up working groups to draft voluntary guides for different sectors of the industry in collaboration with enforcement and consumer interests. To date, 10 sectors of the UK food industry have indicated their willingness to prepare such guides. It is not possible to forecast how many guides will have been recognised by the time the regulations are expected to come into force. One guide—on catering—has already been subject to full consultation and is likely to be submitted for recognition shortly.

Mrs. Liddell: To ask the Secretary of State for Scotland when legislation in Scotland will be brought into line with that in England and Wales in respect of the temperature control requirements for food. [28287]

Sir Hector Monro: There are no plans to align the present Scottish legislation on food temperature controls with that in England and Wales. It may, however, be necessary to amend the Scottish provisions when the European Community harmonises legislation in this area.

Mrs. Liddell: To ask the Secretary of State for Scotland what plans he has to introduce legislation, in accordance with the requirements of the Food Safety Act 1990, in relation to the licensing by enforcement authorities of premises for the purpose of a food business. [28289]

Sir Hector Monro: There are no plans to amend the current legislation made under the Food Safety Act 1990 relating to the licensing of food premises.

Mrs. Liddell: To ask the Secretary of State for Scotland how many emergency prohibition notices and prohibition orders have been imposed in Scotland in respect of premises in terms of the Food Safety Act 1990 since the Act came into force. [28285]

Sir Hector Monro: The number of emergency prohibition notices or orders and prohibition orders that have been imposed in Scotland since the Food Safety Act 1990 came into force are as follows:

Year	Emergency prohibition notices or orders	Prohibition orders
1991	10	1
1992	13	1
1993	9	0

Information prior to 1991 is not held centrally and figures for 1994 are not yet available.

Mrs. Liddell: To ask the Secretary of State for Scotland what is the proposed date for the introduction of the new Food Safety (General Food Hygiene) Regulations in Scotland. [28288]

Sir Hector Monro: We aim to introduce these regulations within the next few weeks.

Mrs. Liddell: To ask the Secretary of State for Scotland how many persons in Scotland have been prohibited from

managing a food business in terms of the Food Safety Act 1990 since the Act came into force. [28286]

Sir Hector Monro: This information is not held centrally.

Food Labelling

Mrs. Liddell: To ask the Secretary of State for Scotland how many cases have been successfully prosecuted in Scotland since 1990 with regard to offences in relation to the food labelling legislation; and what has been the average fine in such cases. [28284]

Lord James Douglas-Hamilton: The information requested is not separately identifiable within the Scottish Office Home and Health Department's classification of crimes and offences.

Mrs. Liddell: To ask the Secretary of State for Scotland if he will make it his policy to introduce legislation which will make it an offence to sell food after the best-before date relating to it. [28290]

Sir Hector Monro: Best-before dates do not relate to the safety of food but indicate how long the quality of the food can reasonably be expected to be retained. My right hon. Friend does not believe that there is any need to change the existing provisions prohibiting the sale of food which is not of the nature, substance or quality demanded by the purchaser or where the use-by date has expired.

Hospices

Mr. McMaster: To ask the Secretary of State for Scotland when he, or any of his Ministers last visited a hospice in Scotland. [28554]

Lord James Douglas-Hamilton My right hon. and noble Friend the Minister of State visited the Prince and Princess of Wales hospice in Glasgow on 18 February 1994. I am due to visit St. Columba's hospice in Edinburgh next month.

Mr. McMaster: To ask the Secretary of State for Scotland if he will list the names and locations of hospices in Scotland; which of them have been required to pay for prescriptions for terminally ill patients since the introduction of the new funding arrangements; what are the reasons for this; what plans he has to review these arrangements; and if he will make a statement. [28532]

Lord James Douglas-Hamilton: The adult voluntary hospices in Scotland, and their locations, are as follows:

Health board area	*Hospice*
Argyll and Clyde	Accord, Paisley Ardgowan, Greenock St. Vincent's Johnstone
Ayrshire and Arran	Ayrshire, Ayr
Forth Valley	Strathcarron, Denny
Greater Glasgow	Hunter's Hill Marie Curie Centre, Glasgow Prince and Princess of Wales, Glasgow St. Margaret's Clydebank
Highland	Highland, Inverness
Lanarkshire	St. Andrew's, Airdrie
Lothian	Fairmile Marie Curie Centre, Edinburgh St. Columba's, Edinburgh
Western Isles	Bethesda, Stornoway

From 1995–96, each health board's general allocation contains funding for purchasing specialist palliative care of the type provided by the voluntary hospices, including an element in respect of the cost of medication. Information is not held centrally on the arrangements for the provision of pharmaceutical services which have been entered into by health boards and hospices under the new arrangements.

Public Expenditure

Mr. McMaster: To ask the Secretary of State for Scotland which elements of public expenditure are excluded from his calculation of identifiable public expenditure per head in Scotland. [28553]

Mr. Lang: Chapter 7 of the statistical supplement to the "Financial Statement and Budget Report", which gives figures for identifiable public expenditure per head by country, illustrates those elements of general Government expenditure which cannot be separated between individual countries. A breakdown of the 1993–94 total is as follows:

	£ billion
Defence	22.9
Overseas Services	3.5
Current transfers abroad (excluding above)	1.8
Nationalised Industries EFLs	4.4
Law, order and protective services	1.0
Other unidentifiable expenditure	11.2
Of which:	
Agriculture market regulation and production support	1.1
Scientific and technological assistance	0.4
Functioning of the labour market	0.2
Arts	0.2
Higher and further education	0.3
Non-contributory pensions benefits	0.7
Unemployment, incapacity and other benefits	0.7
Contributory family benefits	0.4
Parliamentary and Privy Council	0.3
Economic and financial administration	3.3
Central Management of Civil Service	1.3
	44.8

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Scotland how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because the information *(a)* could be obtained only at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could be answered now due to computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28508]

Mr. Lang: The information requested could be provided only at disproportionate cost.

Mr. McMaster: To ask the Secretary of State for Scotland what percentage of parliamentary questions

which would have been answered directly by him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28489]

Mr. Lang: Ministers are accountable to Parliament for all matters concerning their agencies. Written parliamentary questions concerning matters which have been delegated to the chief executive of an executive agency in its framework document normally receive a reply from the Minister to the effect that he or she has asked the chief executive to reply direct to the Member by letter. The chief executive's letter is published in *Hansard*, following the Minister's reply.

Local Government Allowances

Mr. McMaster: To ask the Secretary of State for Scotland what plans he has to review the *(a)* allowances, *(b)* special responsibility payments, *(c)* travelling allowances, *(d)* subsistence rates and *(e)* other allowances payable to elected members of (i) regional, (ii) district and (iii) unitary authorities; how any changes will extend to civic heads, deputy civic heads, majority leaders, deputy majority leaders, majority group officers, committee chairpersons, committee vice-chairpersons, minority leaders and those with special responsibility in minority parties; and if he will make a statement. [28525]

Mr. Kynoch: The annual uprating of allowances for members of existing regional and district councils has been carried out and implemented by the Local Authorities etc (Allowances) (Scotland) Amendment Regulations 1995. Allowances for members of the new unitary authorities are set down in the Local Authorities etc (Allowances) (Scotland) Regulations 1995.

Local authorities already have discretion to determine the amounts paid to chairmen and vice-chairmen. This principle is retained for conveners and depute conveners of the new councils. The new councils will also have discretion to determine the level of special responsibility allowance. The obligation upon authorities to pay special responsibility allowance to at least one member of a minority group is retained. Guidance on suggested levels of special responsibility has been issued by the Convention of Scottish Local Authorities.

Travel and subsistence allowances have been revised and, where possible, aligned with the rates available for officials. The revised rates came into effect from 1 April 1994.

Planning Appeals

Mr. McMaster: To ask the Secretary of State for Scotland what provision exists for objectors to a planning application to appeal against planning approval if it is granted; and if he will make a statement. [28578]

Mr. Kynoch: No provision exists in planning legislation for objectors to a planning application to appeal against a planning consent.

Comments on such third party appeals were received in some of the responses to the review of the planning system in Scotland and these are under consideration.

Unitary Authorities

Mr. McMaster: To ask the Secretary of State for Scotland if he will make a statement on how the role of the new unitary authorities is likely to differ from their predecessor authorities in seeking and obtaining funds from the European regional development fund and European social fund; how the additionality rules will apply; and if he will make a statement. [28566]

Mr. Kynoch: The role of the new unitary authorities will not differ from that of their predecessor authorities in seeking and obtaining funds from the European regional development fund and European social fund. The same additionality rules will apply.

Mr. McMaster: To ask the Secretary of State for Scotland, if he will list in rank order the population of each unitary authority in Scotland. [28568]

Mr. Kynoch: The information requested is as follows:

	Population
City of Glasgow	623,850
City of Edinburgh	441,620
Fife	351,200
North Lanarkshire	326,750
South Lanarkshire	307,100
Aberdeenshire	223,630
Aberdeen City	218,220
Highland	206,900
Renfrewshire	176,970
City of Dundee	153,710
Dumfries and Galloway	147,900
West Lothian	146,730
Falkirk	142,610
North Ayrshire	139,020
Perthshire and Kinross	130,470
East Ayrshire	123,820
South Ayrshire	113,960
Angus	111,020
East Dunbartonshire	110,220
Scottish Borders	105,300
Dumbarton and Clydebank	97,790
Argyll and Bute	90,550
Inverclyde	89,990
East Lothian	85,640
East Renfrewshire	86,780
Moray	86,250
Stirling	81,630
Midlothian	79,910
Clackmannanshire	48,660
Western Isles	29,410
Shetland Isles	22,830
Orkney Isles	19,760

Source: "The New Councils—Statistical Report" May 1995.

EU Committee of the Regions

Mr. McMaster: To ask the Secretary of State for Scotland if he will list the *(a)* name, *(b)* nominating organisation and *(c)* attendance record of each full and substitute member of the European Committee of the Regions; and if he will make a statement. [28572]

Mr. Lang: The name of each Scottish member and alternate of the Committee of the Regions is given in the

table. In accordance with article 198a of the Maastricht treaty, members are nominated by member states and appointed by the Council for a period of four years. Members were elected representatives from both tiers of Scottish local government.

Member	*Alternate*
Charles Gray	Keith Geddes
Rosemary McKenna	Jean McFadden
Brain Meek	Marcus Humphrey
Duncan McPherson	Peter Peacock
Daniel Coffey	Clive Sneddon

Details of members' attendance at meetings is not notified to the Scottish Office and is a matter best taken up with the Committee of the Regions secretariat at the following address: Committee of the Regions, Rue Ravenstein 2, 1000 Brussels, telephone Brussels 00 32 2 546 2211.

Tourism

Mr. McMaster: To ask the Secretary of State for Scotland what discussions he has had with the Scottish tourist board on the potential for joint promotions with the Northern Ireland tourist board; and if he will make a statement. [28552]

Lord James Douglas-Hamilton: My right hon. Friend has had no such discussions.

Magistrates

Mr. McMaster: To ask the Secretary of State for Scotland what is the political balance of magistrates in each Scottish district; and if he will make a statement. [28573]

Lord James Douglas-Hamilton: The office of magistrate was removed in Scotland by the District Courts (Scotland) Act 1975. Magistrates in office in 1975 became justices of the peace and that is the office which predominately administers the lay justice system in Scotland.

JPs are appointed by the Secretary of State for Scotland on the basis of nominations by local authorities for ex officio appointment of elected members or on the recommendation of local advisory committees. JPs are not paid and are not compelled to declare their political views. The primary consideration in the appointment of a JP is the individual's personal suitability for the office.

The District Courts (Scotland) Act 1975 also provides for the appointment of stipendiary magistrates. There are nine stipendiary magistrates in Scotland operating in Glasgow district court. Their political views are not known.

The table shows the political affiliations, declared at the time of their appointment, of all justices of the peace in Scotland by each commission area.

Number of justices by politics

Commission area	*Com*	*Con*	*Ind*	*Lab*	*Lib Dem*	*SNP*	*Not known*	*All*
Aberdeen City	0	39	0	43	15	1	26	124
Angus	0	29	17	3	1	7	16	73
Annandale and Eskdale	0	20	3	2	5	3	8	41
Argyll and Bute	0	35	9	13	9	2	24	92
Badenoch and Strathspey	0	6	6	3	10	1	3	29
Banff and Buchan	0	47	37	6	4	9	15	118
Bearsden and Milngavie	0	10	14	5	3	3	5	40
Berwickshire	0	22	1	6	6	2	0	37
Caithness	0	17	14	7	11	3	10	62
Clackmannan	0	7	5	17	1	2	7	39
Clydebank	0	6	2	20	2	4	6	40
Clydesdale	0	31	1	29	3	1	9	74
Cumnock and Doon Valley	0	10	10	26	2	1	13	62
Cumbernauld and Kilsyth	0	6	2	21	0	6	10	45
Cunninghame	0	37	15	43	6	3	7	111
Dumbarton	0	20	1	21	2	1	12	57
Dundee City	0	32	18	34	5	2	11	102
Dunfermline	2	9	15	39	3	4	14	86
Edinburgh	0	59	12	68	19	6	40	204
East Kilbride	0	5	10	25	1	2	8	51
East Lothian	0	29	7	23	4	2	35	100
Ettrick and Lauderdale	0	13	9	1	9	1	6	39
Eastwood	0	12	8	3	4	0	2	29
Falkirk	0	6	19	30	2	7	16	80
Glasgow City	0	48	13	125	3	2	45	236
Gordon	0	57	29	5	31	1	15	138
Hamilton	0	16	3	36	3	1	9	68
Inverclyde	0	14	9	19	14	0	6	62
Inverness	0	13	26	4	9	0	5	57
Kilmarnock and Loudoun	0	14	5	16	1	2	13	51
Kincardine and Deeside	0	26	6	5	11	1	8	57
Kirkcaldy	0	18	25	33	5	1	6	88
Kyle and Carrick	0	37	18	19	2	1	15	92
Lochaber	0	9	11	7	8	1	5	41
Midlothian	0	20	19	19	1	1	9	69
Monklands	0	15	6	35	1	1	10	68

Number of justices by politics

Commission area	*Com*	*Con*	*Ind*	*Lab*	*Lib Dem*	*SNP*	*Not known*	*All*
Moray	0	57	4	16	7	15	51	150
Motherwell	0	17	2	53	0	3	12	87
Nairn	0	4	7	1	1	1	6	20
North East Fife	0	27	18	11	12	1	10	79
Nithsdale	0	12	13	7	2	2	15	51
Orkney	0	12	4	5	28	2	15	66
Perth and Kinross	0	76	3	21	13	10	81	204
Renfrew	0	38	5	45	9	7	15	119
Ross and Cromarty	0	33	22	2	12	0	12	81
Roxburgh	0	16	10	2	4	0	9	41
Shetland	0	11	7	7	22	0	7	54
Skye and Lochalsh	0	9	8	7	5	1	3	33
Stewartry	0	13	2	3	4	1	14	37
Stirling	0	33	22	20	6	7	8	96
Strathkelvin	0	17	4	21	2	1	17	62
Sutherland	0	9	6	2	15	2	17	51
Tweeddale	0	7	10	2	7	0	2	28
Wigtown	0	16	14	5	7	5	10	57
Western Isles	0	13	25	12	6	10	20	86
West Lothian	0	5	13	21	2	10	18	69
All Scotland	0	1,219	604	1,074	380	163	791	4,233

Rent Assessment Panel

Mr. McMaster: To ask the Secretary of State for Scotland if he will make a statement on the arrangements in Scotland corresponding to the English system of rent assessment panels; what salary and allowances are payable; who serves on such a body in Scotland; what are the expected time commitment of such appointees, including presidents, vice-presidents, chairmen, professional members and lay members; and if he will make a statement. [28577]

Lord James Douglas Hamilton: The rent assessment panel for Scotland was established under the Rent Act 1965 which is now consolidated in the Rent (Scotland) Act 1984. The purpose of the panel is to provide chairpeople and other members for rent assessment committees. The duties of a rent assessment committee are set out in:

(i) Section 48(1) of the Rent (Scotland) Act 1984;

(ii) Sections 25 and 34 of the Housing (Scotland) Act 1988;

(iii) Statutory Instrument 1980 No. 1665 (S.129) The Rent Assessment Committee (Scotland) Regulations 1980

(iv) Statutory Instrument 1989 No. 81 (S.12) The Rent Assessment Committee (Assured Tenancies) Scotland Regulations 1989.

The 62 members of the rent assessment panel are appointed by my right hon. Friend and are solicitors, surveyors and lay people. The members are:

Chairmen

J. M. Barton WS

Mrs. L. J. M. Campbell BL

Mrs. J. Catto LLB NP

Miss A. Chisholm LLB

Miss Carol A. Cooper

Miss M. Crighton

C. J. Forrest WS

J. R. Gardiner BL NP WS

Miss S. T. Givens MA LLB

J. M. D. Graham LLB NP

The Hon. Simon E. G. Guest LLB WS

Miss C. S. Henderson MA LLB NP

E. G. Kennedy LLB NP

Miss D. McGhie LLB

J. G. Malcolm-Smith

Mr. E. Mochar

N. J. A. Robertson BL

J. G. L. Robinson BA LLB

E. O. St. John BL WS

O. H. Speirs MA

Mrs. M. L. J. Walker MA LLB NP (Vice-President)

B. C. T. Wood BL

Professional members

Mrs. Lesley Anderson ARICS

J. M. Bennet FRCIS ARVA

Miss Karen Gillies BSc ARICS

F. M. Halliday FRICS

Mrs. U. L. Heaney MA FRICS

M. Kay FRICS

A. C. Love FRICS

E. Milne FRICS

W. W. Mitchell FRICS FRVA

J. B Pettinger FRICS ARVA

J. D. O. Ramsay FRICS FFS

G. F. Robertson FRICS FCIArb (President)

G. Scott FRICS FRVA

J. G. Smith FRICS

I. D. Sutherland

J. T. Sutherland FRICS

Lay members

Mrs. P. Bolton

S. J. Boyd AIPD

Mrs. H . Charlton

Ms A. S. Daghlian

I. S. Davidson

M. Fleming

J. Forbes

Mrs. C. K. Fraser

W. G. Fyfe MA BD STM

A. Gray

Mrs. E. R. Innes

A. McQuaker

Mrs. S. B. Mathieson

I. S. Methven

Mrs. J. Murray

Mrs. E. Park

Mrs. D. Rankin

Mrs. S. Ritchie

R. C. Robinson

Mrs. M. M. Roxburgh

J. I. Stevenson

Mrs. A. Tankel

J. Thomson MBE JP

Mrs. A. Woodward-Nutt

The president and vice-president are part-time appointments. The president is expected to spend one and a half days a week on duties relating to his position as president. The vice president is expected to spend one day a week on hers. Both are also required to serve on a set number of rent assessment committees a year. Other panel members are normally asked to serve on rent assessment committees on average once every three weeks. This does, however, vary from area to area.

Details about panel members' remuneration are published in the annual Cabinet Office publication "Public Bodies".

These arrangements are broadly similar to those affecting English rent assessment panels.

Witness Costs

Mr. McMaster: To ask the Secretary of State for Scotland how many cases under summary procedure in the most recent *(a)* three and *(b)* five years for which figures are available have involved (i) a witness, (ii) the travelling costs of a witness and (iii) the accommodation costs of a witness being paid to come from waters furth of the British Isles to attend a court hearing, and if he will make a statement. [28633]

Lord James Douglas-Hamilton: The information requested by the hon. Member is not readily available and could be obtained only at disproportionate cost.

School Meals

Mr. Martyn Jones: To ask the Secretary of State for Scotland what was the net expenditure on school catering services *(a)* in total and *(b)* in respect of free school meals in each year since 1987, broken down by county. [28821]

Lord James Douglas-Hamilton: Net expenditures on the school meals service by each education authority in Scotland from financial year 1987–88 to financial year 1993–94—the latest year for which actual expenditure figures are available—are given in the table. Separate information on expenditure on free school meals is not held centrally.

Net expenditure on school meals service in Scotland in each financial year

£000

Education Authority	*1987–88*	*1988–89*	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*
Borders	558	548	744	732	756	789	789
Central	2,692	2,905	2,546	2,810	2,305	2,250	2,502
Dumfries and Galloway	1,287	1,245	1,240	1,585	1,793	1,962	1,979
Fife	2,665	2,341	3,081	4,305	4,135	4,144	4,452
Grampian	2,579	2,376	2,911	2,821	3,041	3,051	3,013
Highland	1,992	1,919	2,164	2,485	2,507	2,735	2,802
Lothian	6,797	6,304	7,136	7,620	8,664	8,819	8,606
Strathclyde	23,491	24,032	24,489	25,770	29,469	30,710	30,881
Tayside	3,005	2,995	4,446	3,965	4,412	4,992	4,849
Orkney	282	258	295	413	425	394	453
Shetland	448	478	334	n/a	1,084	1,143	1,147
Western Isles	657	645	733	836	812	796	800

Mr. Martyn Jones: To ask the Secretary of State for Scotland, what nutritional quality standards there are for school meals; and when was the last change in these standards. [28811]

Lord James Douglas-Hamilton: Specific nutritional standards for school meals are not prescribed in Scotland. The Government's policy is that education authorities should be responsible for the school meals service which they administer, including nutritional aspects.

Schools (Confectionery Sales)

Mr. Martyn Jones: To ask the Secretary of State for Scotland under what authority the selling of confectionery in schools may be prohibited; and which schools have prohibited its sale. [28829]

Lord James Douglas-Hamilton: The sale, or prohibition of sale, of confectionery in schools is entirely a matter for each education authority. The information on the policies of individual authorities is not held centrally.

Scottish Court Service

Mr. McMaster: To ask the Secretary of State for Scotland what assessment techniques he has employed to evaluate the benefits and operational efficiency of the Scottish Court Service as an executive agency; what are the specific responsibilities and duties of this agency;

whom he appointed as the chief executive of this agency; and if he will make a statement. [28631]

Lord James Douglas-Hamilton: The Scottish Court Service was established as an executive agency on 3 April 1995. The key performance targets for the agency were set out by my right hon. Friend in his reply to the hon. Member for Aberdeen, South (Mr. Robertson) on 31 March 1995, *Official Report*, columns *804-5*. The responsibilities and duties of the agency are set out in the framework document, which is available in the Library. The chief executive of the agency is Michael Ewart, who was appointed following open competition for the post.

Glasgow Regeneration Alliance

Mr. David Marshall: To ask the Secretary of State for Scotland (1) if he will list the members of the board of the Glasgow Regeneration Alliance; and which organisation each member represents. [29276]

(2) what parliamentary representation there is on, and input to, the board of the Glasgow Regeneration Alliance; and if he will make a statement. [29277]

Lord James Douglas-Hamilton: While the Scottish Office has recently accepted an invitation to attend, as observers, the executive officers group of the Glasgow Regeneration Alliance, the composition and workings of the various groups of the alliance are matters for its four member organisations; Strathclyde regional council, Glasgow district council, Glasgow development agency and Scottish Homes.

Mature Students

Mr. Watson: To ask the Secretary of State for Scotland how many continuing students, commencing a degree course, or postgraduate teacher training course, in Scotland in the autumn of 1995, will be eligible for the mature students allowance. [29194]

Lord James Douglas-Hamilton: The information requested is not available at this time. The Student Awards Agency for Scotland, which is responsible for offering assistance to Scottish domiciled students undertaking full-time courses of higher education of the kind referred to, is still receiving student award applications for session 1995–96.

The mature students allowance is a supplementary, age-related, means-tested, allowance administered as an integral part of the student allowances scheme. In session 1995–96, it will be available to those students who commenced a continuous programme of assisted full-time study before session 1995–96, and who meet all the other criteria of the scheme, provided they are continuing with their current course or proceeding direct to another eligible course in session 1995–96 without a gap. The allowance will not be available to new students who commence a programme of full-time study in session 1995–96.

The responsibility for the provision of student support for those students domiciled in England and Wales and Northern Ireland who may be attending institutions in Scotland rests with my right hon. Friend the Secretary of State for Education and my right hon. and learned Friend the Secretary of State for Northern Ireland, respectively.

RMAS Salmaster (Fatality)

Dr. Godman: To ask the Secretary of State for Scotland when he expects the fatal accident inquiry into the death of a crew member of the RMAS Salmaster to be held; and where it will take place. [27917]

Lord James Douglas-Hamilton: The procurator fiscal at Lochmaddy is inquiring into the death of Philip John McPate who died on board RMAS Salmaster off the coast of South Uist on 16 May 1995. A decision on whether to hold a fatal accident inquiry and, if so, on the place at which any inquiry would be held, will be taken by Crown counsel, to whom the procurator fiscal will report when he has completed his inquiries.

Sexual Deviancy Testing

Dr. Godman: To ask the Secretary of State for Scotland what proposals he has to introduce the penile plesythmograph as a means of testing sexual deviancy in prisoners who have been convicted of serious sexual offences; and if he will make a statement. [27918]

Lord James Douglas-Hamilton: The subject of the question relates to matters undertaken by the Scottish Prison Service. I have asked its chief executive, Mr. E. W. Frizzell, to arrange for a reply to be given.

Letter from E. W. Frizzell to Dr. Norman A. Godman, dated 19 June 1995:

Lord James Douglas-Hamilton has asked me to reply to your question about any proposals to introduce the penile plesythmograph as a means of testing sexual deviancy in prisoners who have been convicted of serious sexual offences.

There are no proposals to introduce such tests in Scotland. The sex offender treatment programme in Peterhead Prison encourages prisoners to address their offending behaviour and to recognise the consequences of their actions for their victims. Emphasis is placed on recognising the cycle of offending and on developing relapse prevention strategies to reduce the number of victims in the future.

Accident and Emergency Departments

Dr. Godman: To ask the Secretary of State for Scotland if he will list the accident and emergency departments in Scotland. [28164]

Lord James Douglas-Hamilton: The table lists NHS establishments with 100 or more accident and emergency attendances in the year ending 31 December 1994. Not all hospitals listed will have full accident and emergency departments.

Aberdeen Royal Infirmary
Aberfeldy Cottage Hospital
Aboyne Hospital, Aboyne
Adamson Hospital, Cupar
Arbroath Infirmary
Arduthie Hospital
Arran War Memorial Hospital
Lamlash, Isle of Arran
Aviemore Health Centre
Balfour Hospital, Kirkwall
Belford Hospital, Fort William
Blairgowrie Cottage Hospital
Borders General Hospital
Brechin Infirmary
Caithness General Hospital Wick

Campbeltown Health Centre
Campbeltown Hospital
Castle Douglas Hospital
Chalmers Hospital, Banff
Coldstream Cottage Hospital
Crieff Cottage Hospital
Crosshouse Hospital
Daliburgh Hospital
Davidson Cottage Hospital
Dr. Gray's Hospital
Dumfries and Galloway Royal Infirmary
Dunbar Hospital, Thurso
Dundee Royal Infirmary
Dunoon and District General Hospital
Edinburgh Royal Infirmary
Falkirk and District Royal Infirmary
Fleming Cottage Hospital, Aberlour
Forfar Infirmary
Fraserburgh Hospital
Garrick Hospital, Stranraer
Gilbert Bain Hospital, Lerwick
Glasgow Dental Hospital and School
Glasgow Eye Infirmary Out-patient Clinic
Glasgow Royal Infirmary
Hairmyres Hospital, East Kilbride
Hawick Cottage Hospital
Hay Lodge Hospital, Peebles
Huntly Jubilee Hospital
Ian Charles Hospital, Grantown on Spey
Insch and District War Memorial Hospital, Insch
Inverclyde Royal Hospital
Inverurie Hospital
Irvine Memorial Hospital, Pitlochry
Islay Hospital
Kello Hospital, Biggar
Kelso Hospital
Kirkcudbright Hospital
Knoll Hospital, Duns
Lady Home Hospital, Douglas
Lady Margaret Hospital, Millport
Law Hospital, Carluke
Lawson Memorial Hospital, Golspie
Leanchoil Hospital
Mackinnon Memorial Hospital, Broadford, Skye
Mid Argyll Hospital, Lochgilphead
Monkslands District General Hospital
Montrose Royal Infirmary
Nairn Town and County Hospital
Newton Stewart Hospital
Ninewells Hospital, Dundee
Perth Royal Infirmary
Peterhead Cottage Hospital
Portree Hospital
Queen Margaret Hospital, Dunfermline
Raigmore Hospital
Ross Memorial Hospital, Dingwall
Rothesay Victoria Hospital
Royal Aberdeen Children's Hospital
Royal Alexandra Hospital, Paisley
Royal Hospital Sick Children, Edinburgh
Royal Hospital Sick Children, Glasgow
Seafield Hospital, Buckie
Sister Margaret Cottage Hospital, Jedburgh
Southern General Hospital, Glasgow
St. Andrew's Memorial Hospital, St. Andrews
St. John's Hospital at Howden
St. Margaret's Hospital, Auchterarder
Stephen Cottage Hospital, Dufftown
Stirling Royal Infirmary
Stobhill Hospital
Stonehouse Hospital
Stracathro Hospital
The Ayr Hospital
Turner Memorial Hospital, Keith
Turriff Cottage Hospital, Turriff
Vale of Leven District General Hospital
Victoria Cottage Hospital, Kilsyth
Victoria Cottage Hospital, Kilsyth
Victoria Hospital, Kirkcaldy
Victoria Infirmary, Glasgow
West Highland Hospital, Oban
Western General Hospital, Edinburgh
Western Infirmary, Glasgow
Western Isles Hospital, Stornoway

Chief Social Work Officers

Dr. Godman: To ask the Secretary of State for Scotland if he will list those persons appointed to the position of chief social work officer by the 29 new unitary authorities under the terms of the Local Government etc. (Scotland) Act 1994 with their salaries and present occupational positions and employers; and if he will make a statement. [28092]

Lord James Douglas- Hamilton: Of the 32 new unitary authorities only one has officially confirmed the appointment of a chief social work officer. Angus council has appointed Mr. William B. Robertson. Mr. Robertson is currently deputy director of social work with Tayside regional council. His salary will be £59,571. Details of the outstanding appointments will be reported to the Secretary of State in due course.

Disabled People

Dr. Godman: To ask the Secretary of State for Scotland what action he has recently taken to ensure access for disabled citizens to *(a)* cinemas *(b)* theatres and *(c)* sport grounds; and if he will make a statement. [28093]

Sir Hector Monro: The Scottish Arts Council and the Scottish Sports Council are already committed to helping to remove physical barriers and increase access for disabled people. Furthermore, in issuing directions to the Scottish Arts Council and Scottish Sports Council under the National Lotteries etc. Act 1993, my right hon. and learned Friend made it clear that they should seek to ensure suitable access for those with physical or other disabilities to assets or facilities acquired through lottery funding. The provisions in the Disability Discrimination

Bill would require service providers, including those who operate cultural and entertainment facilities and sports stadiums, to remove physical barriers, where reasonable, in order to improve access for disabled people to their service.

Ambulance Service

Dr. Godman: To ask the Secretary of State for Scotland what assessment he has made on the frequency of 999 emergency ambulance calls in the past seven years in *(a)* Strathclyde and *(b)* Scotland as a whole; and if he will make a statement. [28096]

Lord James Douglas-Hamilton: Regular monitoring of the performance of the Scottish Ambulance Service NHS trust by officials in the Home and Health Department includes an assessment of levels of demand. This information is also available to health boards as purchasers of the accident and emergency ambulance service. Figures for the last seven years are as follows:

	Strathclyde[1]		*Scotland*	
Year	*Number of calls*	*Variance (per cent.)*	Number of calls	*Variance (per cent.)*
1988–89	79,876	—	156,813	—
1989–90[2]	82,633	+3.5	167,981	+7.1
1990–91[2]	83,503	+1.1	163,704	–2.5
1991–92	99,909	+19.6	190,608	-16.4
1992–93	105,410	+5.5	203,415	+6.7
1993–94	107,212	+1.7	209,146	+2.8
1994–95	111,101	+3.6	216,562	+3.6

Notes:

[1] Information is not held in this form. These figures cover Ayrshire and Arran, Argyll and Clyde, Greater Glasgow and Lanarkshire Health Boards.

[2] The Industrial dispute had an unquantifiable effect on the volume and accuracy of records in these years.

Noisy Neighbours

Dr. Godman: To ask the Secretary of State for Scotland what proposals he has to deal with the problem of noise nuisance by neighbours; if he intends to introduce legislation on the issue; and if he will make a statement. [28094]

Sir Hector Monro: The Environment Bill will extend to Scotland part III of the Environmental Protection Act 1990, which covers all forms of statutory nuisance, including neighbour noise.

The conclusions and recommendations of a UK interdepartmental working party on the effectiveness of current neighbour noise controls were issued for consultation in March. They include a proposal for a new night-time noise offence. We will consider the comments received before deciding if further legislation for Scotland would be appropriate.

Homeless Mentally Ill

Dr. Godman: To ask the Secretary of State for Scotland what assessment he has made about the number of mentally ill citizens who are currently homeless in *(a)* Strathclyde and *(b)* Scotland as a whole; and if he will make a statement. [28095]

Lord James Douglas-Hamilton: This information is not held centrally.

In 1993 the Chief Medical Officer wrote to health boards asking them to assess the health needs of homeless people within their resident populations and to develop strategies to meet the identified need. Their progress in doing so will be monitored through the annual NHS accountability review process.

Homelessness is also a national priority issue for housing authorities and for Scottish Homes. An aim of the Chief Medical Officer's initiative was to establish inter-agency arrangements to ensure homeless people who have health problems, including mental health problems, are referred for help to appropriate health agencies. However, homeless mentally ill people cannot be compelled to accept assistance unless their condition justifies compulsory detention under the Mental Health (Scotland) Act 1984.

Compulsory Competitive Tendering Scheme

Dr. Godman: To ask the Secretary of State for Scotland what information he holds centrally in respect of contracts for health and hospital services awarded by health boards and NHS trusts under the compulsory competitive tendering scheme; and if he will make a statement. [28097]

Lord James Douglas-Hamilton: I refer the hon. Member to the answer given to the hon. Member for Newcastle upon Tyne, East (Mr. Brown) on 29 March 1995, *Official Report*, column *581* which stated that the information requested had been placed in the Libraries of the House.

Since that date information has been received on the award of a catering service contract by the Dundee Teaching Hospitals NHS trust. The details of that contract are as follows:

Service type	*Contractor*	*Number of contracts*	*Start date*	*Previous cost (£000)*	*Tender value (£000)*
Catering	In-house	1	1 August 1995	1,337	1,324

Hospital Beds

Dr. Godman: To ask the Secretary of State for Scotland how many dedicated private wards have opened in NHS hospital trusts in each of the past three years. [28098]

Lord James Douglas-Hamilton: There are no dedicated private wards in any NHS trust hospital in Scotland. A number of trusts have beds which may be made available for use by private patients provided that they are not required for NHS patients.

Health Service Pay Negotiations

Mr. Wallace: To ask the Secretary of State for Scotland how many officials of *(a)* Shetland health board and *(b)* Orkney health board have received formal training in conducting wage negotiations with representations of nursing staff; and if he will make a statement. [29020]

Mr. Lang: Two senior officials from Shetland health board and one from Orkney health board attended a seminar on local pay bargaining in May. These seminars were part of a programme offered to all health boards in Scotland.

Mr. Wallace: To ask the Secretary of State for Scotland when his Department issued guidance to the Orkney and Shetland health boards in respect of the local negotiation with nursing staff and other professions allied to medicine concerning 1995–96 wages and salaries. [29019]

Mr. Lang: No such guidance has issued.

My Department is in regular contact with all health boards on a range of issues including local pay bargaining.

Civil Service Retirements

Mr. Milburn: To ask the Secretary of State for Scotland, pursuant to his answer of 9 May, *Official Report*, column *396*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29282]

Mr. Lang: Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years' salary may be made where a Department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over age 55, this may be forgone in favour of immediate payment of the accrued superannuation benefits which would otherwise be preserved for payment at retiring age. There have been seven departures from the Scottish Office on inefficiency grounds in the past five financial years. Details are as follows:

1 in 1990–91
2 in 1991–92
2 in 1992–93
2 in 1993–94
0 in 1994–95

Of the seven, compensation was agreed for only one officer and paid as a lump sum compensation payment approximately equivalent to two years' salary.

Drug-related Deaths

Mr. Gallie: To ask the Secretary of State for Scotland, what arrangements have been made to improve the collection of information about drug-related deaths in Scotland; and if he will make a statement. [29765]

Mr. Lang: The General Register Officer for Scotland, in consultation with forensic pathologists, the Crown Office and my Department, introduced new arrangements in 1994 for checking and classifying such deaths. The improved procedures are described in a publication issued today by the General Register Office for Scotland. The publication also gives information about drug-related deaths in 1994, collected under the new system, and, for comparative purposes, provides available data for 1992 and 1993. A copy has been placed in the Library.

The new arrangements have significantly improved the collection and reliability of information on drug-related deaths in Scotland. The figures tragically illustrate the dangers of misusing drugs and underline the importance of the concerted action now being taken to tackle drug misuse on the basis of the report of the drugs task force, led by my noble and learned Friend the Minister of State. The improved data now available will help inform the development of policy and services within the framework of the task force report.

ENVIRONMENT

Territorial Waters

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what steps he plans to take to protect *(a)* the North sea and *(b)* all United Kingdom waters, out to the 200-mile limit of territorial waters. [28116]

Mr. Atkins: Under international law, territorial waters, and their accompanying jurisdiction, only extend to a maximum of 12 nautical miles from the baseline—that is, the coast or in certain circumstances a line drawn between two headlands. More limited jurisdictions can be claimed in a region up to 200 nautical miles from those baselines. With the other North sea states, the Government set out their intention in the 1992 Paris declaration of extending jurisdiction in this way in respect of shipping. The Government therefore will make regulations under the Merchant Shipping (Salvage and Pollution) Act 1994 to extend our coastal state jurisdiction over pollution from shipping. In exercising these jurisdictions, the Government comply with the United Kingdom's obligations under the comprehensive system for the protection of the marine environment of the north-east Atlantic contained in the Oslo, Paris and OSPAR conventions and applies the policies agreed in the North sea conferences, both to the North sea and other UK waters.

Council Estates

Mr. Thurnham: To ask the Secretary of State for the Environment what further plans he has for greater private sector involvement in the management and ownership of council estates; and if he will make a statement. [28885]

Mr. Robert B. Jones: We wish more local authorities, especially in urban areas, to consider the benefits which they and their tenants can obtain from transferring the ownership of council housing to new landlords; and we wish a wider range of bodies to be involved in receiving such transfers. We hope to announce soon our proposals for bringing this about. We have put in place the legislative framework extending our compulsory competitive tendering to housing management. The first contracts are due to be in operation from April 1996. I am pleased to say that local authorities are making good progress with their preparations.

Nuclear Safety

Mr. Matthew Taylor: To ask the Secretary of State for the Environment if he will provide a list of all reports

carried out by his Department's pollution inspectorate, or its consultants, which include reference to Nirex's research and safety analyses. [28583]

Mr. Atkins: I have asked the chief inspector to prepare a list of the reports and to make it available on request. A copy of the list will be placed in the House Library.

Atmospheric Pollution

Mr. Matthew Taylor: To ask the Secretary of State for the Environment if he will provide the most recent figures on levels of ozone and nitrogen dioxide in Britain and each other country in the European Union. [28584]

Mr. Atkins: The most recent figures on levels of ozone and nitrogen dioxide are available as part of the Department of the Environment's air quality bulletin service. Information from the national automatic monitoring sites is used to provide air quality bulletins to the public, giving daily information on these and other air pollutants in both urban and rural areas across the United Kingdom via a freephone helpline, Ceefax, Teletext and a variety of other news media. The bulletin includes information on levels of pollutants together with a forecast and health advice on what to do should levels become high. The Ceefax and Teletext bulletin services have recently been upgraded and now provide hourly updates on nitrogen dioxide, ozone, sulphur dioxide and benzene and 1,3—butadiene. In addition, information from the Department's non-automatic and automatic monitoring sites is published regularly.

Information on levels of pollutants in other European countries is not held centrally.

Local Authority Area Committees

Mr. Gordon Prentice: To ask the Secretary of State for the Environment if the rules on political balance set out in his reply to the hon. Member for Thurrock (Mr. MacKinlay) on 21 July 1994, *Official Report*, column *464*, apply to area committees established exclusively to discharge the authority's functions or to advise the authority in respect of the area and where all voting members are from wards wholly or partly within the area and either the area does not exceed two fifths of the authority's whole area or the population of the area does not exceed two fifths of the authority's total population. [28881]

Mr. Robert B. Jones: The political balance rules would not apply in this case.

Mr. Gordon Prentice: To ask the Secretary of State for the Environment how many local authorities have established area committees exclusively to discharge the authority functions. [28823]

Mr. Robert B. Jones: We do not hold information about which authorities have chosen to organise themselves in this way.

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what restrictions there are on the functions which a local authority may devolve to area committees which it may set up to discharge council functions. [28818]

Mr. Robert B. Jones: The area committee will be subject to the general limitations imposed by Local Government Act 1972 on all authorities arranging for discharge of their functions, in particular by section 101 of that Act. The committee's authority will also be restricted in terms of area.

Homelessness

Mr. Martyn Jones: To ask the Secretary of States for the Environment what is the total number of families in temporary bed and breakfast accommodation paid for by public funds; and what is his Department's budget for this. [28809]

Mr. Robert B. Jones: At 31 March 1995, 4,480 households were accommodated in bed-and-breakfast hotels by English local authorities in connection with their duties under the homelessness legislation. Provision for local authority expenditure on such matters is included within the all other services standard spending assessment, and is not separately identified.

Local Authority Devolution

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what consideration he has given to allowing district and borough councils greater flexibility in devolving functions to parish and town councils. [28817]

Mr. Robert B. Jones: Section 101 of the Local Government Act 1972 already gives principal authorities considerable scope to delegate functions to any other local authority, including parish councils.

Sainsbury Superstore Application, Stoke Mandeville

Mr. Lidington: To ask the Secretary of State for the Environment when he expects to receive his inspector's report on the application by J. Sainsbury plc to build a superstore at Lower road, Stoke Mandeville; and if he will make a statement. [28627]

Sir Paul Beresford: The inspector's report was received on 3 April. The Secretary of State refused planning permission for the proposals on 14 June.

Energy Saving Campaign

Mr. Simpson: To ask the Secretary of State for the Environment, what is the estimated amount of energy saved, to date, as a result of his Department's "Wasting Energy Costs the Earth" campaign. [28619]

Mr. Colvin: To ask the Secretary of State for the Environment what is the estimated amount of energy saved, to date, as a result of his Department's "Wasting Energy Costs the Earth" campaign. [29161]

Mr. Robert B. Jones: The "Wasting Energy Costs the Earth" campaign, launched in October last year, aims to raise public awareness and encourages action to save energy in the home, as part of the United Kingdom's climate change programme. A full assessment of the campaign's effectiveness will be made when it is completed.

EU Funding, Merseyside

Mr. Wareing: To ask the Secretary of State for the Environment if he will list the names together with the previous and present jobs of the monitoring committee and technical committees appointed to assist with the

objective 1 funding of Merseyside; and if he will make a statement. [28703]

Sir Paul Beresford *[holding answer 15 June 1995]:* Following is a list of the members both of the monitoring committee and of the two technical panels for, respectively, industrial development and the people of Merseyside, together with present positions. Details of the members' previous positions are not readily available.

The membership reflects a wide-ranging partnership of public and private sector organisations on Merseyside.

MONITORING COMMITTEE

GO-M

John Stoker—Chair, Regional Director
Peter Houten, Director
Pat Jackson, Director (T and I), DOE (ERP Division)
Andre Bayer
Employment Department
Maureen De Viell

MAFF

Robert Bettley-Smith

Local Authorities

Councillor Harry Rimmer, Liverpool City Council
Councillor Mike Storey, Liverpool City Council
Councillor D. Knowles, Sefton BC
Councillor Ron Watson, Sefton BC
Councillor J. Keight, Knowsley BC
Councillor T. J. Lyons, Knowsley BC
Councillor Dave Jackson, Wirral BC
Councillor John Hale, Wirral BC
Councillor Dave Watts, St. Helens BC
Councillor Mike Doyle, St. Helens BC

MDC

Bob Lane, Assistant Chief Executive

Private Sector

David Railton, MDHC Accounts Manager
Terry Atherton, National Westminster Bank Plc, Regional Head of lending
John Sharpley, Champion Spark Plugs, Director, Europe
Ian Meadows, RS Clare, Managing Director
Albert Mandell, GPT Ltd, Manager Customer Communications

TRAINING ENTERPRISE COUNCILS

Alan Moody, Chief Executive, CEWTEC
Linda Bloomfield, Chief Executive, Merseyside Tec
Peter Hulmes, Chief Executive, Qualitec

Voluntary Sector

Audrey Young, Liverpool 8 Law Centre, Management Committee
Andy Churchill, Merseyside Coordinator, NW Network

Further Education

Tony Holloway, Assistant Director of Finance, Further Education Funding Council
George Sweeney, Principal, Knowsley Community College

English Partnerships

Jim Gill, Regional Director

MerseyTravel

Roy Swainson, Chief Executive

Higher Education Sector

Professor Philip Love, Vice-Chancellor, The University of Liverpool

National Rivers Authority

Chris Newton, Regulation Environmental Quality Manager

TECHNICAL PANEL FOR INDUSTRIAL DEVELOPMENT

Pat Jackson: Chairman, Government Office for Merseyside, DTI Directorate
Peter Ramsden: European Commission. DGXVI
Alan Chape: Assistant Chief Executive, Liverpool City Council
James Wilkie: Director of Planning and Economic Development, Wirral Borough Council
Bob Hepworth: Assistant Chief Executive, St. Helens Borough Council
Graham Smith: Director of Planning and Development, Knowsley Borough Council
Chris Williamson: Head of European Affairs, Sefton Borough Council
Peter Hey: Corporation Services Man. QUALITEC
Richard Merritt: Deputy Chief Executive, CEWTEC
Peter Fell: Director European Affairs, MERSEYTEC
Jim Gill: Regional Director, English Partnerships
Bob Lane: Assistant Chief Executive, External Affairs, Merseyside Development Corp.
Paul Bunnell: Corporate Planning, Merseytravel
David Railton: Accounts Manager, Mersey Docks and Harbour Company
Dr. David Prior: Director, Research Support and Industrial Liaison, Higher Education Institutions
Audrey Young: Liverpool 8 Law Centre, Man. Committee
Ian Lobley: Director, 3i Plc
Muriel Downs: Managing Director, Daryl Industries
Alan Ruddock: Managing Director, Giddings and Lewis
Pat Collins: EPR Division, DoE

TECHNICAL PANEL FOR THE PEOPLE OF MERSEYSIDE

Peter Houten: Chairman, Director TEED, GO-M
Dirk Meganck: European Commission, DGV
Maureen De Viell: ESF Unit, DoE
Nigel Tubman: ESF Unit, DoE
Colette Turner: Objective 1 Secretariat, GO-M
David Barrie: Head of Client Support, Education Department, Liverpool City Council
Paul Lally: Senior Education Officer, Sefton Borough Council
David Rigby: Director, Education Department, Wirral Borough Council
Peter Wylie: Director, Education Department, Knowsley Borough Council
Brian Mainwaring Director, Education Department, St. Helens Council
Peter Fell: Director, European Affairs, MERSEYTEC
Richard Merritt: Deputy Chief Executive, CEWTEC
Cath Boullen: Training Services Manager, QUALITEC
Joe West: Principal, St. Helens College
Terry Jeves: Associate Development Director, Liverpool John Moores University
Any Churchill: Merseyside Coordinator, NW Network
Alex Murray: Operations Director, Contract Chemicals Knowsley Ltd.
Chris Benson: Managing Director, Benson Signs Ltd.
Bob Mottram: Chairman, Business Link Wirral
Graham Helling: European Operations Manager, Liverpool Chamber of Commerce

Crown Immunity

Mr. Foulkes: To ask the Secretary of State for the Environment if he will list all areas within *(a)* his Department, *(b)* agencies under his Department's control and *(c)* organisations for which he has ministerial responsibility to which Crown immunity applies; what consideration he has given to removing this; and if he will make a statement. [28649]

Sir Paul Beresford *[holding answer 15 June 1995]:* An Act of Parliament is presumed not to bind the Crown unless the contrary intention is clearly stated, or there is a necessary implication that the Crown is to be bound. Ministers and civil servants will not necessarily share the Crown's immunity from criminal prosecution.

The Government's policy on Crown immunity as set out in Cm 1599—"The Citizen's Charter—Raising the Standard" is that Crown immunity is being progressively reduced, as legislative opportunities arise. In the meantime, Crown bodies are expected to behave as though they were bound by regulations.

In accordance with this policy, we have announced our intention to introduce legislation to place on a statutory footing the requirement for the Crown to observe town and country planning controls.

Construction Industry

Mr. McCartney: To ask the Secretary of State for the Environment if he will publish a regional breakdown of the number of public housing and housing association construction orders in the first quarter of 1995, together with a regional breakdown for the corresponding figures for 1994. [29197]

Mr. Robert B. Jones: The information is published in table 4 of the information bulletin No. 224, "Orders for New Construction: March 1995", a copy of which is in the Library.

Mr. McCartney: To ask the Secretary of State for the Environment if he will publish a regional breakdown of the figures for output and employment in the construction industry in the first quarter of 1995, in the Department of Environment information bulletin 276, together with a regional breakdown for the corresponding figures for 1994. [29196]

Mr. Robert B. Jones: Provisional contractor's output figures for 1994 are published by region in table 2.5 of the quarterly "Housing and Construction Statistics: Part 2: December quarter 1994", a copy of which is in the Library. Corresponding figures for the first quarter of 1995 will be published in the next issue. Regional figures for output by direct labour organisation and for total employment in the construction industry are not available.

MINIS Return

Mr. Llew Smith: To ask the Secretary for the Environment when he plans to publish his Department's annual MINIS return. [29154]

Sir Paul Beresford: It is planned that the MINIS returns for my Department will be published during July.

Planning Policy Review

Mr. Alfred Morris: To ask the Secretary of State or the Environment what representations he has received regarding his review of planning policy; and if he will make a statement.

Sir Paul Beresford: I have received a number of representations about PPG6, to which I assume that the hon. Member is referring. A consultation draft of the revised planning policy guidance will be issued before the summer recess.

Lower Severn Estuary

Mr. Morgan: To ask the Secretary of State for the Environment what is his current estimate of the completion date of the classification of the lower Severn estuary special protection area pursuant to article 4 of directive 79/409/EEC. [29234]

Mr. Atkins: I hope to be able to make an announcement shortly.

Unitary Authorities

Mr. Tipping: To ask the Secretary of State for the Environment if it is his policy that chief executive posts in unitary authorities established under the Local Government Act 1992 should be filled by open competition. [29097]

Mr. Robert B. Jones: Under the Local Government Changes for England (Staff) Regulations 1995, appointments to chief officer posts in unitary authorities established under the Local Government Act 1992 must be made by open competition.

Mr. Tipping: To ask the Secretary of State for the Environment (1) when he last met the chairman of the Local Government Commission; [29098]

(2) whether he will call for a report from the Local Government Staff Commission on the steps being taken by shadow unitary authorities to appoint their chief executives. [29099]

Mr. Robert B. Jones: Following my last meeting with the staff commission on 23 may 1995, I am satisfied that there is no need at present for fuller investigation of the appointment of chief executives by shadow unitary authorities.

Mr. Steen: To ask the Secretary of State for the Environment what assessment he has made of the impact of his Department's new draft guidance to the Local Government Commission, on the application of the South Hams district council for unitary status; and if he will make a statement. [29021]

Mr. Curry: There is none. The guidance will apply to the reviews of those districts which are selected for review, but it does not have any bearing on the selection process.

Civil Service Retirement

Mr. Milburn: To ask the Secretary of State for the Environment, pursuant to his answer of 2 May, *Official Report*, column *126*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29295]

Sir Paul Beresford: Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years' salary may be made where a Department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over age 55, this may be forgone in favour of immediate payment of the accrued superannuation benefits which would otherwise be preserved for payment at retiring age. There have been six departures on inefficiency grounds in the past five financial years. Details are as follows:

Lump sum compensation payment

Year	£
1990–91	None
1991–92	None
1992–93	17,468
1993–94	None
1994–95	33,354

National Park Authorities

Mr. Tipping: To ask the Secretary of State for the Environment if he will place in the Library copies of the representations he has received about the composition of new national park authorities. [29101]

Mr. Atkins: Yes, provided that the respondents have no objections.

Water Companies (Windfall Profits)

Mr. Tyler: To ask the Secretary of State for the Environment what is his policy on the conclusion of the Director of Water Services on who should decide whether windfall profits should be distributed in the form of rebates to customers. [29353]

Mr. Atkins: This is a matter for the Director General of Water Services, who has published his views.

EU Urban Initiative

Mrs. Gillan: To ask the Secretary of State for the Environment whether he has selected the areas to be included in the urban community initiative of the European structural funds.

Mr. Curry: Further to my right hon. Friend's answer of 29 March to the hon. Member for Hertfordshire, North (Mr. Heald), *Official Report*, columns *645–46*, announcing the six non-objective 1 areas in England to participate in the urban community initiative, I have now selected the three areas from Merseyside—Liverpool Central, North Huyton—Knowsley—and Netherton—Sefton—which will be considered by the European Commission for funding the Urban initiative.

Originally, five areas put themselves forward, but the Commission requirements meant that only three could be included on the final list, which I chose after consultations with the local authorities and careful consideration of all the evidence.

The urban community initiative will bring an additional 80 million ecus—approximately £64 million—of European funding to Britain of which £13.5 million will go to the three Merseyside areas. The money will be used for new urban regeneration projects carried out by local partnerships, which will complement existing programmes such as the single regeneration budget and the structural funds objectives 1 and 2.

My announcement today means the programme of nine British non-objective 1 areas, three Merseyside objective 1 areas and the objective 1 area in Northern Ireland is now complete, and the first projects should start this summer.

Council House Sales

Mrs. Gillan: To ask the Secretary of State for the Environment when he plans to implement measures to assist leaseholders of former council flats who are facing difficulties with high service charges and resale. [29857]

Mr. Curry: Recent research has shown that while nine out of 10 people who bought their flats under the right to buy were satisfied with their purchase, a small proportion was in particular difficulties with service charges, and an even smaller proportion has had difficulty in reselling because prospective buyers could not obtain a mortgage.

Following public consultation, I am introducing three measures to assist local authority leaseholders:

first, a wide-ranging good practice guide, to help councils improve their management of service charges in flats which they have sold. This will help to avoid leaseholders being presented with unexpectedly or unreasonably high bills;

second, a more flexible form of mortgage indemnity agreement, which councils can use to guarantee commercial mortgages, including lending on ex-council flats. Mortgage indemnities can enhance councils' housing policies and encourage lending in areas where a resale market is not yet fully established;

third, an exchange sale scheme, to help leaseholders who need to move from flats bought under the right to buy but cannot resell on the open market because of mortgageability problems. The scheme will help the authority to buy back the flat at the right-to-buy price, and to sell the leaseholder another property at a discount of up to 40 per cent.

These measures, the first two of which are available now, will help local authorities to assist those leaseholders who face particular difficulty. The third measure requires regulations which I have laid before Parliament today. Subject to its views, the exchange sale scheme will come into effect on 10 July.

We are issuing advice to local authorities today on these measures and how to use them to boost the local housing market in general, and help owners of former council flats in particular.

North Sea Conference

Sir Kenneth Carlisle: To ask the Secretary of State for the Environment what were the main achievements of the recent North sea conference.

Mr. Gummer: The fourth international conference for the protection of the North sea was held in Esbjerg, Denmark on 8 to 9 June 1995. Ministers and senior officials from Belgium, France, Germany, Luxembourg, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom, together with the members of the European Commission responsible for the environment, took part, under the chairmanship of the Danish Environment and Energy Minister, Mr. Svend Auken. I represented the United Kingdom.

Since so much progress has been made since the third North sea conference, in 1990, in converting policy

commitments into binding international agreements and European legislation, the nature of the conference was different from its predecessors. It was more a question of reviewing progress and fine-tuning than of breaking new ground.

The progress report for the conference showed how difficult it is to compare what is happening in the different states because of different methods of measuring or estimating the basic data. We therefore agreed to put emphasis in future on getting transparent, reliable and comparable reports on what is actually happening, making the fullest possible use of work in other international bodies.

The most important problem facing the North sea that was identified by the recent quality status report was the impact of over-fishing. We achieved a commitment to the development and strict enforcement of a system of controls for fish stocks of all kinds, including the industrial fisheries, to keep exploitation rates within safe biological limits. Measures will now be brought forward in the appropriate forums to implement this commitment. We also agreed that North sea Fisheries and Environment Ministers will meet before the end of 1996 to review the progress of these measures.

We also agreed to ask the Oslo and Paris Commission for the Protection of North East Atlantic to assess what measures are needed to improve the protection of wildlife in the areas beyond territorial waters—territorial waters being already covered by the EC birds and habitats directives—and to work out how best to harmonise such measures by the different North sea states.

Since the 1990 North sea conference, the European Community has adopted measures which provide a comprehensive framework for controlling hazardous substance. At Esbjerg, we agreed on various actions within that framework to give priority to certain specific problems connected with hazardous substances. We also discussed the setting of a target for the cessation of all inputs of hazardous substances to the North sea within one generation—that is, 25 years. It made clear that the United Kingdom shares the ideal of such aims but does not consider them currently practicable.

We confirmed support for the adoption and implementation by OSPAR of a strategy to combat and prevent eutrophication of the sea. Some North sea states wanted to see the whole of the North sea treated as a sensitive area for the purposes of the EC urban waste water treatment directive and its catchment as a vulnerable zone for the purposes of the EC nitrates directive, which would imply additional investment in sewage treatment to remove nutrients, and additional restrictions on agriculture. France and the United Kingdom took the view that the implementation of the Directives as they stand will address the problems that exist and that the suggested blanket approach would waste resources by installing plant and imposing restrictions that would have no practical effect on eutrophication problems.

We reached agreement on how to proceed on the creation of a special area in the North sea under the Marpol convention to control discharges of oil from shipping; on completing the work on tightening the Marpol annex on air pollution from shipping to the problems of sulphur oxides in the North sea.

To reduce the impact of the offshore oil and gas industry, we agreed to ask OSPAR to revise its guidance on the management of produced water, to limit the use of oil-based muds to cases where this is necessary for geological or safety reasons and to get OSPAR to adopt a harmonised mandatory control system for the use and discharge of chemicals offshore. Some North sea states expressed their concern about the decision to permit the disposal of the Brent Spar at sea. I explained the reasons why we considered this the best practicable environmental option and reminded them that we were following the procedure agreed by all North sea states in 1992. France, Norway and the United Kingdom recorded their reasons for rejecting a commitment to dispose of all disused offshore installations on land; the other North sea states, which who do not have to consider the disposal of deep-sea installations, recorded their commitments to land disposal of all offshore installations.

We confirmed our commitment to the safety fundamentals for the management of radioactive waste adopted by the International Atomic Energy Agency in March and agreed to support the IAEA work to seek agreement for a global convention on this subject.

Finally, we agreed that Norway should host the fifth North sea conference in 2000 to 2002, but that this should be much more closely integrated with OSPAR ministerial meetings.

Local Government Ombudsman

Mr. David Nicholson: To ask the Secretary of State for the Environment what plans he has for reviewing the local government ombudsman service; and if he will make a statement. [29855]

Mr. Robert B. Jones: We have today appointed Sir Geoffrey Chipperfield to carry out a fundamental review of the Commission for Local Administration in England. The review, which is part of a programme of reviews of bodies sponsored by the Department, will be conducted in two stages. During the first stage, Sir Geoffrey will consider fundamental questions about the necessity for the Commission and the functions it undertakes. Depending on the results of that stage, Sir Geoffrey will then look in more detail at the commission's internal organisation and procedures. Sir Geoffrey will report his findings to my right hon. Friend the Secretary of State and to the commission; he has been asked to do this for stage one by the end of November 1995.

To assist Sir Geoffrey, we are establishing an advisory group on which we are inviting representatives of the local authority associations and citizens advice bureaux to serve; departmental officials and the chairman and secretary of the commission will also serve on the group. In addition, Sir Geoffrey will be seeking comments from a wide range of interested parties, and would welcome written representations from anyone who has views on the Commission and its work.

The local government ombudsman service was established in 1974 to provide independent and impartial investigation of complaints by members of the public who felt that they had suffered injustice because their local council had done something wrong. After 20 years, it is now timely to review the ombudsman's role and the effectiveness of the service provided.

Written Answers to Questions

Tuesday 20 June 1995

HOME DEPARTMENT

Sick Leave

Mr. Chidgey: To ask the Secretary of State for the Home Department if he will list for every police force in England and Wales for each year since 1989 *(a)* the total number of sickness days taken due to injury on duty and *(b)* the average number of days lost per police officer due to injury on duty. [28165]

Mr. Maclean: Information on the number of injuries sustained on duty is not held centrally. However, information has been kept since 1990 on days' sick leave taken due to assault and is shown in the table.

Total Number of Days Sick Leave Due to Assault

Forces	*1990*	*1991*	*1992*	*1993*
Avon and Somerset	1,402.00	840.00	868.00	906.00
Bedfordshire	582.00	831.00	633.00	341.00
Cambridgeshire	213.00	589.00	391.00	400.00
Cheshire	1,109.00	921.00	777.00	1,119.00
City of London	37.00	6.00	4.00	9.00
Cleveland	731.00	610.00	654.00	1,069.00
Cumbria	169.00	358.00	563.00	457.00
Derbyshire	648.00	1,135.00	1,331.00	1,502.00
Devon and Cornwall	865.00	986.00	423.00	712.00
Dorset	406.00	325.00	456.00	490.00
Durham	1,191.00	1,129.00	708.00	448.00
Dyfed-Powys	622.00	223.00	636.00	557.00
Essex	629.00	454.00	1,291.00	582.00
Gloucestershire	259.00	338.00	475.00	482.00
Greater Manchester	3,708.00	3,618.00	1,712.00	1,427.00
Gwent	330.00	126.00	317.00	342.00
Hampshire	2,170.00	930.00	1,030.00	1,535.00
Hertfordshire	650.00	640.00	403.00	214.00
Humberside	895.00	856.00	829.00	727.00
Kent	542.00	190.00	231.00	400.00
Lancashire	1,371.00	2,422.00	2,024.00	1,160.00
Leicestershire	644.00	678.00	1,320.00	469.00
Lincolnshire	670.00	758.00	639.00	709.00
Merseyside	4,086.00	4,264.00	2,560.00	2,825.00
Norfolk	381.00	157.00	405.00	256.00
North Wales	623.00	810.00	531.00	61.00
North Yorkshire	274.00	419.00	332.00	119.00
Northamptonshire	132.00	65.00	538.00	370.00
Northumbria	4,296.00	3,993.00	2,585.00	4,048.00
Nottinghamshire	1,302.00	1,081.00	1,160.00	1,161.00
South Wales	2,422.00	2,874.00	2,786.00	3,414.00
South Yorkshire	1,297.00	600.00	813.00	697.00
Staffordshire	1,120.00	1,096.00	622.00	345.00
Suffolk	443.00	333.00	440.00	122.00
Surrey	811.00	641.00	442.00	240.00
Sussex	1,026.00	1,708.00	1,083.00	738.00
Thames Valley	1,144.00	761.00	1,152.00	668.00
Warwickshire	438.00	275.00	498.00	375.00
West Mercia	487.00	405.00	598.00	504.00
West Midlands	2,992.00	1,279.00	1,979.00	2,054.19
West Yorkshire	2,455.00	2,880.00	2,396.00	2,017.00
Wiltshire	456.00	400.00	266.00	249.00
Provincial Total	46,028.00	43,004.00	38,901.00	36,320.69
Metropolitan Police	7,598.00	10,564.00	8,122.00	11,323.00
England and Wales Total	53,626.00	53,568.00	47,023.00	47,643.69

Average number of days sick leave due to the assault

Forces	*1990*	*1991*	*1992*	*1993*
Avon and Somerset	12.41	7.43	10.59	10.53
Bedfordshire	11.41	21.87	22.61	13.12
Cambridgeshire	7.34	18.41	17.77	17.39
Cheshire	14.04	17.71	16.53	19.29
City of London	7.40	3.00	4.00	3.00
Cleveland	14.06	16.05	16.77	19.80
Cumbria	8.45	8.95	20.11	19.04
Derbyshire	12.00	30.68	21.47	32.65
Devon and Cornwall	18.02	12.97	8.13	10.79
Dorset	31.23	10.16	12.67	18.85
Durham	26.47	23.04	19.67	13.18
Dyfed-Powys	22.21	22.30	42.40	27.85
Essex	12.58	11.95	25.31	10.39
Gloucestershire	7.85	13.52	14.39	17.21
Greater Manchester	15.32	16.45	8.65	8.49
Gwent	10.65	12.60	19.81	21.38
Hampshire	19.38	16.61	25.12	17.64
Hertfordshire	12.50	26.67	13.90	9.30
Humberside	18.27	16.78	16.58	12.32
Kent	12.90	4.52	5.13	9.30
Lancashire	12.81	27.52	23.26	12.08
Leicestershire	12.63	12.56	32.20	8.53
Lincolnshire	13.14	15.79	13.04	12.66
Merseyside	25.86	30.68	20.48	20.62
Norfolk	10.03	5.61	11.25	7.11
North Wales	12.98	4.68	23.09	4.36
North Yorkshire	14.42	16.12	11.45	7.93
Northamptonshire	7.33	5.42	35.87	18.50
Northumbria	23.22	18.66	16.46	21.31
Nottinghamshire	25.53	15.23	14.50	20.73
South Wales	14.33	19.55	18.82	21.88
South Yorkshire	23.16	14.63	14.78	20.50
Staffordshire	14.55	17.68	14.81	9.34
Suffolk	19.26	11.10	19.13	6.78
Surrey	17.63	16.03	13.39	10.43
Sussex	16.29	33.49	21.66	17.57
Thames Valley	30.11	31.71	46.08	22.27
Warwickshire	15.10	10.58	22.64	14.42
West Mercia	11.33	11.25	17.09	14.82
West Midlands	17.00	13.61	3.50	13.97
West Yorkshire	43.07	24.20	18.02	13.36
Wiltshire	10.36	10.53	9.85	10.83
Provincial Total	17.08	16.89	14.35	15.51
Metropolitan Police	8.67	13.47	18.09	12.36
England and Wales Total	15.02	16.09	14.88	14.62

Asylum Seekers

Mr. Frank Field: To ask the Secretary of State for the Home Department (1) if he intends to send asylum seekers under 18 years of age, or who claim to be under 18, to Campsfield house detention centre when Group 4 sets up its tactical support unit at the centre; [29663]

(2) if he will take into account the advice of an independent medical expert in helping to determine the age of an asylum seeker who claims to be under 18 years old when detention is being considered. [29673]

Mr. Nicholas Baker: The availability of staff trained in control and restraint techniques is required to meet extreme operational demands. This facility will not affect the fundamental regime at Campsfield house, which will remain suitable for the detention of young people and those claiming to be under the age of 18.

Asylum applicants who are, or claim to be, under 18 are detained only in the most exceptional circumstances where this appears appropriate in the light of all relevant considerations. In assessing the person's age, medical evidence may be taken into account and if that were

available from an independent medical expert that would be considered. However, I see no justification for formal arrangements to seek such independent evidence in all cases where the detainee claims to be under 18.

Mr. Field: To ask the Secretary of State for the Home Department how many children are currently held in detention in connection with asylum applications; what are their nationalities; how many have been held for more than two months; and if he will list the detention establishments where they are being held. [29885]

Mr. Baker: As at 16 June 1995, there was one recognised minor who had claimed asylum in the United Kingdom being held in detention. This Algerian national, who is 17 years of age, was an illegal entrant and has been held at Campsfield house for less than two months.

Mr. Field: To ask the Secretary of State for the Home Department if unaccompanied children seeking asylum will be excluded from the short procedure pilot scheme; and if he will make a statement. [29672]

Mr. Baker: Asylum applications made by or on behalf of unaccompanied children under the age of 18 are not included in the short procedure pilot.

Special Security Unit (Whitemoor Prison)

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department when the special security unit at Whitemoor prison will reopen. [30059]

Mr. Howard: The special security unit at Whitemoor prison reopened yesterday. Comprehensive changes have been made to the unit since it closed following the escape attempt last September. These changes are in line with the recommendations in Sir John Woodcock's report. They include: major construction work to upgrade physical security measures; mandatory operating standards which lay down procedures for staff; carefully selected with trained staff, and a reorganised management structure with clear lines of responsibility.

I have also decided to introduce a policy of closed visits for all exceptional risk prisoners in the light of the Prison Service's assessment of their security requirements. By removing all physical contact between prisoner and visitor, the opportunity for the passing of weapons or other illicit items should be eliminated. As a result, all exceptional risk prisoners in the Whitemoor special security unit and the category A unit at Belmarsh prison will be subject to closed visits arrangements. The policy will be applied at the Full Sutton special security unit when it reopens following the construction work necessary to implement the Woodcock recommendations.

Immigration

Mr. Hawkins: To ask the Secretary of State for the Home Department what is his current policy on allowing switching after entry into the minister of religion category by people who are admitted to the United Kingdom, under the immigration rules, in another capacity. [30060]

Mr. Nicholas Baker: The immigration rules require that a person entering the United Kingdom as a minister of religion must obtain an entry clearance for that purpose in advance. The purpose of the entry clearance requirement is to ensure that the bona fides of the applicant as a minister of religion can be fully assessed, in the country where he lives and works, in advance of his coming to the United Kingdom. An application to remain as a minister of religion in the United Kingdom by a person who has not entered in that capacity is therefore to be refused. We would be prepared, exceptionally, to waive this requirement only where a bona fide minister of religion had been granted a visa or leave to enter as a visitor specifically to attend an interview for a job as a minister in the United Kingdom and was offered the job; or where a bona fide minister of religion, who had been granted a visa or leave to enter as a visitor specifically for a preaching tour of the United Kingdom, was asked to fill a vacant post as a minister in this country, the job offer appeared to be genuinely unexpected at the time the applicant entered the United Kingdom and there were good community relations reasons for allowing him to stay.

Community Service

Mrs. Peacock: To ask the Secretary of State for the Home Department how many convicted offenders failed to complete their community service orders, and were not taken back to court, in west Yorkshire in each year since 1985. [27706]

Mr. Nicholas Baker *[holding answer 13 June 1995]:* Complete information about whether offenders who fail to comply with their orders are taken back to court is not collected centrally. The available information is given in the table.

Termination of Community Service Orders, West Yorkshire Probation Service, 1985–93

Year	*Percentage of CSOs completed without termination for breach or further offence*	*Percentage of CSOs terminated because of failure to comply with requirements, conviction of another offence or other reason*[1]
1985	74	26
1986	77	23
1987	75	25
1988	72	28
1989	71	29
1990	71	29
1991	69	31
1992	71	29
1993	69	31

[1] Includes small proportion terminated due to changes in circumstances.

Animal Welfare

Mr. Battle: To ask the Secretary of State for the Home Department how many designated establishments have ethics committees, operated by the Home Office inspectorate, for animal care and use under the Animals (Scientific Procedures) Act 1986; and if he will list them. [28677]

Mr. Nicholas Baker: None.

The Animals (Scientific Procedures) inspectorate does not operate any ethics or animal care and uses committees in establishments designated under the Animals (Scientific Procedures) Act 1986. They may attend meetings of animal care and use committees set up by

designated establishments as invited observers when asked to do so.

LORD CHANCELLOR'S DEPARTMENT

Parliamentary Questions

Mr. McMaster: To ask the Parliamentary Secretary, Lord Chancellor's Department what percentage of parliamentary questions, which would have been answered directly by him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28502]

Mr. John M. Taylor: Ministers are accountable to Parliament for all matters concerning their agencies. Written parliamentary questions concerning matters which have been delegated to the chief executive of an executive agency in its Framework document normally receive a reply from the Minister to the effect that he or she has asked the chief executive to reply direct to the Member by letter. The chief executive's letter is published in *Hansard* below the Minister's reply.

Mr. McMaster: To ask the Parliamentary Secretary, Lord Chancellor's Department how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because the information *(a)* could be obtained only at disproportionate cost *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered due to non-computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28521]

Mr. Taylor: The information requested could be provided only at disproportionate cost.

Asylum Appeals

Mr. Terry Davis: To ask the Parliamentary Secretary, Lord Chancellor's Department how many appeals against the refusal of entry clearance were outstanding on 31 May or at the most recent date for which this information is available; how many appeals against the refusal of asylum were outstanding on this date; what action is being taken to reduce the numbers of outstanding appeals; and whether any priority is given to appeals against the refusal of asylum. [29793]

Mr. John M. Taylor: The number of outstanding appeals against refusal of entry clearance is not recorded as a separate figure. However, at 31 May 1995, approximately 9,369 non-asylum appeals were outstanding. The number of asylum appeals outstanding was 4,885. There are plans to recruit additional adjudicators and staff, and to expand existing court room accommodation, to enable more cases to be heard in future. In the short term, more flexible listing arrangements and an increase in the length of the sitting day will help to increase the disposal rate. The immigration appellate authorities are also able to offer parties in London a hearing at a provincial centre where waiting times are shorter.

The immigration appellate authorities endeavour to determine asylum appeals where the Secretary of State has certified the claim to be without foundation within seven days of their receipt, and all other asylum appeals within 42 days, in accordance with the Asylum Appeals (Procedure) Rules 1993.

ENVIRONMENT

Negative Equity

Mr. Milburn: To ask the Secretary of State for the environment, pursuant to his answer of 23 February, *Official Report*, column *268*, if he will update the table on the number of households in negative equity. [27532]

Mr. Robert B. Jones: Estimates of negative equity are sensitive to the house price index and other assumptions used. Based on Department of the Environment house price data, an estimate of the number of households affected by negative equity in the first quarter of 1995 and the value of negative equity by region is as follows:

Region	*Number of households (thousands)*	*Value (millions)*
South East	374	1,910
Greater London	100	371
South West	97	309
East Anglia	71	309
East Midlands	33	71
West Midlands	7	6
Wales	11	13
Yorks and Humberside	70	153
North West	41	29
North	28	40
Scotland	53	80
Northern Ireland	1	1
UK	886	3,292

This table is intended to provide only a broad indication of the level of negative equity. Certain assumptions used in compiling the table may have overstated the number. My Department is reviewing with the Bank of England the reliability of those assumptions.

Sewage Treatment

Mr. Congdon: To ask the Secretary of State for the Environment (1) what percentage of coastal discharge of sewage are given *(a)* no treatment, *(b)* preliminary and *(c)* secondary treatment; [28675]

(2) what steps are being taken to achieve those provisions of the urban waste water treatment directive requiring all towns, whether or not with a population greater than 10,000 to apply secondary treatment before discharge. [28676]

Mr. Atkins: Some 96 per cent. of the UK population is connected to a sewerage system. Eighty per cent. of sewage is treated and 90 per cent. of this receives secondary treatment or better. The proportions, already high in comparison with those in many continental countries, will rise as a result of investment over the next few years in particular the implementation of the urban waste water treatment directive. More detailed

information on the proportion of the UK's population receiving different levels of sewage treatment and the programmes for implementing the directive are contained in the report produced by the UK under article 17 of the directive, a copy of which is in the Library of the House.

Temporary Accommodation

Mr. Martyn Jones: To ask the Secretary of State for the Environment what is the percentage and total number of families in temporary bed-and-breakfast accommodation who have kitchen facilities. [28808]

Mr. Robert B. Jones: The information requested is not centrally available.

Paper Pulp

Mr. Pike: To ask the Secretary of State for the Environment (1) what guidelines his Department has published for the disposal of paper pulp; [29271]

(2) what discussions he has had with ADAS with regard to the disposal of paper pulp by spreading on land; [29272]

(3) what representations he has received regarding problems caused by the disposal of paper pulp at Thieveley Pike, Cliviger, Burnley; [29273]

(4) if he will call for an inquiry into environmental damage at Thieveley Pike, Cliviger, Burnley caused by the spreading of paper pulp; and if he will make a statement. [29274]

Sir Paul Beresford: Responsibility for the enforcement of waste management controls rests with waste regulation authorities such as Lancashire county council. It is an offence under section 33(1)(a) or (b) of the Environmental Protection Act 1990 to deposit, recover or dispose of controlled waste without a waste management licence or contrary to the conditions of a licence exemption. It is also an offence under section 33(1)(c) of the 1990 Act to carry out these activities in a manner likely to cause pollution of the environment or harm to human health.

We have provided exemptions from licensing in schedule 3 to the Waste Management Licensing Regulations 1994. Subject to certain conditions, paragraph 7 of schedule 3 exempts the spreading of de-inked paper sludge on land used for agriculture. The exemption applies only where the actively results in benefit to agriculture or ecological improvement and the waste regulation authority for the area are provided with information about the spreading.

We have provided guidance on this exemption in DOE circular 11/94 paragraph 5.66–5.86. I understand that Lancashire county council, as waste regulation authority for the area, is aware of the incident referred to by the hon. Member and has taken appropriate action. The Department has received no representation about the incident.

The Ministry of Agriculture Fisheries and Food has published codes of good agricultural practice for the protection of water in 1991 and for soil in 1993. The Department is also considering with MAFF the provision of technical guidance on the spreading of waste on land. In this context, officials have held discussions with ADAS and other consultants.

National Superdome, Odsal

Mr. Sutcliffe: To ask the Secretary of State for the Environment (1) what action will be taken in respect of safety issues such as fire risks, chemical fire or spillage at the proposed new national superdome at Odsal; [29005]

(2) what action will be taken in respect of fire and other anticipated safety hazards in the development of the national superdome. [29006]

Sir Paul Beresford: Should planning consent be granted for the superdome, these issues will be matters for the developers, the contractors the stadium operators and the appropriate safety authorities.

Mr. Sutcliffe: To ask the Secretary of State for the Environment what proposals are being considered to minimise risks to the public from chemical works and associated industrial development in the area of the proposed national superdome. [29004]

Sir Paul Beresford: A planning application for the superdome in Bradford has been referred to the Secretary of State as a departure from the development plan and is being assessed to decide whether it should be called in for public inquiry. The relevance of risk from other development is a matter for consideration in the normal procedures of local planning authorities and, where necessary, consultation with the appropriate safety authorities.

Conservation Areas

Mr. David Nicholson: To ask the Secretary of State for the Environment when a national list of sites will be sent to the European Commission under the habitats directive. [29856]

Mr. Gummer: Following extensive local and national public consultation launched on 31 March, a first list of 136 candidate special areas of conservation was sent today to the European Commission.

This list covers only sites on land and those that are already sites of special scientific interest. Consultation on possible marine sites will continue until 22 June.

I will announce the submission of a further tranche of sites to the Commission as soon as points raised in the consultation exercise have been fully considered and resolved.

A number of organisations have suggested additions to the list. These suggestions will be fully considered in accordance with the approach to site selection applied to the current list of possible sites and outlined in section 3 of "A list of possible Special Areas of Conservation in the UK" which was published on 31 March and placed in the Libraries. If the nature conservation agencies, through the Joint Nature Conservation Committee, advise that any of these additions qualify as possible SACs they will be published for consultation in due course. As indicated in my written reply to my hon. Friend the Member for Eastbourne (Mr. Waterson) on 31 March at column *834*, there will also be consultation on those sites proposed for certain habitats types and species where it is necessary first to complete further SSSI notifications or on which additional scientific information is being sought.

The list of sites which has been sent to the Commission is as follows:

Sites	*Country*
Amat Woods	Scotland
Ardmeanach	Scotland
Ballynahone Bog	Northern Ireland
Barry Links	Scotland
Beer Quarry and Caves	England
Benacre to Easter Bavents Lagoons	England
Berwyn	Wales
Birklands and BIlhaugh	England
Black Bog	Northern Ireland
Black Wood of Rannoch	Scotland
Balwhorn Moss	Scotland
Blean Complex	England
Borrowdale Woodland Complex	England
Braehead Moss	Scotland
Bredon Hill	England
Burry Inlet: Dunes/Cilfach Burry:Twyni	Wales
Cannock Extension Canal	England
Carrine Common	England
Castle Eden Dene	England
Castle Hill	England
Chilmark Quarries	England
Chilterns Beechwoods	England
Cockinhead Moss	Scotland
Coed y Cerrig	Wales
Coedydd a Cheunant Rheidol/Rheidol Woods	Wales
Coedydd Derw Meirion/Merionnydd Oakwoods	Wales
Coleg Glynllifon	Wales
Cors Caron	Wales
Cors Fochno	Wales
Corsydd Mon/Anglesea Fens	Wales
Cothill Fen	England
Craigengar	Scotland
Cranley Moss	Scotland
Creag nan Gamhainn	Scotland
Crymlyn Bog/Cors Crymlyn	Wales
Cuilcagh Mountain	Northern Ireland
Culbin Bar	Scotland
Culm Grasslands	England
Cym Cadlan	Wales
Derryleckagh	Northern Ireland
Drostre Bank	Wales
East Hampshire Hangers	England
Eastern Mournes	Northern Ireland
Ebernoe Common	England
Eilean na Muice Duibhe	Scotland
Elenydd	Wales
Eryri/Snowdonia	Wales
Fairy Water Bogs	Northern Ireland
Fenland	England
Feur Lochain	Scotland
Flow of Dergoals	Scotland
Gang Mine	England
Garron Plateau	Northern Ireland
Garry Bog	Northern Ireland
Glac na Criche	Scotland
Glannau Mon: Cors heli/Anglesea Coast: Saltmarsh	Wales
Glannau Mon: Twyni/Anglesea Coast: Dunes	Wales
Glanau Ynys Gybi/Holy Island Coast	Wales
Glen Coe	Scotland
Godrevey Head to St. Agnes	England
Great Orme's Head/Pen y Gogarth	Wales
Great Yews	England
Hascosay	Scotland
Helvellyn and Fairfield	England
Hill of Towanreef	Scotland
Holme Moor and Clean Moor	England
Hoy	Scotland
Inchnadamph	Scotland
Invernaver	Scotland
Isle of Wight Downs	England
Keen of Hamar	Scotland
Kenfig/Cynffig	Wales
Kilhern Moss	Scotland
Kingley Vale	England
Kirkcowan Flow	Scotland
Lewes Downs	England
Limestone seacliffs of S W Wales/Clogwyni Calchfaen De-Orllewin Cymru	Wales
Lismore Lochs	Scotland
Llangorse Lake/Llyn Syfaddan	Wales
Loch Watten	Scotland
Lydden and Temple Ewell Downs	England
Magheraveely Marl Loughs	Northern Ireland
Merrick Kells	Scotland
Minsmere to Walberswick Heaths and Marshes	England
Mochrum Lochs	Scotland
Monadh Mor	Scotland
Monawilkin	Northern Ireland
Moniack Gorge	Scotland
Morrone Birkwood	Scotland
Mound Alderwoods	Scotland
Newham Fen	England
Norfolk Valley Fens	England
North Northumberland Dunes	England
North Pennine Dales Meadows	England
Oak Mere	England
Oldshoremore and Sandwood	Scotland
Oxford Meadows	England
Pasturefields Salt Marsh	England
Pembrokeshire bat sites/Safleoedd Ystlumod Penfro	Wales
Pettigoe Plateau	Northern Ireland
Pewsey Downs	England
Pitmaduthy Moss	Scotland
Prescombe Down	England
Preseli	Wales
Queendown Warren	England
Reidside Moss	Scotland
Rex Graham-Reserve	England
Rhinog	Wales
Rhos Goch	Wales
Rhos Llawr-cwrt	Wales
Rooksmoor	England
Rum	Scotland
Slieve Beagh	Northern Ireland
St. David's/Ty Ddewi	Wales
Staverton Park and the Thicks, Wantisden	England
Strath	Scotland
Stromness Heaths and Coast	Scotland
Tanat and Vyrnwy Bat Sites/Safleoedd Ystlumod Tanat ac Efyrnwy	Wales
Taynish Woods	Scotland
Teal Lough	Northern Ireland
The Mens	England
The New Forest	England
The Stipperstones and the Hollies	England
Thorne Moor	England
Thrislington	England
Tingon	Scotland
Tregonning Hill	England
Trotternish Ridge	Scotland
Tulach Hill and Glen Fender Meadows	Scotland
Tyne and Allen River Gravels	England
Upper Lough Erne	Northern Ireland

Sites	Country
Wasdale Screes	England
West Midlands Mosses	England
Whitlaw and Branxholme	Scotland
Windsor Forest and Great Park	England
Wye and Crundale Downs	England

Opencasting

Mr. Sheerman: To ask the Secretary of State for the Environment what action his Department is taking to minimise detrimental environmental effects from *(a)* opencast mining and *(b)* quarrying. [29646]

Sir Paul Beresford: Tight, improved guidelines which upgrade environmental requirements on opencast mining were published last July. Similar guidelines for quarrying were published in April 1994. These guidelines would apply to any new permissions for either opencast mining or quarrying.

Social Housing

Mr. Alfred Morris: To ask the Secretary of State for the Environment what is his estimate of the likely need for social housing in Britain up to 2001. [28108]

Mr. Robert B. Jones: My Department estimates that the additional demand for new social lettings over the current public expenditure survey period lies within the range of 60,000 and 100,000 units per year.

Building Regulations

Mr. Corbett: To ask the Secretary of State for the Environment (1) what is the current timetable for recommendations to changes in part M of building regulations to be considered by the Building Regulations Advisory Committee; [29665]

(2) what is the current timetable for bringing into force parts M5 and M6 of building regulations. [29666]

Mr. Robert B. Jones: Officials in my Department are analysing all the many responses received to the consultation paper on part M of the building regulations issued earlier this year. I expect the Building Regulations Advisory Committee to consider this analysis in the autumn, after which its recommendations will be considered by Ministers. No decisions have been taken as to when any changes to part M should come into effect.

National Parks

Mr. Bennett: To ask the Secretary of State for the Environment under what circumstances he will call in a proposal for major development in a national park. [29877]

Sir Paul Beresford: Both within and beyond national parks, planning applications are, in general, called in for decision by my right hon. Friend only if planning issues of more than local importance are involved. He is very selective about calling in applications to determine himself. Such cases may include, for example, those which, in my right hon. friend's opinion, could have wide effects beyond their immediate locality, which give rise to substantial regional or national controversy, which may conflict with national policy on important matters and those where the interests of foreign Governments may be involved.

Mr. Bennett: To ask the Secretary of State for the Environment, if he will outline Government policy on major development proposals in national parks. [29879]

Sir Paul Beresford: Special considerations apply to major development proposals in national parks. Such development should not take place in national parks, the Broads and the New Forest heritage area save in exceptional circumstances.

Mr. Bennett: To ask the Secretary of State for the Environment for what reasons it was decided not to call in the planning application for further minerals extraction at Swinden quarry in the Yorkshire dales national park. [29875]

Sir Paul Beresford: The Secretary of State is selective about calling in applications for his determination and will, in general, take this step only if planning issues of more than local importance are involved. Each case must be considered on its individual merits. The decision not to call in the application to extend Swinden quarry, given the site's location in a national park, was taken only after the most careful scrutiny. The Secretary of State decided on the basis of the information before him that the application did not raise issues of more than local importance.

Mr. Bennett: To ask the Secretary of State for the Environment if the application for development at Swinden quarry was in accordance with the structure plan; and if it was subject to an officer recommendation of refusal. [28878]

Sir Paul Beresford: The Yorkshire dales national park authority considered the application to be contrary to the provisions of the north Yorkshire county structure plan. It was subject to an officer recommendation of refusal.

Mr. Bennett: To ask the Secretary of State for the Environment how many letters he has received requesting him to call in the application for further mineral extraction at Swinden quarry. [29876]

Sir Paul Beresford: The Secretary of State has received 55 letters asking him to call in the application for further mineral extraction at Swinden quarry. In addition a petition was received.

Thames Tunnel

Mr. Dowd: To ask the Secretary of State for the Environment if he will give approval to London Underground Ltd. to go ahead with shotcreting the Thames Brunel tunnel to allow tunnel repair and associated works to go ahead. [29874]

Sir Paul Beresford: An application by London Underground Ltd. for listed building consent to carry out works to the Thames tunnel has been notified to the Secretary of State for the Environment in order that he may consider whether he should determine it.

Very careful consideration is currently being given to whether the application should be called in. In these circumstances, it would not be appropriate to comment further on the matter.

Standard Spending Assessment

Mr. Harvey: To ask the Secretary of State for the Environment what assessment he has made of the answer of 21 February given by the Secretary of State for Education, *Official Report*, columns *183–84*, in relation to his statement in the debate on council budget capping on 15 June about comparative figures for Devon and Somerset local education authorities' central administrative costs; and if he will make a statement on whether the figures are correct. [29926]

Mr. Robert B. Jones: Our decisions on capping were based on the figures put to us by the authorities themselves as a part of their representations, rather than the 1992–93 figures listed in the answer of 21 February. In the view of Somerset county council the difference between the Somerset and the Devon figures in the answer may reflect differences in definitions or accounting practices between the authorities.

Local Government Commission

Mr. Patrick Thompson: To ask the Secretary of State for the Environment who will serve on the Local Government Commission for England. [30058]

Mr. Curry: Sir David Cooksey will be chairman. We have asked four of the existing commissioners to remain on the commission and they have agreed to do so. They are: Professor Malcolm Grant, Ken Ennals, Robert Scruton and David Thomas.

In addition, four new commissioners will be appointed with effect from 1 July 1995. They are: Peter Brokenshire, chairman of Redbridge and Waltham Forest family health services; Professor Michael Clarke, professor and head of the School of Public Policy, university of Birmingham; Helena Shovelton, chairman of the National Association of the Citizens Advice Bureaux; and Norman Warner, managing director of Warner Consultancy and Training Services Ltd.

Ministerial Meeting, Sofia

Mrs. Lait: To ask the Secretary of State for the Environment what steps he is taking to assist with the preparations for the pan-European conference of Environment Ministers to be held in Sofia in October. [30237]

Mr. Gummer: With the Austrian Minister of the Environment, I co-hosted and chaired a meeting of a number of Environment Ministers from western and eastern Europe at Lancaster house on 12 and 13 June to discuss key issues for the forthcoming Sofia conference and to guide the officials engaged in the detailed preparations. There was a consensus that the conference should focus on further implementation of the environmental action programme for Europe under which countries of central and eastern Europe are being assisted to tackle their most serious environmental problems, and that to this end enhancing environmental investment, encouraging the private and business sectors to become fully involved and protecting biodiversity were key areas for attention. My colleagues agreed that the Sofia conference should produce a number of concrete projects to demonstrate how new ideas could be realised, including the development of pilot projects for joint implementation under the climate change convention and the sulphur protocol.

In addition we have co-sponsored with our Austrian colleagues a study of impediments to environmental investment from the perspective of central and eastern European countries and we are assisting the Bulgarians directly with the conference preparations through the provision of a high-level adviser.

TREASURY

Barlow Clowes

Mr. Cohen: To ask the Chancellor of the Exchequer (1) how much Her Majesty's Government have paid to Barlow Clowes victims; [27272]

(2) if he will publish the statement read out in court in the recent Barlow Clowes case; and if he will set out the full terms of the settlement; [27274]

(3) what sums each of the relevant parties have agreed to pay to HM Treasury following the recent out-of-court settlement in connection with Barlow Clowes; [27270]

(4) for what reasons Her Majesty's Treasury agreed to settle out of court in the Barlow Clowes case; and on whose authority the decision was taken; [27273]

(5) what was the total cost to public funds of the action to obtain payment in the matter of Barlow Clowes recently settled out of court. [27271]

Mr. Nelson: The Government's publicly stated aim is to pursue vigorously any claims showing prospect of reducing the cost to the public purse of the ex-gratia payments scheme. This has paid some £150 million to investors who suffered loss as a result of the collapse of the Barlow Clowes group of companies in May 1988.

Consequently, the Government initiated litigation against a number of parties previously involved with Barlow Clowes companies. This litigation included proceedings against a group of professional advisers, comprising Midland bank plc, Rensburg and Co., Simpson Curtis, Singer and Friedlander Ltd., Singer and Friedlander (Isle of Man) Ltd., Sinjul Nominees Ltd., Spicer and Pegler, Spicer and Pegler (Gibraltar) and Touche Ross and Co.

The decision to settle the litigation by acceptance of a substantial sum in respect of claims made in those proceedings, including interest and costs, was taken after receiving firm legal advice from leading counsel and solicitors, which also confirmed the commercial good sense of such a course.

The settlement was signed and announced to the High Court on 24 May 1995. That statement made it clear the parties do not intend to make any further public statement, except as may be required of the Government by Parliament or of any defendant by its obligations to the stock exchange, concerning the settlement of these proceedings. I have arranged for a copy of the statement to the court to be placed in the Library.

It is generally the Government's policy not to comment on the detail of legal proceedings or settlements relating to the Barlow Clowes litigation, so as not to influence the attitude and outcome of continuing actions. The Government continue to pursue vigorously any claims in relation to the Barlow Clowes companies which show any prospect of cost-effective recovery in order to reduce the cost to the taxpayer of the ex-gratia payments schemes.

European Single Currency

Mr. Duncan Smith: To ask the Chancellor of the Exchequer what assessment he has made of the report of the study group on the role of public finance in European integration chaired by Sir Donald MacDougall, published in 1977; and what are his conclusions on its findings on the effect on the size of the European Community budget, in the event of the creation of a single currency. [27671]

Mr. Heathcoat-Amory: The MacDougall report was an early attempt to assess the role of the public finances in European integration. Its analysis reflected the thinking of the 1970s. The Government do not endorse its conclusions or its recommendation that the EC budget should grow to some five to seven per cent. of EC GDP to be compatible with monetary union. There is no provision in the Maastricht treaty for any such expansion of the EC budget and the Government remain committed to the firm ceilings on EC spending agreed at Edinburgh.

Parliamentary Questions

Mr. McMaster: To ask the Chancellor of the Exchequer how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because the information *(a)* could be obtained only at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered due to computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28519]

Mr. Nelson: The information requested could be provided only at disproportionate cost.

Mr. McMaster: To ask the Chancellor of the Exchequer what percentage of parliamentary questions, which would have been answered directly by him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28501]

Mr. Nelson: The chief executives of the four agencies responsible to the Chancellor of the Exchequer have delegated authority to reply to parliamentary questions on day-to-day operational matters within their responsibilities. Since October 1992, five questions to the Chancellor have been referred to chief executives for reply under these arrangements.

Works of Art

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer, pursuant to his reply of 9 June, *Official Report*, column *340*, how many owners of chattels had been granted conditional exemption from inheritance tax as capital transfer tax in each year since 1987. [28851]

Sir George Young: The numbers of owners are as follows:

1987: 35
1988: 51
1989: 44
1990: 41
1991: 69
1992: 73
1993: 55
1994: 63

These figures are for owners of chattels which are currently conditionally exempt, and can be viewed by appointment.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer, pursuant to his reply of 9 June, *Official Report*, column *340*, if he will place in the Library a copy of the register of conditionally exempt works of art. [28853]

Sir George Young: The register of conditionally exempt works of art, which now has over 14,000 entries, was computerised in 1993. As the hon. Member may be aware, there are established guidelines on the acceptance of electronic data by the House of Commons Library. The feasibility of making the register available through the Library will be explored and I will write to the hon. Member in due course.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer, pursuant to his reply of 9 June, *Official Report*, column *340*, how many owners of chattels which have been granted conditional exemption from inheritance tax as capital transfer tax have allowed access in the latest 12 month period for which figures are available to members of the public wishing to view conditionally exempt works of art. [28849]

Sir George Young: Records are not kept centrally of how many members of the public have exercised their rights to require owners of chattels conditionally exempt from inheritance tax or capital transfer tax to allow viewing of these works of art.

VAT

Mr. Thurnham: To ask the Chancellor of the Exchequer how much extra revenue would be raised from the extension of VAT to new building. [28884]

Mr. Heathcoat-Amory: The Treasury publication, "Tax Ready Reckoner and Tax Reliefs", shows that applying the standard rate of VAT to new dwellings is estimated to raise £1,950 million in a full year in 1994–95. This figure makes no allowance for behavioural changes.

Mrs. Peacock: To ask the Chancellor of the Exchequer how many businesses registered and deregistered for value added tax in *(a)* Batley and Spen and *(b)* west Yorkshire each year since 1983. [27710]

Mr. Heathcoat-Amory *[holding answer 13 June 1995]:* Customs does not have information concerning the number of businesses registered and deregistered in the Batley and Spen constituency. The local VAT office at Halifax covers, in addition to Halifax, the towns of Batley, Huddersfield, Wakefield, Morley, Todmorden and part of Bradford. The local VAT offices at Bradford, Doncaster, Halifax and Leeds cover the west Yorkshire area. They are able to provide only the number of registrations and deregistrations for VAT at the Halifax office and in west Yorkshire since 1985. These are in the following schedule.

Traders who are in business and trading below the registrations threshold may choose to register for VAT, if they wish. This gives them the advantage of being able to reclaim VAT paid on goods and expenses in connection with their business. Above the threshold level registration is obligatory.

The effect of the substantial increase in the registration threshold in both 1991 and 1993 provides an explanation for the net decrease in the number of registered businesses since 1991.

Year	*Registrations at Halifax office*	*Deregistrations at Halifax office*	*Registrations in West Yorkshire*	*Deregistrations in West Yorkshire*
1985	2,228	2,257	7,905	7,958
1986	2,254	2,329	8,299	8,862
1987	2,256	1,856	8,469	7,427
1988	2,634	2,110	10,274	7,946
1989	3,284	2,256	11,385	8,102
1990	2,646	2,318	10,013	8,245
1991	2,486	3,046	8,871	10,875
1992	2,147	2,652	8,302	9,967
1993	2,207	2,540	8,240	9,180
1994	1,891	2,443	7,373	8,621
1995[1]	482	560	1,605	2,004

[1]To end March.

Incapacity Benefit

Mr. Gareth Wardell: To ask the Chancellor of the Exchequer if a person who is in receipt of incapacity benefit will be treated for tax purposes in exactly the same way as a person in receipt of retirement pension. [28979]

Sir George Young: Both incapacity benefit and state retirement pension are taxable, except for incapacity benefit payable in the first 28 weeks of incapacity, and additional payments of both incapacity benefit and retirement pension payable to claimants with children. For most claimants, arrangements for collecting tax are broadly similar in both cases.

Gilts and Bonds

Mr. Butcher: To ask the Chancellor of the Exchequer when the Inland Revenue will make available a provisional compliance cost assessment on the proposals set out in the consultation paper on the taxation of gilts and bonds. [29242]

Sir George Young: My foreword to the Inland Revenue's consultation document makes clear that we are aiming for a major simplification of the current rules. This offers the prospect of substantial long-run compliance cost savings as well as wider efficiency gains. But the precise effects will depend on the details, a number of which have been expressly left open as matters for consultation.

If we decide to proceed with these proposals, the Inland Revenue will make available the compliance cost assessment once the details have been sufficiently settled and the responses given in consultation have been fully evaluated.

Northern Electric

Mr. Cousins: To ask the Chancellor of the Exchequer if he has voted his shares either directly or by proxy in recent shareholder votes in Northern Electric; whether he supported the call for an emergency annual meeting; and what public statement he has made on whether Northern Electric is to accept the offer of Trafalgar House plc. [29774]

Sir George Young: At no shareholder meeting have Treasury shares been voted. The Treasury was prepared to vote its shares in March in favour of the full cash alternative in reference to a combination of cash and Trafalgar House shares. Not to have so voted our shares would have meant acceptance by default of the latter option and would have involved, unacceptably, the Treasury taking a new stake in a private sector company. In the event, the Trafalgar House bid was withdrawn. The Government's usual policy is not to vote our shareholdings to intervene in the commercial activities of a privatised company but, in the circumstances of last March, we took account of the fact that Northern Electric had recommended acceptance of the Trafalgar House bid. Treasury Ministers have made no public statements on this matter.

Fundamental Expenditure Review

Mr. Cousins: To ask the Chancellor of the Exchequer which Minister in his Department is responsible for the fundamental expenditure review process; and how many such reviews have been approved so far by that Minister. [29740]

Mr. Aitken: Secretaries of State in Departments have been conducting the reviews in co-operation with me. The Departments listed have produced final reports already, but the reviews were intended to look at long term spending patterns and follow-up work and implementation are continuing in most cases.

Ministry of Defence
Department of Trade and Industry
Employment Department
Department of Transport
Urban spending by the Department of the Environment
Home Office
Lord Chancellor's Department
Department for Education
Department of National Heritage
Department of Health
Department of Social Security
HM Treasury
Customs and Excise
Inland Revenue

Investor Compensation Scheme

Mr. Darling: To ask the Chancellor of the Exchequer (1) if he proposes to meet the Securities Investment Board or the Personal Investment Authority to discuss the operation of the investor compensation scheme; and if he will make a statement; [29730]

(2) what information he has on the solvency of the investors compensation scheme set up under the Financial Services Act 1986; and if he will make a statement. [29729]

Mr. Nelson: I meet senior figures from the Securities and Investments Board, the Personal Investment Authority and the investors compensation scheme to discuss matters of policy and interest from time to time. I recently met the chairman and chief executive of the ICS.

Correspondence

Mr. Winnick: To ask the Chancellor of the Exchequer when the hon. Member for Walsall, North will receive a reply to his letter of 6 April referred from the Department of Social Security regarding a constituent, reference 0595/38. [29669]

Sir George Young: A reply was sent on 19 June.

Pensions

Mr. Denham: To ask the Chancellor of the Exchequer what measures he proposes to take to ensure that holders of appropriate personal pensions can rely on these policies to provide benefits at least as generous as those provided by SERPS. [27602]

Mr. Nelson *[holding answer 19 June 1995]:* It would be inappropriate for the Government to guarantee the investment performance of a personal pension. However, the financial services regulators have rules designed to ensure that financial advisers are trained, competent and able to recommend only products which are suitable for the individual investor and whose risks are properly explained.

Civil Servants

Mr. Milburn: To ask the Chancellor of the Exchequer, pursuant to his answer of 4 May, *Official Report*, column *264*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29284]

Mr. Nelson *[holding answer 19 June 1995]:* Inefficiency is a ground for dismissal. An immediate lump-sum payment of up to two years' salary may be made where a department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over 55, this may be forgone in favour of immediate payment of the accrued superannuation benefits which would otherwise be preserved for payment at retiring age. There have been 15 departures from the Treasury on inefficiency grounds in the past five financial years, 11 of which were during probation. No compensation was paid in any of these cases.

Electricity Privatisation

Mr. Darling: To ask the Chancellor of the Exchequer if he will set out the terms of reference of the Treasury inquiry into the circumstances surrounding the sale of PowerGen and National Power stock in March; if he will

name the official who is conducting this inquiry; if the completed inquiry report will be published in full; and if he will make a statement. [28841]

Sir George Young *[holding answer 15 June 1995]:* The stock exchange has suggested further examination into the circumstances surrounding the Genco2 share sale, including the dissemination of information between various parts of the public sector and between the public sector and the market. Sir Terence Burns has asked Mr. John Beastall, a senior Treasury official and former Treasury officer of accounts, to take this work forward and draft the Treasury response. He has been asked to examine in detail the events surrounding the share sale and the role of all the parties involved and any lessons to be learned for future share issues by public authorities. Once the work has been completed, the Permanent Secretary, Sir Terence Burns, will respond to the stock exchange and the response will be published.

PRIME MINISTER

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 20 June 1995. [27975]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 20 June. [27976]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

President Clinton

Rev. Martin Smyth: To ask the Prime Minister what contact he has had with President Clinton on plans for a visit to the United Kingdom. [27979]

The Prime Minister: I would welcome a further visit to the United Kingdom by President Clinton. We are discussing possible dates.

Nuclear Tests

Mr. Austin Mitchell: To ask the Prime Minister what steps he has taken to persuade the French Government not to resume nuclear testing and to oppose any proposals taken by them to do so. [29739]

The Prime Minister: We are in regular contact with the French Government, who are aware of our views.

BMARC

Mr. Cousins: To ask the Prime Minister if the intelligence sources referred to in the oral statement on BMARC by the President of the Board of Trade of 13 June, *Official Report*, columns 595–606, and dated at July and September 1988 used material from within the Astra group of companies. [29722]

The Prime Minister: It is not the Government's policy to comment on the sources of information contained in intelligence material.

Scott Inquiry

Mr. Cousins: To ask the Prime Minister, pursuant to his answer of 12 June to the hon. Member for Leeds, Central, (Mr. Fatchett) *Official Report*, column *373*, if he will list the external lawyers who have been used to provide advice for witnesses to the Scott inquiry; and if external lawyers have been used at the request of witnesses of Departments or of the Treasury solicitors. [29764]

The Prime Minister: The Government will have no objection to publishing the names of external lawyers who have been used to provide advice for witnesses to the Scott inquiry at public expense after Sir Richard Scott's final report has been published and provision of such advice has been concluded. External advice is provided at public expense either where the witness concerned requests it and the departmental legal adviser considers this reasonable or where, after consultation with his departmental legal adviser of the Treasury Solicitor, it is agreed that such advice should be sought.

Mr. Llew Smith: To ask the Prime Minister, pursuant to his answer of 24 February, to the hon. Member for Newcastle upon Tyne, Central, (Mr. Cousins) *Official Report*, column *353*, if further evidence has been taken in private by Lord Justice Scott. [29155]

The Prime Minister: Sir Richard Scott continues to obtain evidence, both oral and written, as the need arises. I am advised by the inquiry that the last evidence taken at a private hearing was on 4 May 1995.

Mr. Llew Smith: To ask the Prime Minister if the Cabinet Office has received any information on allegations that British companies had circumvented export control regulations or guidelines covering Iraq or Iran, which have not yet been passed on to Lord Justice Scott. [29151]

The Prime Minister: All information received by the Cabinet Office and identified as required by Sir Richard Scott's inquiry has been passed to the inquiry.

Mr. Llew Smith: To ask the Prime Minister if he has instituted any change in the system of distribution of intelligence reports to Ministers and their appropriate officials as a result of the problems outlined by Baroness Thatcher in her evidence to the Scott inquiry. [29150]

The Prime Minister: A number of improvements have been made, of which details have been given to the Scott inquiry.

Mr. Cousins: To ask the Prime Minister, pursuant to his answer of 12 June given to the hon. Member for Leeds, Central (Mr. Fatchett), *Official Report*, column *373*, how many requests for legal assistance for witnesses to the Scott inquiry have been turned down as unreasonable; and if he will break down the costs to public funds between the costs in respect of *(a)* external lawyers and *(b)* the Treasury solicitors. [29763]

The Prime Minister: Witnesses to the Scott inquiry who wish to seek legal assistance at public expense must first seek the approval of their departmental legal adviser

or the Treasury Solicitor's Department. Where necessary, the nature, scope, source and terms of such legal advice are discussed with the individual concerned. I am not aware of any case in which there was a disagreement over the provision of legal advice following such discussions. The information on legal costs is given in my answer to the hon. Member for Leeds, Central (Mr. Fatchett) today.

Mr. George Howarth: To ask the Prime Minister, pursuant to his answer to the hon. Member for Bradford, West (Mr. Madden), *Official Report*, column *374*, on leaks from the provisional draft report of Lord Justice Scott, who conducted the inquiry; what were the responses of those who were interviewed; and if he will publish the conclusions for the inquiry. [29519]

The Prime Minister: I have nothing further to add to my reply to the hon. Member for Bradford, West (Mr. Madden) on 12 June, *Official Report*, column *374*.

Security Vetting

Mr. Cohen: To ask the Prime Minister, pursuant to his answer of 24 April, *Official Report*, column *344*, if contractors who carry out basic checks are now obliged to require their employees and potential employees to disclose to them any information concerning any criminal record, including those which are spent and if he will make a statement. [29770]

The Prime Minister: Contractors are obliged only to carry out basic checks on employees or potential employees who will have access to Government assets. As part of a basic check, employees and potential employees are not required to disclose spent convictions. Contractors have a duty to request from their employees and potential employees, a completed criminal record declaration form. However, employees and potential employees do not have to return the form to their employer; if they prefer, they can pass it directly to the contracting Department or agency.

In my answer of 24 April, I also referred to exceptional cases where, in the interests of national security, and with the agreement of the Cabinet Office, Office of Public Service and Science, extra inquiries are necessary in addition to those carried out for a basic check. Where these include a check against the national collection of criminal records, individuals are required to declare spent convictions, as permitted under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, and the rehabilitation of Offenders Act (Northern Ireland) Order 1978 (Exceptions) Order 1979. This information is available only to the contracting Department or agency and is not accessible by the contractor.

Intergovernmental Conference

Mr. David Porter: To ask the Prime Minister, pursuant to his answer of 12 June, *Official Report*, column *374*, which treaty gives authority to the common fisheries policy, and which is subject to amendment at the 1996 inter-governmental conference; and if he will make it his policy to seek withdrawal from the common fisheries policy. [28923]

The Prime Minister *[holding answer 19 June]:* Fisheries are part of the common agricultural policy governed by articles 38–47 of the EC treaty which will be reviewed as part of the 1996 intergovernmental conference. The detailed rules of the common fisheries policy are set out in the Council regulation 3760/92 which comes up for formal review in 2002. We have no plans for UK withdrawal from the common fisheries policy, but we are continuing to work for improvements in the appropriate fora.

Overseas Visits (Royal Family)

Mr. Mackinlay: To ask the Prime Minister when the royal household sought the advice of Her Majesty's Government on the appropriateness of a member of the royal family attending the Island games, Gibraltar, to be held in July. [28674]

The Prime Minister *[holding answer 19 June]:* Official visits overseas by members of the royal family are made on the advice of the Government. The Princess Royal had hoped to attend the Island games in Gibraltar in July but, in the event, she was unable to do so.

TRANSPORT

Motorway Noise

Mr. Chidgey: To ask the Secretary of State for Transport what steps his Department takes to monitor noise levels faced by residential properties located near to motorways. [28166]

Mr. Watts: This is an operational matter for the Highways Agency. I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Mr. David Chidgey, dated 20 June 1995:

As you know, the Minister for Railways and Roads, Mr. John Watts MP, has asked me to write to you in reply to your recent Parliamentary Question concerning the question of monitoring of noise levels faced by residential properties located near to motorways. No routine monitoring of noise levels adjacent to trunk roads or motorways is undertaken, there being no requirement on the Highways Agency to do so.

Mr. Chidgey: To ask the Secretary of State for Transport if he will list the sections of the British motorway network where noise levels exceed 68 db(A) at the facade of adjacent residential properties of which an increase of at least 1 db(A) is attributable to traffic on the new or improved motorway. [28167]

Mr. Watts: This is an operational matter for the Highways Agency. I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Mr. David Chidgey, dated 20 June 1995:

As you know, the Minister for Railways and Roads, Mr. John Watts MP, has asked me to write to you in reply to your recent Parliamentary Question requesting a list of the sections of the British motorway network where noise levels exceed 68 db(A) at the facade of residential properties of which an increase of at least 1 db(A) is attributable to traffic on the new or improved motorway.

The Highways Agency is only responsible for motorways in England. I cannot therefore comment on motorways in the other parts of the United Kingdom.

The Noise Insulation Regulations require an offer of insulation or grant to owners of residential properties which qualify in accordance with the criteria you have quoted within six months of a new or improved road being open to traffic, but statistics of such offers are not collected centrally.

Driving Test

Mr. Pickthall: To ask the Secretary of State for Transport what is the latest situation in the Government's planning for a theory test as part of the driving test; and what assistance and information is available for driving instructors to enable them to prepare for the change. [29361]

Mr. Norris: I refer the hon. Member to a reply I gave on 23 May, *Official Report*, columns *567–68*.

Driving instructors are being kept abreast of significant developments as they happen. The Driving Standards Agency, which will have overall responsibility for this new test, plans to publish, in early spring, a handbook for candidates and their instructors about the new driving theory test which will include the official bank of questions.

Air Accidents Investigation Branch

Mr. Burden: To ask the Secretary of State for Transport what arrangements have been made for continued pathology support to the AAIB in the event of an alteration to the RAF Institute; and if he will make a statement. [29888]

Mr. Norris: The RAF Institute of Pathology and Tropical Medicine is to be disbanded, but the department of pathology is to be retained and co-located with the school of aviation medicine. They intend to continue to support the air accidents investigation branch in its accident investigation for the foreseeable future.

Mr. Burden: To ask the Secretary of State for Transport on how many occasions in the last five years the RAF Institute of Pathology and Tropical Medicine has assisted the AAIB in its investigations; and if he will list these occasions on a year-by-year basis. [29887]

Mr. Norris: The RAF Institute of Pathology and Tropical Medicine has assisted the air accidents investigation branch on 103 occasions since 1 January 1990. The lists are as follows:

Civilian accidents attended by RAF IPTM 1990–95

Date	*Aircraft*	*Location*	*Fatalities*
9 February 1990	Christen Eagle	Pleshey Castle	1
18 March 1990	Fournier Glider	Rattlesdon	1
24 March 1990	Cessna F150M	Mere	2
28 March 1990	Robinson R22	Chinnor	1
5 April 1990	Cessna 210	Dunbrach	2
21 April 1990	Microlight	Chirk	1
28 April 1990	Rollason Condor	Tibenham	1
3 May 1990	Grob G109	Wolford Health	2
19 May 1990	Piper PA28/ Tiger Moth	Redhill	4
27 May 1990	Ralleye Tobago	Stranraer	5
27 June 1990	Augusta	Rocester	2
7 July 1990	Piper PA28	Cranfield	3
13 July 1990	Bell 206	Stanley	2
17 July 1990	Cessna 150	Skegness	2

Civilian accidents attended by RAF IPTM 1990–95

Date	*Aircraft*	*Location*	*Fatalities*
25 July 1990	Sikorsky	Brent Spar	5
4 August 1990	Puchaez Glider	Usk	1
31 August 1990	Hughes	Felsted	1
20 October 1990	Partenavia	Castle Donnington	1
20 November 1990	Piper PA28	Dunbar	1
1 December 1990	Air Commander	Lannocks Hill	2
27 December 1990	Cessna F150F	Lasham	2
10 March 1991	Cessna 175	Goodwood	1
31 March 1991	Piper Tomahawk	Coventry	2
13 April 1991	Nieuport Scout	North Weald	1
12 May 1991	Glider	Syresham	1
16 May 1991	Cessna	Llangollen	3
20 May 1991	Provost	Newbury	1
20 May 1991	Piper PA28	Lancaster	2
30 June 1991	Dragon Rapide	Audley End	1
6 July 1991	Taylor	Bristol	1
14 August 1991	Microlight	Ashbourne	1
17 August 1991	Christen Eagle	Ashampstead	2
8 September 1991	Robinson R22	Stratford	1
16 December 1991	Cessna 210	Goodwood	1
13 February 1992	Piper Cherokee	Keswick	1
15 February 1992	Cessna 172	West Thurrock	2
23 February 1992	Robinson R22	Oldham	2
28 March 1992	Robinson R22	Telford	1
8 April 1992	Piper	Teeside	1
28 April 1992	Grob 115	Loch Muick	2
4 May 1992	Microlight	Colchester	2
29 May 1992	Robinson R22	Chesham	2
27 June 1992	Spitfire	Manchester	1
27 June 1992	Microlight	Chester	1
12 July 1992	Piper	Kidlington	2
16 July 1992	Piper Seneca	Clitheroe	1
14 August 1992	Jet Ranger	Bracknell	2
22 August 1992	Socata	Jura	4
22 September 1992	Dauphine	Piper Oil	1
4 October 1992	Cessna	Barnstable	1
6 October 1992	Jestream	Prestwick	2
17 November 1992	Pitts Special	Latimer	1
7 December 1992	Cessna	Loxters Farm	2
9 December 1992	Beechcraft	Berkhamstead	1
13 January 1993	Bandierante	Sellafield	2
18 January 1993	Piper Bravo	Ayr	2
21 March 1993	Socata	Sevenhampton	1
8 April 1993	Wassmer WA52	Teignmouth	1
27 April 1993	Boeing 707	India	1
11 May 1993	Hawker Hunter	Sheffield	1
23 June 1993	Microlight	Sandown	1
20 July 1993	Beechcraft Bonanza	Ashford	1
13 August 1993	Glider	Buxton	1
15 August 1993	Piper Navajo	Guildford	1
15 September 1993	Piper PA28	Dumfries	1
3 October 1993	Stardust III	Bridport	1
16 October 1993	Glider	Ruthin	1
15 November 1993	Auster	Orpington	1
20 November 1993	Robinson R22	Abergavenny	1
11 December 1993	Autogyro	Almer	1
8 January 1994	Mooney	Telford	2
15 January 1994	Bell Ranger	Luton	1
17 January 1994	Cessna 182	Keswick	2
20 January 1994	Socata	Walsall	4
25 February 1994	Viscount	Stafford	1
20 March 1994	Yak	Warwick	1
22 May 1994	Bell	North Wales	3
30 May 1994	Glider	Dunstable	1
8 June 1994	Robinson R22	Hampshire	2
9 June 1994	Glider	Cheddar	1
25 June 1994	Steen Skybolt	Penzance	2
30 June 1994	Airbus	Toulouse	1
21 July 1994	Microlight	Stadbrooke	2
1 August 1994	Morane Saulnier	Parham	2
3 August 1994	Glider	Norwich	1
26 August 1994	Glider	Hereford	1
9 October 1994	Grunman AA5	Louth	1
2 November 1994	Cessna 187	Worthing	2
7 December 1994	Squirrel	Ballacuish	1
21 December 1994	Boeing 737	Coventry	5
26 December 1994	Robin	Stableford	4

Civilian accidents attended by RAF IPTM 1990–95

Date	*Aircraft*	*Location*	*Fatalities*
14 February 1995	Harvard	Maldon	1
13 March 1995	Harvard	Andover	1
21 March 1995	Cessna 150	Wakefield	1
15 April 1995	Glider	Buxton	1
28 April 1995	Microlight	Bromyard	1
30 April 1995	Piper Cherokee	Ipswich	1
5 May 1995	Glider	Leicester	1
5 May 1995	Squirrel	Glasgow	1
7 May 1995	Glider	Parham	1
25 May 1995	Bandierante	Leeds	12
11 June 1995	Glider	Abergavenny	1

Privatisation

Mr. McNamara: To ask the Secretary of State for Transport if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29431]

Mr. Norris: No part of the Department has been privatised without an in-house bid. The following services have been contracted out without an in-house bid, as part of the competing for quality programme:

Driver and Vehicle Licensing Agency

Internal audit services

Waste collection

Vehicle Inspectorate

Workshop

Building and estate management

IT Strategy

Roller brake testing

Library services

Weighbridge maintenance

Coastguard Agency

Property management

Central Transport Group

File storage

Procurement of office machines

Reprographics

Computer bureau services

Stationery supplies

Books and periodicals

Vehicle Certification Agency

Microfilm, data storage and retrieval

Providing information on expertise not available to the Department in relation to individual bids would involve disproportionate cost. Contracting out without an in-house bid can occur, for example, where the Department judges that the private sector is clearly better equipped to deliver a specific service, has a better understanding of market needs or has a capacity to invest in new technology. Where an activity is relatively small and peripheral to a Department's functions, a strategic decision to contract out can also be taken.

For the future, my right hon. Friend intends to privatise the Transport Research Laboratory and has announced his readiness to consider, among other sale options, an in-house bid from management and staff to take over the laboratory as a non-profit distributing company. The Department proposes to contract out the following services without an in-house bid, as part of the competing for quality programme:

Central Transport Group

Library services

Inquiry services

Publication services

New Headquarters:

- building management and maintenance
- telecoms
- catering
- security
- post and messengers

Central services (IT communications network)

DOT publications

Highways Agency

Road surface and strength testing unit

Topographical and architectural model making unit

Management of land and property acquired for roads programme

Administrative arrangements for public inquiries into road schemes

Cones hotline

Coastguard Agency

Accommodation support services

Training facility

Marine Safety Agency

Survey and certification

Equipment approvals and seafarers sight testing

Fishing vessel safety equipment inspections

Cycle Lanes

Mr. Sheerman: To ask the Secretary of State for Transport how many miles of cycle lane have been provided in each of the last five years. [29645]

Mr. Norris: This information is not available centrally, and could be provided only at disproportionate cost.

Driving Licences

Mr. Cohen: To ask the Secretary of State for Transport how many times per year the information contained in a driving licence can be changed; and how many prosecutions have been undertaken over the last three years of individuals who have failed to provide an up to date address. [29767]

Mr. Norris: There is no limit to the number of times per year the information contained in a driving licence can be changed.

Information on the number of prosecutions against drivers who have not notified the Driver and Vehicle Licensing Agency of a change of address is not available.

Brent Spar

Ms Walley: To ask the Secretary of State for Transport what information was received by the Coastguard Agency in respect of the arrangements for the towing of the Brent Spar. [29246]

Mr. Norris: This is an operational matter for the Coastguard Agency. I have asked the chief executive to write to the hon. Member.

Letter from C. J. Harris to Ms Joan Walley, dated 20 June 1995:

The Secretary of State for Transport has asked me to reply to your recent Parliamentary Question as the question deals with an operational matter, for which I have responsibility as Chief Executive.

On 6 June 1995 the Regional Controller of HM Coastguard's North and East Scotland Region met with the installation operators, Shell, and Grampian Police to discuss the towage of the Brent Spar. At this meeting he explained that HM Coastguard's responsibility was to monitor the sea safety of all concerned in the operation, and to coordinate any search and rescue action that might be required.

Aberdeen Coastguard received a fax from the towage contractors on 6 June in accordance with the normal procedures for moving offshore installations, giving notice that the tow was due to proceed on 8 June. A second fax was received on 12 June giving notification that the tow had commenced.

HOUSE OF COMMONS

Public Gallery Queue

Mr. Mullin: To ask the Chairman of the Administration Committee what plans he has to provide shelter for the queue for the public gallery; and if he will make a statement.

Mr. Michael Martin *[holding answer 19 June 1995]:* Space currently exists in St. Stephen's Hall to provide shelter for some 80 visitors awaiting entry to the Public Gallery of the House. There are no plans to augment this at present.

EDUCATION

Tuition Fees

Mr. Pickthall: To ask the Secretary of State for Education what is the total costs per Oxford and Cambridge colleges of the tuition fees top-up. [29360]

Mr. Boswell: The Department estimates that total public funding payable through the mandatory awards system in the current academic year for undergraduate college fees at Oxford and Cambridge colleges to be approximately £56,000,000. The Higher Education Funding Council for England takes account of the Oxbridge colleges' fee income in determining the level of grant payable to the universities of Oxford and Cambridge and abates those universities' grants accordingly.

Charter Week

Mr. Morgan: To ask the Secretary of State for Education what are the main events she is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [29881]

Mr. Forth: Public service events planned by the Department for Education to coincide with the fourth anniversary of the citizens charter are likely to include the announcement of the content of the 1995 school and college performance tables and a briefing paper on value added for schools and colleges. There will be no additional cost or staff resources as a result of these events. The officials concerned will be working on them as part of their normal duties.

Ofsted

Mr. Don Foster: To ask the Secretary of State for Education what was the cost of establishing Ofsted. [18608]

Mr. Boswell *[pursuant to his reply, 5 April, column. 1195]:* The establishment of Ofsted was contained within the existing departmental running costs, and was not separately identified. The £8.225 million transferred to Ofsted by DFE in 1992–93 was used to establish a new vote for Ofsted from which running costs later in the year were covered. None of the set-up costs fell to this vote.

Mr. Don Foster: To ask the Secretary of State for Education what are the total running costs of all non-departmental public bodies sponsored by her Department, including the National Council for Vocational Qualifications and OFsted for each year since 1987. [17248]

Mr. Boswell *[pursuant to his reply, 18 April 1995 columns. 50–52]:* The net running costs of OFsted in 1992–93 were £13.917 million and not £22.145 million.

OVERSEAS DEVELOPMENT ADMINISTRATION

Micro-enterprise Development

Mr. O'Hara: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will be announcing his decision on the request for support by the Grameen Trust; and if he will make a statement. [29671]

Mr. Baldry: I refer the hon. Member to the answer I gave to the hon. Member for Hampstead and Highgate (Ms Jackson) on 23 May at column *511.*

Aid and Trade Provision

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the additional projects to be funded, and the sums allocated, by the 31 million returned to the aid budget for 1995–96 from *(a)* the Pergau dam project and *(b)* three other aid and trade provision projects. [29342]

Mr. Baldry: The reimbursed funds were fully integrated into ODA's planning and were thus not reallocated on an individual basis. Details of a breakdown of the aid budget planning allocations for 1995–96 can be

found in table 30, page 61 of the ODA's departmental report.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the estimated rate of return on the Cigading/Serpong railway ATP project in Indonesia at the time of appraisal; what is the actual post-completion rate of return; on what date the project was approved by the sub-committee for aid and trade; and on what date the project was approved by the Minister for Overseas Development. [28297]

Mr. Baldry: A rate of return for the Cigading/Serpong railway project was not calculated at the time of appraisal. The developmental justification for the project was based on the use of rail as the least cost mode to transport coal from Cigading port to cement works at Cibinong. It is not possible to provide a post-completion rate of return because the line is still under construction. The project was approved by the sub-committee for aid and trade, and by the then Minister for Overseas Development, in November 1986.

Family Planning

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library copies of his Department's reports on the monitoring of the work of the UNFPA and IPPF. [28952]

Mr. Baldry *[holding answer 19 June 1995]:* The Overseas Development Administration's recent case studies in certain countries on the work of the United Nations Population Fund and the International Planned Parenthood Federation were carried out using material and documents provided on the basis that the information and findings would be treated in confidence.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what written information was supplied to his Department prior to, at and following the last meetings of the UNFPA's governing body and the IPPF's annual donor's meeting. [28953]

Mr. Baldry *[holding answer 19 June 1995]:* In respect of the United Nations population fund papers were supplied on the following: financial matters; policy and strategy; country programmes; and responses to the United Nations General Assembly resolutions on United Nations systems reform.

In respect of the International Planned Parenthood Federation the principal document provided was the annual report supplement, copies of which have already been placed in the Libraries of the House.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the Chinese Family Planning Association's response to the Chinese Government's eugenics law. [28960]

Mr. Baldry *[holding answer 19 June 1995]:* We understand that the China Family Planning Association has made no public statements on the new maternal and child health law.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the number of Chinese officials convicted of abusing their powers in implementing the Chinese programme of population control. [28961]

Mr. Baldry *[holding answer 19 June 1995]:* We understand that no such records are available.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what matters have been discussed at meetings between officials from the British embassy in Peking and representatives of UNFPA in China. [28955]

Mr. Baldry *[holding answer 19 June 1995]:* Officials from the British embassy in Peking have periodic contact with representatives of the United Nations population fund to discuss UNFPA's work in China as well as a range of issues relating to China's population policy and its implementation.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what sum of money has been provided by the UNFPA to population control projects in China over the last 10 years; [28957]

(2) what sums of money have been provided to *(a)* the Chinese Family Planning Association and *(b)* other Chinese population control initiatives by the IPPF over the last 10 years. [28956]

Mr. Baldry *[holding answers 19 June 1995]:* Neither the United Nations population fund nor the International Planned Parenthood Federation provides funds for population control projects. The IPPF has provided US$ 7.776 million to the China Family Planning Association since 1986 and the UNFPA has allocated US$ 152.451 million since 1979, for its programmes in China.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what sums of money were donated by the UNFPA and IPPF from their core budgets to countries worldwide for the last year for which figures are available; and if he will list the recipient countries together with the amounts received from each organisation. [28959]

Mr. Baldry *[holding answer 19 June 1995:]:* I refer the hon. Member to the answer I gave on 30 November 1994, column *713.*

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those occasions in the last 10 years when aid has been tied to implementation of family planning programmes by donor countries. [28954]

Mr. Baldry *[holding answer 19 June 1995]:* We are not aware of any donor countries which have tied aid to the implementation of family planning programmes during the last 10 years.

Abortion

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if the recent World Health Organisation's study into the numbers of women worldwide who die after abortion distinguished between unsafe abortions and illegal abortions. [28958]

Mr. Baldry *[holding answer 19 June 1995]:* The World Health Organisation study does not distinguish between unsafe abortions and illegal abortions.

FOREIGN AND COMMONWEALTH AFFAIRS

French Nuclear Tests

Mr. Gerrard: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to his French counterpart regarding the resumption of nuclear weapons tests by the French Government. [29462]

Mr. David Davis: We are in regular contact with the French Government, who are aware of our views.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make statement about the new mandate of the United Nations Mission in Rwanda force in Rwanda. [29505]

Mr. Douglas Hogg: Under United Nations Security Council resolution 997, the revised mandate of UNAMIR now includes assisting the Government of Rwanda in facilitating the voluntary and safe return of refugees and supporting its efforts to promote a climate of confidence and trust through the performance of monitoring tasks throughout the country. We hope that this revision will facilitate UNAMIR's efforts to promote national reconciliation in Rwanda.

Births on Vessels

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs how many ships masters have reported a birth aboard their vessels to a consular office during the last 10 years. [29592]

Mr. Baldry: Ships masters are not required to report or register births on board their vessels to consular officers. They report births, and deaths, to the Marine Superintendent at the Registrar General of Shipping and Seamen, Cardiff.

Chinese State Orphanages

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what measures he intends to take to promote proper care for abandoned children in Chinese state orphanages; and if he will make a statement; [29783]

(2) what information he has received as to physical restraint of children in Chinese state orphanages; and if he will make a statement; [29781]

(3) what representations his Department has made in the last two years to the Chinese authorities regarding allegations of the existence of dying rooms in Chinese state orphanages; [29792]

(4) what representations his Department has made to the Chinese Government regarding their treatment of orphans and abandoned children; [29791]

(5) what reports he has received alleging absence of care in Chinese state orphanages; [29776]

(6) what reports he received as to who cares for abandoned babies in Chinese state orphanages; and if he will make a statement. [29780]

Mr. Goodlad: We continue to be deeply concerned about reports of abuses of children in certain Chinese state orphanages.

We have received varying reports about standards of care in Chinese orphanages. The Chinese Government provide social health care workers to look after abandoned babies. We believe that the ratio of staff to children, and the quality of staff, vary around the country. We believe that conditions in the orphanages also vary, but some include the use of physical restraint of children.

We take every suitable opportunity, both bilaterally and in conjunction with our European Union partners, to express to the Chinese authorities our concerns about reports of human rights abuses in China. My right hon. Friend the Foreign Secretary, for example, discussed human rights in China with the Chinese Foreign Minister in New York on 18 April.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what statements have been issued by the Chinese Government on their missions to Great Britain regarding the standards of care in Chinese state orphanages and the existence of dying rooms. [29777]

Mr. Goodlad: I refer the hon. Member to the fact sheet on China's orphanages issued by the Chinese embassy in London on 13 June 1995, a copy of which will be placed in the Library.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if representatives of Her Majesty's Government will raise the issue of the condition of abandoned children in Chinese state orphanages at the United Nations conference on women in Beijing. [29778]

Mr. Douglas Hogg: No. We are deeply concerned about reports of ill treatment and neglect of children in Chinese orphanages, but the UN conference on women has not been called to address specific issues of this kind in individual countries.

Intergovernmental Conference

Mr. Robin Cook: to ask the Secretary of State for Foreign and Commonwealth Affairs what plans his Department has to publish a White Paper outlining Her Majesty's Government's objectives and priorities for the 1996 intergovernmental conference of the European Union. [29670]

Mr. David Davis: We have no plans to publish a White Paper on priorities for the IGC. We shall continue to keep the House informed of our approach as it develops.

Zaire

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about *(a)* the security situation in Zaire relating to disputes between the Rwandan refugees and local

Zaireans and *(b)* the likelihood of armed incursions by Hutu refugees into Rwanda. [29504]

Mr. Baldry: The initiative of the United Nations High Commissioner for Refugees to deploy Zairean forces and international liaison staff in the camps in eastern Zaire has significantly reduced tensions and incidents involving refugees and the local population.

We are obviously concerned by the possibility of armed incursions into Rwanda. We therefore welcome the agreement of the government of Zaire to allow UN observers in eastern Zaire, to monitor the embargo imposed by the Security Council on supplies of arms intended for use within Rwanda.

ATTORNEY-GENERAL

Parliamentary Questions

Mr. McMaster: To ask the Attorney-General how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because the information *(a)* could be obtained only at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered due to computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28503]

The Solicitor-General: The information requested could be provided only at disproportionate cost.

Mr. McMaster: To ask Mr. Attorney General what percentage of parliamentary questions, which would have been answered directly by him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28484]

The Solicitor General: Ministers are accountable to Parliament for all matters concerning their agencies. Written parliamentary questions concerning matters which have been delegated to the chief executive of an executive agency in its framework document, normally receive a reply from the Minister to the effect that he or she has asked the chief executive to reply direct to the Member by letter. The chief executive's letter is published in *Hansard* below the Minister's reply.

NORTHERN IRELAND

Chernobyl

Mr. Simpson: To ask the Secretary of State for Northern Ireland how many farms are still affected by restriction notices imposed due to radioactive contamination following the Chernobyl nuclear accident in 1986; what land area these farms constitute; and what percentage of available farmland in Northern Ireland this represents. [28601]

Mr. Ancram: In Northern Ireland 55 farms comprising 5,728 hectares and representing 0.54 per cent. of the area available for farmland, are still under restriction.

Confectionery Sales (Schools)

Mr. Martyn Jones: To ask the Secretary of State for Northern Ireland under what authority the selling of confectionery in schools may be prohibited; and which schools have prohibited its sale. [28828]

Mr. Ancram: There are no specific statutory provisions relating to this issue and it is a matter for boards of governors of schools at a local level. All grant-aided schools are, however, required by law to have schemes of management and it is from these that the authority of the principal and board of governors for the day-to-day management of the school is derived.

I am not aware of any schools in Northern Ireland where the selling of confectionery has been prohibited.

School Meals

Mr. Martyn Jones: To ask the Secretary of State for Northern Ireland what nutritional quality standards there are for school meals; and when was the last change in these standards. [28813]

Mr. Ancram: The current arrangements, as approved by the Department of Education, require that menus be planned within the following nutritional guidelines:

	School type		
	Nursery	*Primary*	*Senior pupils in special schools*
Total Protein	27g	27g	27g
Animal protein	16.5g	16.5g	18.5g
Fat	32g	32g	32g
Calories	500–550	650–700	880

Nutritional standards are not prescribed in post-primary schools. The last change in these standards was in 1981.

Mr. Martyn Jones: To ask the Secretary of State for Northern Ireland, what was the net expenditure on school catering services *(a)* in total; and *(b)* for free school meals for each year since 1987 broken down by county. [28801]

Mr. Ancram: The information is as follows:

£000's

Year	*Belfast education and library board*	*Western education and library board*	*North-Eastern education and library board*	*South-Eastern education and library board*	*Southern education and library board*	*Voluntary grammar schools*	*Integrated schools*	*Total*
1987–88								
(a)	3,932	5,148	5,013	2,827	5,396	1,635	0	23,951
(b)[1]	3,824	4,765	4,213	2,325	4,759	1,045	0	20,931
1988–89								
(a)	3,645	4,699	4,613	2,743	5,207	1,411	0	22,318

£000's

Year	Belfast education and library board	Western education and library board	North-Eastern education and library board	South-Eastern education and library board	Southern education and library board	Voluntary grammar schools	Integrated schools	Total
(b)[1]	3,525	3,660	3,518	2,110	3,852	833	0	17,498
1989–90								
(a)	4,024	5,197	4,869	3,027	5,282	1,465	0	23,864
(b)[1]	3,701	4,252	3,504	2,304	4,130	843	0	18,734
1990–91								
(a)	3,918	5,164	5,105	3,143	5,438	1,383	0	24,151
(b)[1]	3,603	4,017	3,800	2,427	4,191	818	0	18,856
1991–92								
(a)	4,195	5,669	5,557	3,287	5,920	1,812	124	26,564
(b)[1]	3,292	4,381	4,219	2,717	4,715	996	57	20,377
1992–93								
(a)	4,247	6,115	5,618	3,151	6,199	1,781	219	27,330
(b)[1]	4,020	4,844	4,389	2,746	4,930	1,020	98	22,047
1993–94								
(a)	[2]4,484	[2]6,280	[2]5,665	[2]3,302	[2]6,193	1,859	368	28,151
(b)[1]	4,377	5,132	4,459	2,678	4,987	1,109	146	22,888

[1] Estimated expenditure.
[2] Provisional figures.

Higher Education

Mr. Llwyd: To ask the Secretary of State for Northern Ireland how many people from Northern Ireland were studying at a higher education institution in the United Kingdom in *(a)* 1993–94 and *(b)* 1994–95; and if he will make a statement. [29033]

Mr. Ancram: The information is as follows:

1993–94: 40,149

1994–95: 46,307 (Provisional)

Mr. Llwyd: To ask the Secretary of State for Northern Ireland what was the average A-level point score of students embarking on first degrees at Northern Irish higher education institutions in *(a)* 1991–92, *(b)* 1992–93 and *(c)* 1993–94; and if he will make a statement. [29036]

Mr. Ancram: The information for Northern Ireland universities is as follows:

1991–92: 19.8

1992–93: 19.7

1993–94: 19.9

Information for teaching training colleges in Northern Ireland is available only for 1993–94 when the average A-level point score was 18.0.

Mr. Llwyd: To ask the Secretary of State for Northern Ireland what proportion of Northern Ireland higher education departments received a research rating of *(a)* three or above and *(b)* five during the recent research assessment exercise; and if he will make a statement. [29037]

Mr. Ancram: In the 1992 UK-wide research assessment exercise, 71 per cent. and 3 per cent. of the units of assessments in higher education institutions in Northern Ireland received ratings of *(a)* three or above and *(b)* five respectively.

Student Loans

Mr. Llwyd: To ask the Secretary of State for Northern Ireland what was the average mandatory awards and loan expenditure on each student from Northern Ireland in 1994–95; what proportion of the figure went on *(a)* student loans, *(b)* fee expenditure and *(c)* maintenance expenditure; what were the corresponding figures for those studying at the universities of (i) Oxford and (ii) Cambridge; and if he will make a statement. [29038]

Mr. Ancram: The information is not available in the form requested. However, the average fee expenditure for the 1994–95 academic year is estimated at £1,244 and that for ordinary and supplementary maintenance at £1,456 and £171 respectively.

Final figures are not available for the average student loan in the current academic year. The latest year for which an actual figure is available is 1993–94 when the average student loan for Northern Ireland was £690.

Figures for those studying at the universities of Oxford and Cambridge are not held centrally and could be obtained only at disproportionate cost.

TRADE AND INDUSTRY

Domestic Gas

Mr. Brandreth : To ask the President of the Board of Trade if he has reached any further conclusions about the choice of area for the second phase of the transition to a competitive domestic gas market. [29067]

Mr. Eggar: I announced on 9 March that the first phase of competition in supplying domestic households, which will start in April 1996, will comprise 500,000 gas consumers in Cornwall, Devon and Somerset. My decision regarding the second phase will mean that in 1997:

the area for the first phase will be extended to cover a total of 1 million gas consumers in the south west; and

competition will be introduced in a second area, also comprising 1 million gas consumers in the south east.

This will mean that from 1997 a total of around 2 million households will potentially be able to choose which company supplies their gas.

The second phase of the transition will extend competition to about 1½ million domestic gas consumers

in East Sussex, West Sussex, Kent, Dorset and Avon to add to the 500,000 gas consumers in Cornwall, Devon and Somerset from April 1996, who are covered by the first phase.

The south-east received the second most support, after the south-west, in response to our recent consultation document on the choice of initial areas for the extension of competition to the domestic gas market. The chosen areas fulfil the criteria set out by the consultation document. They are clearly defined:

> both areas may be relatively disadvantaged by the transportation related charges—although the first supplier to declare its intention to enter the market in the south-west is still projecting average savings of 10 per cent. on BG's tariffs;
>
> two separate areas of this size will provide a thorough test of the technical and administrative systems in the second phase, ahead of the introduction of national competition in 1998;
>
> the areas have a mix of rural and urban areas and cross-section of types of customers.

The consultation demonstrated the widespread support for competition in gas supply with responses from all parts of the country requesting that they be included in the area where domestic consumers first benefit from competition in the gas market.

Coal Mining

Mr. Berry: To ask the President of the Board of Trade what action his Department took following receipt of a letter from the chief executive of Bristol city council dated 17 September 1993 regarding official coal mining searches prepared by British Coal; and if he will make a statement. [29596]

Mr. Page: The letter referred to was passed to British Coal on 11 October 1993 as a matter falling within their responsibilities. I understand that the Corporation wrote to Mr. Robinson on 28 October 1993.

Astra Holdings plc

Mr. Cousins: To ask the President of the Board of Trade when the decision to prosecute all but one of the former directors of Astra was taken, if he was consulted over the decision to prosecute; and what factors led to the decision not to prosecute the remaining director. [29482]

Mr. Jonathan Evans: The decision to bring disqualification proceedings against certain of the former Astra directors was taken in May 1994 by my right hon. Friend the President of the Board of Trade after considering the advice of officials, Treasury Solicitors and counsel. This decision was taken after consideration of the conduct of those concerns as set out in the report of independent inspectors appointed under the Companies Act 1985 to investigate the affairs of Astra Holdings plc and published on 17 June 1993.

Mr. Cousins: To ask the President of the Board of Trade from which hon. Members he has received correspondence or representations about the investigations into the conduct of, and ultimate prosecution of some of the former directors of Astra. [29721]

Mr. Jonathan Evans: I list those hon. Members who have tabled questions before the House concerning the appointment of and subsequent report of the inspectors appointed to investigate and report on the affairs of Astra Holdings plc.

Jim Cousins; Doug Hoyle; Allan Rogers; Austin Mitchell; Michael Meacher; Gerald Bermingham; Lord Clinton Davis has tabled a question before the House of Lords.

Mr. Cousins: To ask the President of the Board of Trade if he will make available to Her Majesty's Customs and Excise the records of Astra and BMARC that were acquired in the course of his Department's inquiries into the affairs of Astra. [29485]

Mr. Jonathan Evans: Information obtained by use of the Secretary of State's compulsory powers is confidential and disclosure is subject to legal restrictions. No request has been made yet by HM Customs and Excise for information obtained by the inspectors appointed to investigate and report on the affairs of Astra Holdings plc, but I can assure the hon. Member that in discharging the Department's responsibilities I am conscious of and will take into account the strong public interest in ensuring that the proposed investigation by HM Customs and Excise is comprehensive and effective.

Mr. Cousins: To ask the President of the Board of Trade if he will suspend or withdraw his prosecutions of former directors of Astra until the HM Customs and Excise inquiry into Astra and its subsidiaries is complete. [29483]

Mr. Jonathan Evans: The proceedings initiated by my right hon. Friend the President of the Board of Trade are for the disqualification as company director of certain former directors of Astra, not their prosecution, and are based on the report of independent inspectors appointed to investigate and report on the affairs of Astra Holdings plc. The inspectors' investigation and subsequent report did not concern itself with the subject matter of the HM Customs and Excise enquiry. On that basis I see no reason to suspend the disqualification proceedings. It is of course open to any of the respondents to seek an adjournment of the disqualification proceeding if they think there are sufficient grounds.

Insolvency Service

Mr. Jim Cunningham: To ask the President of the Board of Trade what plans he has to ensure that the cost of the private sector operations of the Insolvency Service will not rise disproportionately. [27799]

Mr. Jonathan Evans: The contracting-out exercise will explore possible charging mechanisms for contracting out although it is likely that an inclusive single charge for the work to be undertaken on each case will prove most appropriate. Under any such arrangements the cost of any work done by contractors would vary in proportion to the number of cases which needed to be dealt with.

Mr. Jim Cunningham: To ask the President of the Board of Trade what changes have occurred to the plans for the contracting out of services for the Insolvency Service as a result of experience of private sector insolvency services in Scotland. [27800]

Mr. Jonathan Evans: None. Any contracting-out of official receivers' functions in England and Wales will be on the basis of value for money.

Mr. Jim Cunningham: To ask the President of the Board of Trade how many official receivers' offices will be closed as a result of the contracting out of services of the Insolvency Service. [27801]

Mr. Jonathan Evans: No decisions have yet been taken in relation to the residual size and location of the Insolvency Service should contacting out go ahead. It is not expected that a decision will be able to be made until conclusions on contracting out have been reached.

Mr. Jim Cunningham: To ask the President of the Board of Trade what are the implications of contractors referring to the Official Receiver only cases where a criminal offence is suspected for directors and people declared bankrupt in respect of cautions under section 67 and 78 of the Police and Criminal Evidence Act 1984. [27802]

Mr. Jonathan Evans: It is anticipated that contractors would report to the official receiver in all cases so that they could decide whether any further investigation was required. Official receivers may require a bankrupt or company director to attend for interview on more than one occasion and any further interviews conducted by the official receiver once the case has been reported on by a contractor will be conducted on the same basis as at present so that the provisions of sections 67 and 78 of the Police and Criminal Evidence Act 1984 will not apply.

Mr. Jim Cunningham: To ask the President of the Board of Trade what are the implications of a requirement on the official receiver to issue cautions under the Police and Criminal Evidence Act 1984 for the provisions of the Insolvency Acts in respect of the requirement on directors and people declared bankrupt to answer questions. [27803]

Mr. Jonathan Evans: Counsel's advice obtained by my officials is that the Police and Criminal Evidence Act 1984 does not currently apply to the official receiver's investigative work and that in the current state of the law contracting out would not alter the position.

Mrs Helen Jackson: To ask the President of the Board of Trade if staff of the official receiver's office transferred to the private sector will retain the terms and conditions of their original employment for the duration of their contracts. [28825]

Mr. Jonathan Evans: If, in the event of contracting out proceeding, staff were to transfer to the private sector under the terms of the Transfer of Undertakings (Protection of Employment) Regulations 1981, their existing terms and conditions would be retained. If TUPE were deemed not to apply, any staff who wished to transfer to successful bidders would, in the normal way, be responsible for agreeing the terms and conditions on which they were prepared to be employed.

Inward Investment

Mr. Lewis: To ask the President of the Board of Trade if he will list the top 25 foreign companies by investment in the United Kingdom since 1979. [29869]

Mr. Eggar: Information on investment since 1979 can be provided only at disproportionate cost. The 1995 edition of "The Times 1000" gives details of the thousand United Kingdom companies with the highest turnover in 1994. Among these, the foreign owned companies with the highest levels of capital employed were as follows:

The "Shell" Transport and Trading Company PLC
Unilever PLC
Esso UK PLC
Rank Xerox Ltd.
Ford Motor Company Ltd.
Amerada Hess Ltd.
Stockholm & Edinburgh Investments Ltd.
IBM United Kingdom Holdings Ltd.
Chevron U.K. ltd.
Marubeni U.K. PLC
Courage Ltd.
Nissan Motor Manufacturing (UK) Ltd.
Gallaher Ltd.
Seagram Holdings Ltd.
Nissho Iwai Europe PLC
Mobil Oil Co Ltd.
Texaco Ltd.
ICL PLC
Hamilton Oil Great Britain PLC
Kodak Ltd.
Short Brothers PLC
British Alcan Aluminium PLC
Deminex UK Oil And Gas Ltd.
Mitsubishi Corporation (UK) Ltd.

Source: the 1995 edition of "The Times 1000", published by Times Books.

Mobile Telephones

Mr. Nicholls: To ask the President of the Board of Trade what initiatives he is considering to tackle the problem of mobile telephone fraud. [29664]

Mr. Ian Taylor: I have decided to set up a study group of senior representatives from the industry, the Federation of Communication Services, officials from the DTI and Home Office and representatives from the law enforcement agencies as necessary, to consider how the Government can underpin the continuing work of the industry in fighting the escalating problem of mobile phone crime. The group will report back to me in September and will examine the technological aspects of the problem, how these are changing as the industry develops and in particular the increased use of scanners in the cloning of mobile phones and the theft of airtime.

The Government intend to ensure that these problems are tackled on all available fronts. The study group will draw together the useful work that has already been done by the industry to pursue technological solutions and to improve industry control systems, and will consider in particular if there are any further steps which the Government can take in support of the industry.

Mr. Martyn Gregory

Mr. Redmond: To ask the President of the Board of Trade what action his Department is taking in respect of the libel action being brought against his Department by Martyn Gregory; and if he will make a statement. [27418]

Mr. Ian Taylor: I confirm that a writ has been received from Mr. Gregory's solicitors. As the matter is now subject to legal proceedings in the High Court I do not consider it appropriate to comment further.

Detergents

Mr. Wigley: To ask the President of the Board of Trade if he will ask the Monopolies and Mergers Commission to carry out an investigation of the UK detergent market. [29487]

Mr. Jonathan Evans: This is a matter for the Director General of Fair Trading, who, under the competition legislation, is responsible for keeping markets under review, and has independent powers to make a reference to the Monopolies and Mergers Commission.

BMARC

Mr. Wilson: To ask the President of the Board of Trade, pursuant to his answer on 28 April, *Official Report*, column *725*, when he now intends to write to the hon. Member concerning BMARC and arms exports. [29031]

Mr. Ian Taylor: My right hon. Friend the President of the Board of Trade made a statement to the House on 13 June 1995, *Official Report*, column 606.

I wrote to the hon. Member that day to inform him that the statement would embrace replies to his questions.

Internal Market Council

Mr. Llew Smith: To ask the President of the Board of Trade what matters were discussed and what decisions taken at the EU Ministerial Council on the Internal Market on 6 June; and what matters were voted upon. [26737]

Mr. Ian Taylor *[holding answer 7 June 1995]:* I attended the Internal Market Council in Luxembourg on 6 June.

The Council agreed a satisfactory resolution on the effective application of Community law and penalties for breach of Community law provisions in the internal market field; a common position on the decision on notification of derogations from free movement of goods; and political agreement on the directive on legal protection of databases. There was no agreement on a common position on the novel foods and novel food ingredients regulation, as Germany, Sweden, Austria, Denmark and Greece voted against.

The Council discussed the Commission's White Paper on the preparation of the associated countries of central and eastern Europe for integration into the EU's internal market. It also held a joint meeting with internal market Ministers from those countries. There was also a debate on improving the work and operation of the single market. This followed Commissioner Monti's outline of the Commission's forthcoming 1994 annual report on the single market.

I presented a new study by the DTI, reporting on a survey of 250 businesses and 100 trade associations.

The Council discussed the work of the Molitor group, set up to examine the impact of European Community and national legislation on employment and competitiveness; Customs 2000 action programme; and the draft convention on insolvency proceedings.

The next meeting of the Council is provisionally scheduled for Monday 9 October 1995.

Copyright (Educational Material)

Mr. Eastham: To ask the President of the Board of Trade what is the total cost per year to primary, secondary and further education establishments in fees for the photocopying of copyright educational material. [29447]

Mr. Ian Taylor *[holding answer 19 June 1995]:* The Department of Trade and Industry does not have this information. However, I am informed by the Copyright Licensing Agency, the collecting society which administers the photocopying rights of nearly all owners of copyright in books, journals and periodicals, that licence fees received for financial year 1994–95 from local education authority schools was £2.2 million. Licence fees from grant-maintained and independent schools amounted to £934,000, and fees from further education establishments amounted to £2.5 million.

Temazepam

Mr. McMaster: To ask the President of the Board of Trade what monitoring his Department undertakes of the overseas export of temazepam; if his Department checks the licences of those who export the drug; what measures are in place to ensure that export licences of buyers in the medical/drug industry are legitimate; if his Department monitors the drug shipment after it has been purchased and until it reaches the foreign destination; and if he will make a statement. [29248]

Mr. Michael Forsyth: I have been asked to reply.

There are no statutory controls on the export of temazepam, but companies have been warned to be on their guard for suspicious orders. Records from exporters are examined annually with information of amounts and destinations being passed to the International Narcotics Control Board. The details of any suspicious transactions are passed to the INCB and the authorities in the receiving country. Manufacturers and wholesalers require an operating authority. They are carefully vetted and inspected.

NATIONAL HERITAGE

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for National Heritage what percentage of parliamentary questions, which would have been answered directly to him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28492]

Mr. Dorrell: Ministers are accountable to Parliament for all matters concerning their agencies. Written parliamentary questions concerning matters which have been delegated to the chief executive of an executive agency in its framework document normally receive a

reply from a Minister to the effect that he or she has asked the chief executive to reply direct to the Member by letter. The chief executive's letter is published in *Hansard* below the Minister's reply.

Radio Stations

Mr. John Marshall: To ask the Secretary of State for National Heritage if he will take into account the audience reach of radio stations when assessing the most efficient use of spectrum for policy purposes. [29737]

Mr. Dorrell: Government policy aims to ensure that frequencies are used so as to enhance the range of listener choice. Under section 123 of the Broadcasting Act 1990, the Radio Authority is obliged to ensure that the frequencies assigned to the authority are used as efficiently as is reasonably practicable.

Mr. John Marshall: To ask the Secretary of State for National Heritage if he will relax the restrictions on the concentration of radio ownership in major urban areas. [29738]

Mr. Dorrell: I announced on 23 May that the Government would be enacting immediate secondary legislation to liberalise the existing rules on radio ownership. One effect of these changes is to remove the current limit on the holdings of radio licences in areas where the number of persons over the age of 15 resident in the area for which the service is provided exceeds 1 million, but does not exceed 4.5 million. The Government intend to enact primary legislation at the earliest available opportunity which will remove the numerical limits on the number of licences that can be held, and regulate ownership by means of the existing points system. Regional, and local plurality will be safeguarded by the overlapping areas provisions, which prevent a licensee from holding more than one licence in each waveband in areas where services overlap. However, the changes will allow companies to expand significantly within local radio across the nation.

Privatisation

Mr. McNamara: To ask the Secretary of State for National Heritage if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29432]

Mr. Dorrell: Since it was formed in April 1992, my Department and its agencies have contracted out the activities listed below. As a newly formed Department central services had been supplied by former parent Departments and thus there were no existing staff to mount an in-house bid. In order to concentrate on its core policy tasks it was decided to contract out these activities. Activities contracted out in the past and planned for the future, are as follows:

Year	*Let by*	*Activity*	*Name of successful bid*	*Won by in-house bid*
1992–93	DNH	Computer equipment and related services	SEMA Group Ltd.	No in-house bid
1993–94	DNH	Consultancy for advice on competitive tendering of works management functions	Watts and Partners	No in-house bid
	DNH	Reprographics	William Lea FM	No in-house bid
	DNH	Central Typing and Secretarial	Manpower Plc	No in-house bid
	DNH	Mailroom	Security Despatch Group	No in-house bid
	DNH	Security	Royal British Legion Association	No in-house bid
	DNH	Minor Maintenance	Richard Devine	No in-house bid
	DNH	Cleaning	Ramoneur	No in-house bid
	DNH	Reception	Manpower Plc	No in-house bid
	DNH	Payments and Accounts Services	Accounts Services Agency	No in-house bid
	The Royal Parks	Property maintenance management	Tarmac Facilities Management	No in-house bid
	Historic Royal Palaces	Kew Palace—Security Services	Royal British Legion	No in-house bid
	Historic Royal Palaces	Hampton Court Palace—Gardens Litter Clearance	SITA	No in-house bid
	Historic Royal Palaces	Hampton Court Palace	Initial Cleaning Services	No in-house bid
	Historic Royal Palaces	Kensington Palace—Catering	De blanks	No in-house bid
	Historic Royal Palaces	Kensington Palace—Cleaning	Swanlux	No in-house bid
	Historic Royal Palaces	Kensington Palace—Cash Collection	Armaguard/Security Express	No in-house bid
	Historic Royal Palaces	Banqueting House—Cleaning Services	Sloane Cleaning	No in-house bid
	Historic Royal Palaces	Banqueting House—Security	Royal British Legion	No in-house bid
	Historic Royal Palaces	Banqueting House—Porterage	Universal	No in-house bid
	Historic Royal Palaces	Banqueting House—Catering	10 companies used—selected by tender	No in-house bid
	Historic Royal Palaces	Banqueting House—Floristry	Nancy Ford	No in-house bid

Year	Let by	Activity	Name of successful bid	Won by in-house bid
1994–95	DNH	Provision of works management services for certain properties in central London	E. C. Harris	No in-house bid
	DNH	Provision of works management services for central ceremonial activities	Unicorn Consultancy Ltd.	No in-house bid
	DNH	Provision of works services management at the Royal Naval College, Greenwich	Taylor Woodrow Facilities ManagementNo in-house bid	
	DNH	Statue maintenance services	Stonewest Ltd.	No in-house bid
	DNH	Services relating to Trafalgar Square Christmas Tree and New Year Works	Building and Property Facilities Management Ltd.	No in-house bid
	DNH	Record Storage, Retrieval and Review	Britannia Data Management	No in-house bid
	The Royal Parks	Management of Car Parking Facilities	Apcoa Parking Ltd.	No in-house bid
	The Royal Parks	Audit Services	Price Waterhouse	No in-house bid
	The Royal Parks	Estate management duties	Daniel Smith	No in-house bid
	Historic Royal Palaces	IT Consultants	Internet Solutions	No in-house bid
	Historic Royal Palaces	Ticketing/EPOS Systems	MHG Systems Select Ticketing	No in-house bid
	Historic Royal Palaces	HM Tower of London—Window Cleaning	Metropolitan	No in-house bid
	Historic Royal Palaces	HM Tower of London—Computer Maintenance	HMSO	No in-house bid
	Historic Royal Palaces	HM Tower of London—Commercial Guard Force	RBLA	No in-house bid
	Historic Royal Palaces	HM Tower of London—Signage—Moat Gardens	HB Sign Company	No in-house bid
	Historic Royal Palaces	HM Tower of London—Costumed Interpretation	Past Pleasures	No in-house bid
	Historic Royal Palaces	HM Tower of London—Garden Maintenance	Ground Control	No in-house bid
	Historic Royal Palaces	Hampton Court Palace Catering	Town and County	No in-house bid
	Historic Royal Palaces	Hampton Court Palace—Costumed Interpretation	Past Pleasures	No in-house bid
	Historic Royal Palaces	Hampton Court Palace—Recorded Tour Service	Acoustiguide	No in-house bid
	Historic Royal Palaces	Kensington Palace—Catering	De blanks/Digby Trout	No in-house bid
	Historic Royal Palaces	Kensington Palace—Cleaning	Securior	No in-house bid
	Historic Royal Palaces	Kensington Palace—Cash Collection	Armaguard/Security Express	No in-house bid
1995–96	DNH	Consultancy for provision of professional support and advisory services relating to other Royal Estate Division works responsibilities	Tenders under consideration	No in-house bid
	DNH	Services relating to Remembrance Day ceremony works	Tendering exercise planned for later in the yearNo in-house bid	
	DNH	Stationery	Not yet awarded	No in-house bid
	DNH	Payments and Accounts Services	CSL Managed Services	No in-house bid
	The Royal Parks	Car Park Security duties	Reliance Security	No in-house bid
	The Royal Parks	Entertainment organiser	Not yet awarded	No in-house bid
	Historic Royal Palaces	Computer Maintenance	LCE Computer Systems	No in-house bid
	Historic Royal Palaces	HM Tower of London—Cash Collecting/Counting	Security Express	No in-house bid
	Historic Royal Palaces	Kensington Palace—Catering	Securior	No in-house bid
	Historic Royal Palaces	Kensington Palace—Cleaning	Securior	No in-house bid
	Historic Royal Palaces	Kensington Palace—Cash Collection	Armaguard/Security Express	No in-house bid

National Lottery

Mr. Spellar: To ask the Secretary of State for National Heritage if he will make a statement on the distribution of lottery money in *(a)* Sandwell, *(b)* Dudley, *(c)* Wolverhampton and *(d)* Wallsall. [29494]

Mr. Dorrell: There have been two awards to date to projects based in Dudley. The Sports Council has awarded £71,350 to Halesowen Athletic and Cycling

Club and £17,118 to West Midlands Amateur Gymnastics.

There have not yet been any awards from lottery proceeds to projects in Sandwell, Wolverhampton, or Walsall.

Library Services

Mr. Hanson: To ask the Secretary of State for National Heritage, pursuant to his answer of 16 May, *Official Report*, columns *150-1*, from whom he envisages local authorities buying library services; and from whom diverse sources of finance would come. [29459]

Mr. Dorrell: My announcement reflected my concern that library authorities should clarify and specify the service they want to achieve for their customers, while accepting they need not necessarily provide that service themselves. This is consistent with the Government's overall approach to local authority provision. My consultation on the Aslib report makes it clear that I welcome views on how these ideas might be developed constructively. Similarly, the Aslib report contains several specific proposals for diversification of the sources of funding for public libraries, and I have sought views on those proposals and requested other practical ideas.

Mr. Hanson: to ask the Secretary of State for National Heritage, pursuant to his answer of 16 May, *Official Report*, columns *150-1*, what is his Department's definition of the range of core library services. [29460]

Mr. Dorrell: As I made clear in my announcement, one outcome that I am seeking from the public library review, and in particular from the current wide-ranging consultation exercise on the Aslib report, is guidance for local authorities on a clearer definition of the range of core services which libraries should provide. I would expect any definition to draw on the core purposes and functions identified in the Aslib report and to be consistent with the Public Libraries and Museums Act 1964.

Works of Art

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage, pursuant to the answer by the Chancellor of the Exchequer of 9 June, *Official Report*, column *340*, about works of art exempt from inheritance tax, how many chattels are available for viewing *(a)* at private dwelling houses, *(b)* at banks or other secure places or *(c)* at other private institutions. [28850]

Sir George Young: I have been asked to reply.

Owners of works of art which are conditionally exempt from inheritance tax or capital transfer tax may satisfy the public access requirement by undertaking to arrange viewing by appointment and to lend the items on request to a public collection. Objects subject to such an undertaking are publicised by means of an entry in the computerised register of conditionally exempt works of art. The viewing arrangements, including the venue, are for agreement between the owner and the prospective viewer, and they must be reasonable for both parties. There is no requirement that owners must allow viewing in any particular location, although in practice this may often be the place where the items are normally kept.

AGRICULTURE, FISHERIES AND FOOD

Abandoned Offshore Installations

Mr. Foulkes: To ask the Minister of Agriculture, Fisheries and Food what research, prior to the signing of the UN law of the sea convention, his Department conducted into the effect on the fishing industry of the abandoning of offshore oil and gas installations. [28987]

Mr. Jack: The Department has maintained for many years an active research and monitoring programme into the effects on fishing and the marine environment of contaminants and wastes of all sorts including oil and oil-related products.

Mr. Foulkes: To ask the Minister of Agriculture, Fisheries and Food what steps his Department is undertaking to record the positions of abandoned oil installations and oil related debris; what assessment his Department has made of the hazard to fishing vessels; and what consideration has been given to arranging for compensation for fishermen for *(a)* loss of or damage to their vessels or *(b)* loss of access to fishing grounds as a result of such abandonment. [28984]

Mr. Jack: It is a requirement of the International Maritime Organisation guidelines and standards for the removal of offshore installations and structures that precise locations of any abandoned offshore installation should be notified to the hydrographic service for inclusion on nautical charts. It is Government policy to consider each abandonment proposal on a case-by-case basis. This will allow assessment of any hazards and include consultation with fishermen's organisations where appropriate. No special compensation arrangements have been made. Liability for any loss or damage consequent upon abandonment would remain with the companies concerned.

Food Imports

Mr. Etherington: To ask the Minister of Agriculture, Fisheries and Food what was the volume of imports for *(a)* 1993 and *(b)* 1994 of paté de foie gras, tinned, preserved, fresh, chilled or frozen made from (i) duck livers and (ii) goose livers. [28930]

Mr. Jack: Official trade statistics for the volume of imports of paté de foie gras are not separately available. However, the totals of all prepared or preserved goose or duck liver imported into the United Kingdom from all sources were 116 tonnes in 1993 and 87 tonnes in 1994.

Grants

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food if he will list the amounts received by each organisation which receives a grant from his Department for each of the last five years. [28968]

Mr. Jack: Listed are the amounts of grant in aid received by organisations from my Department

£'000

Description	1990–91 Outturn	1991–92 Outturn	1992–93 Outturn	1993–94 Outturn	1994–95 Outturn	1995–96 Estimate Provision
Agricultural Training Board	10,349	7,303	6,700	8,920	1,797	50
Royal Botanic Gardens, Kew	13,190	16,204	15,565	14,946	16,450	15,581
Food From Britain	4,591	4,479	4,765	5,030	5,198	5,419

Note:
The former ATB became a non-statutory, independent Organisation in March 1994. The figures shown for 1994–95 and 1995–96 represent remanet expenditure associated with the winding-up process. The figures for FFB include reimbursement of payments made to Speciality Food Groups and exclude Chairman and Members' remuneration expenses.

Committee Membership

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food if he will list the membership of the veterinary products committee for each year since 1972, giving details of declared interests in each case. [29732]

Mrs. Browning: The information requested is contained in the published annual reports of the Medicines Commission and other committees established under section 4 of the Medicines Act 1968. Copies are available in the Library of the House.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food, if he will list the membership of the pesticides advisory committee for each year since 1972, giving details of declared interests in each case. [29731]

Mrs. Browning: Details of the year-end membership of the Advisory Committee on Pesticides for the years 1984 to 1994 are contained in the committee's annual reports for those years and are reproduced as follows. Details for previous years could be provided only at disproportionate cost.

The chairman is required to have no industry interests. Since 1991, declarations of interests have been required of other members and their involvement in discussions to which these interests are relevant has been restricted. Prior to 1991 members were not appointed to the committee if they had interests in the pesticides industry.

Independent members and annual declaration of interests in the pesticides industry

Name of member	Nature of interest	Name of companies	Current/former interest
1994			
Chairman			
Professor Sir C. L. Berry	None	—	—
Deputy Chairman			
Professor G. R. Sagar	None	—	—
Members			
Dr. A. D. Carter	Field Monitoring programme to determine fate of alachlor	Monsanto Agriculture	Current interest
	PSD/BAA funded work to develop a computer database on soils and environmental fate	British Agrochemical Association	Current interest
	Groundwater vulnerability maps	National Rivers Authority	Current interest
Professor N. M. Cherry	None	—	—
Professor M. F. Claridge	None	—	—
Professor A. D. Dayan	Shareholding	ICI plc	Current interest
Mr. J. S. Leahy	None	—	—
Professor D. L. Lee	Antifouling compounds	International Paints	—
Dr. A. T. Proudfoot	None	—	—
Dr. E. Roman	None	—	—
Mr. R. Tayler	None	—	—
Professor J. P. G. Webster	None	—	—
1993			
Chairman			
Professor Sir C. L. Berry	None	—	—
Deputy Chairman			
Professor G. R. Sagar	None	—	—
Members			
Dr. A. D. Carter	Field Monitoring programme to determine fate of alachlor	Monsanto Agriculture	Current interest
	PSD/BAA funded work to develop a computer database on soils and environmental fate	British Agrochemical Association	Current interest
	Groundwater vulnerability	National Rivers Authority	Current interest

Independent members and annual declaration of interests in the pesticides industry

Name of member	*Nature of interest*	*Name of companies*	*Current/former interest*
	maps		
Professor N. M. Cherry	None	—	—
Professor A. D. Dayan	Shareholding	ICI plc	Current interest
Professor E. B. G. Jones	Pharmaceutical products	Cyanamid (USA)	Current interest
	Pharmaceutical products	Pfizer	Current interest
	Pharmaceutical products	Schinoggi	Current interest
	Marine paints	Blakes Marine Paints	Current interest
	Pesticides	Cruachem Ltd.	Current interest
	Pesticides	Maxicrop International	Current interest
	Pesticides	Shell	Current interest
	Pesticides	ICI	Current interest
	Pesticides	BP	Current interest
	Pharmaceutical products	Beechams	Current interest
	Pharmaceutical products	Glaxo	Current interest
Mr. J. S. Leahy	None	—	—
Professor D. L. Lee	Antifouling compounds	International Paints	—
Dr. A. T. Proudfoot	None	—	—
Mr. R. Tayler	None	—	—
Professor J. P. G. Webster	None	—	—
1992			
Chairman			
Professor C. L. Berry	None	—	—
Deputy Chairman			
Professor G. R. Sagar	None	—	—
Members			
Dr. A. D. Carter	Field Monitoring programme to determine fate of alachlor	Monsanto Agriculture	Current interest
	PSD/BAA funded work to develop a computer database on soils and environmental fate	British Agrochemical Association	Current interest
	Groundwater vulnerability maps	National Rivers Authority	Current interest
Professor A. D. Dayan	Shareholding	ICI plc	Current interest
Professor E. B. G. Jones	Pharmaceutical products	Cyanamid (USA)	Current interest
	Pharmaceutical products	Pfizer	Current interest
	Pharmaceutical products	Schinoggi	Current interest
	Marine paints	Blakes Marine Paints	Current interest
	Pesticides	Cruachem Ltd.	Current interest
	Pesticides	Maxicrop International	Current interest
	Pesticides	Shell	Current interest
	Pesticides	ICI	Current interest
	Pesticides	BP	Current interest
	Pharmaceutical products	Beechams	Current interest
	Pharmaceutical products	Glaxo	Current interest
Mr. J. S. Leahy	None	—	—
Professor D. L. Lee	Antifouling compounds	International Paints	—
Dr. A. T. Proudfoot	None	—	—
Mr. R. Tayler	None	—	—
Dr. K. L. Woods	None	—	—
1991			
Chairman			
Professor C. L. Berry	None	—	—
Deputy Chairman			
Professor G. R. Sagar	None	—	—
Members			
Dr. T. C. Aw	Medical consultancy: Occupational health advice	Harcos Chemical Group	Current interest
Dr. A. D. Carter	1. Consultancy: Field monitoring of the herbicide Alachlor. To investigate the potential of ground and surface water contamination.Monsanto AgricultureCurrent interest		
	2. Consultancy: Literature review of the Insecticide Phorate regarding environmental fate and behaviour.	MTM ChemicalsFormer interest (December 1990)	

Independent members and annual declaration of interests in the pesticides industry

Name of member	*Nature of interest*	*Name of companies*	*Current/former interest*
Professor A. D. Dayan	Shareholding	ICI plc	Current interest
Professor E. B. G. Jones	None	—	—
Mr. J. S. Leahy	None	—	—
Professor D. L. Lee	None	—	—
Dr. A. T. Proudfoot	None	—	—
Mr. R. S. Tayler	None	—	—
Dr. K. L. Woods	None	—	—

1990
Chairman
Professor C. L. Berry
Deputy Chairman
Professor G. R. Sagar
Members
Dr. T. C. Aw
Professor R. Clark
Professor A. Dayan
Professor G. Jones
Mr. J. Leahy
Professor D. Lee
Dr. A. Proudfoot
Mr. R. Tayler
Dr. K. Woods

1989
Chairman
Professor C. L. Berry
Deputy Chairman
Professor G. R. Sagar
Members
Dr. T. C. Aw
Dr. B. Buckley
Professor R. Clark
Professor A. Dayan
Professor G. Jones
Mr. J. Leahy
Professor D. Lee
Dr. A. Proudfoot
Mr. R. Tayler
Dr. K. Woods

1988
Chairman
Professor C. L. Berry
Deputy Chairman
Professor G. R. Sagar
Members
Dr. B. M. Buckley
Professor R. B. Clark
Professor A. Dayan
Professor E. B. G. Jones
Mr. J. Leahy
Professor D. Lee
Dr. A. T. Proudfoot
Mr. R. S. Tayler
Dr. K. Woods

1987
Chairman
Professor Sir T. Kilpatrick
Members
Professor C. L. Berry
Professor R. B. Clark
Dr. L. E. Coles
Professor E. B. G. Jones
Professor J. Knowelden
Professor R. I. McCallum
Dr. A. T. Proudfoot
Professor G. R. Sagar.
Mr. R. S. Tayler

1986
Chairman
Professor Sir R. Kilpatrick
Members
Professor C. L. Berry
Dr. R. L. Carter
Professor R. B. Clark
Dr. L. E. Coles
Professor E. B. G. Jones
Professor J. Knowelden
Professor R. I. McCallum
Dr. A. T. Proudfoot
Professor G. T. Sagar
Mr. R. S. Tayler
Professor P. N. R. Usherwood

1985
Chairman
Professor R. Kilpatrick
Members
Professor C. L. Berry
Dr. R. L. Carter
Dr. L. E. Coles
Professor E. B. G. Jones
Professor J. Knowelden
Professor R. I. McCallum
Dr. T. A. Proudfoot
Professor G. R. Sagar
Mr. R. S. Tayler
Professor M. J. Way

1984
Chairman
Professor R. Kilpatrick

Members

Dr. R. Goulding
Professor C. L. Berry
Dr. R. L. Carter
Dr. L. E. Coles
Professor E. B. G. Jones
Professor J. Knowelden
Professor R. I. McCallum
Professor G. R. Sagar
Mr. R. S. Tayler
Professor M. J. Way

Dietary Supplements

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the proposals by the European Commission to issue another consultative document on the issue of dietary supplements; and if he will make it his policy to oppose the development of any further directives limiting access to vitamin, mineral and other dietary supplements. [28872]

Mrs. Browning *[holding answer 19 June 1995]:* The EC issued a discussion paper in December 1991. Since then the Commission has reviewed the situation but has issued no further documents. If the Commission does issue a consultative document we shall ensure that all interested parties have a chance to comment. UK policy in this area is to seek to achieve a balance between ensuring public health and maintaining the availability of safe, correctly labelled, products.

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to defend the access of United Kingdom consumers to vitamin, mineral and other dietary supplements of their choice. [28873]

Mrs. Browning *[holding answer 19 June 1995]:* There are no proposals to change the current regime of foodstuffs legislation under which such products are sold. If necessary the UK would continue to defend the access of consumers to vitamin, mineral and other dietary supplements.

Selenium

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food what are relative levels of selenium content in North American wheat and European wheat; how levels of consumption of each of those wheats has changed in England and Wales over the last 25 years; and what effect such a change has had on dietary selenium levels. [28874]

Mrs. Browning *[holding answer 19 June 1995]:* The selenium content of wheat varies according to its source. North American wheats contain an average 0.42µg/g[1] and European wheat 0.025µg/g[2] to 0.14µg/g[3]. The levels of usage of North American wheat and European wheat over the last 25 years are set out in the table.

Trade Data

000 tonnes

Wheat	*1970*	*1993*	*1994*
Imports			
Total	4,921	1,629	1,146
of which			
EU 8/EU 11	883	1,384	899
3rd Countries	4,038	244	247
of which			
US	684	0	0
Canada	1,533	227	225

The effect of the above change has been a fall in selenium intake from bread. However recent measurements[2,3] of selenium in a wide range of non-cereal foods suggests that many foods, especially meat and eggs, have a higher selenium level than those measured and reported by MAFF in 1978[1]. The estimated mean daily intake of selenium reported in 1978, based on 1974 intake, was 60µg/person/day. As I explained in my answer of 16 May 1995, *Official Report*, column *201*, the estimations of average intake based on results from two independent analyses of the Ministry's 1991 total diet study and a separate research project in 1994 are either 30-40 µg/day or 50–60µg/day, depending on the method of analysis and estimation of intake used. A newly published study carried out at Kings college London on the selenium content of foods has estimated the average intake as 62.2µg/g[3].

Notes:

[1] Thorn J. Robertson J., Buss D. H., Bunton N. G. (1978). Trace nutrients. Selenium in British Food. British Journal of Nutrition 39, 391–396.

[2] Barclay M. N. I., MacPherson A. and Dixon J. (1994). Analysis for selenium. (Available from MAFF Library).

[3] Butcher M. A., Judd P. A., Caygill C., Peach S. and Diplock A. T. (1995) Current Selenium content of foods and an estimation of average intake in the United Kingdom. Proceedings of the Nutrition Society, in press.

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food (1) what plans he has to undertake a survey of selenium consumption in the population; [28875]

(2) in how many regions the average selenium intake is above the lower reference value; and in how many of those regions the average selenium intake level is above the higher reference value. [28876]

Mrs. Browning *[holding answer 19 June 1995]:* There are two main ways in which MAFF determines intakes of minerals such as selenium by the population. The first is through surveys of food purchase or consumption which include the national food survey, a continuous survey of all foods brought into the household, and the national diet and nutrition survey programme of individuals. The second is a total diet study which involves the analysis of complete diets. However, as I stated in my reply of 16 May 1995, *Official Report*, column *201* there is some uncertainty at present over the analytical results and it is not therefore possible to provide reliable intake figures for selenium by region. We have a programme of work under way to try to resolve this issue.

SCOTLAND

Enterprise Zones

Mr. Galbraith: To ask the Secretary of State for Scotland if he will list for each enterprise zone *(a)* the total office and other floor space built or proposed to be built, *(b)* the percentage occupancy of the space available and *(c)* the average stay of occupation. [28235]

Mr. Kynoch: In the case of Inverclyde enterprise zone, the office and industrial floorspace provided amounts to 922,780 sq ft, of which 831,882 sq ft is occupied, with a further 14,492 sq ft under offer. Information on the average period of occupation on zone properties is not available, although the majority of companies which have occupied zone properties remain in occupation.

In the case of Lanarkshire enterprise zone, the office and industrial floorspace provided amounts to 400,000 sq ft, with a further 582,000 sq ft proposed: 156,000 sq ft of floorspace is already occupied. Information on the average period of occupation of zone properties is not available but no company has vacated zone property following occupation.

M8

Mr. McMaster: To ask the Secretary of State for Scotland what plans he has to improve the signposting of the M8 motorway to include signage for Paisley, Johnstone and Elderslie from at least the stretch of motorway from Glasgow city centre, and if he will make a statement. [28538]

Lord James Douglas Hamilton: The Secretary of State is responsible for the M8 motorway west of junction 26 at Hillington. The existing signing on this stretch of the road is considered to identify the principal destinations within the constraints of space and safety. There are therefore no proposals to amend the existing signing. The urban section of the M8 motorway east of Hillington through Glasgow to Baillieston is currently the responsibility of the local roads authority, Strathclyde regional council.

Mr. McMaster: To ask the Secretary of State for Scotland what proposals he has to provide adequate lighting along the entire stretch of motorway from Glasgow to Edinburgh; and if he will make a statement. [28529]

Lord James Douglas Hamilton: The responsibility for the M8 motorway and A8 all-purpose dual carriageway between junction 8 Baillieston and junction 2 Newbridge rests with the Secretary of State. The urban section of the M8 motorway from Baillieston through Glasgow is currently the responsibility of the local roads authority, Strathclyde regional council. The new M8 extension from Claylands to Edinburgh city bypass opens later this year and the new interchanges and associated slip roads at either end of the extension will be lit. Lighting will also be provided on the new motorway planned between junction 8 Baillieston and junction 6 Newhouse. There are no other plans to provide additional lighting on the sections of road for which the Secretary of State is responsible.

Appointments

Mr. McMaster: To ask the Secretary of State for Scotland what appointments he will be required or able to make within the next 12 months; if he will list each relevant body and the name, age, place of residence and existing or previous employment of the current incumbent; what is the rate of remuneration and expected time commitment; and if he will make a statement. [28555]

Mr. Lang: The only information which is held centrally on appointments is that relating to those public bodies listed in the Cabinet Office publication "Public Bodies 1994", a copy of which is available in the Library of the House. As the information on appointments reaching the end of their term in the year from 15 June 1995 is extensive, I have arranged for it to be placed in the Library of the House. The name, age, place of residence and existing or previous employment of the current incumbents of these appointments is not held centrally and could be obtained only at disproportionate cost. I shall in due course be making appointments to the new water authorities and customers council, the Scottish Environment Protection Agency and the Scottish Children's Reporter Administration.

Planning Appeals

Mr. McMaster: To ask the Secretary of State for Scotland what ratio or other measurement of public open space to housing density in urban areas he uses in determining appeals against the refusal of planning consent; how this is expected to apply to the development of the recreational space at *(a)* Spateston road and *(b)* Miller street, both in Johnstone; and if he will make a statement. [28576]

Mr. Kynoch: In determining an appeal a reporter has regard to any relevant policy of the development plan, and to any further matters which are drawn to his attention. This would include ratios of public open space to housing density, if those matters are covered in submissions.

This would apply to any appeals relating to the sites referred to, but no such appeals have been received to date.

Windyhill Farm

Mr. McMaster: To ask the Secretary of State for Scotland when he expects to reach his final decision on the proposal by Scottish Aggregates to develop a quarry at Windyhill farm, Elderslie. [28530]

Mr. Kynoch: The reporter will shortly submit her report with recommendations to my right hon. Friend for his consideration. The decision on this proposal is expected within two to three months from the receipt of the report.

Scottish Folk Music

Mr. McMaster: To ask the Secretary of State for Scotland when he last met representatives of *(a)* the Scottish Arts Council, *(b)* designers of curricula and *(c)* providers of education to discuss their role in raising the awareness of the role and importance of Scottish folk music in cultural development within schools and colleges; and if he will make a statement. [28579]

Sir Hector Monro: My right hon. Friend and I meet senior representatives of the Scottish Arts Council from time to time to discuss a range of issues. Traditional music projects have benefited from substantial increases in funding by the council over recent years. The council also played an important advocacy role in the recent decision by the Royal Scottish Academy of Music and Drama to introduce in autumn 1995 a degree course in traditional music.

My hon. Friend the Minister with responsibilities for education in Scotland, opened a forum on Scottish resources sponsored by the Scottish consultative council on the curriculum on 24 February 1995. An aim of the forum was to ensure that the framework of teaching and learning for all Scottish schools identified opportunities for Scottish culture, including music and dance, to flourish.

European Regional Development Fund

Mr. McMaster: To ask the Secretary of State for Scotland how much money has been received by *(a)* Strathclyde regional council and *(b)* Renfrew district council from the European regional development fund and European social fund since their inception; and if he will make a statement. [28567]

Mr. Kynoch: The information relates to payments made under the respective funds:

European Regional Development Fund (since January 1989)

Strathclyde Regional Council £131,299,306

Renfrew District Council £3,436,167

European Social Fund (since January 1990)

Strathclyde Regional Council £64,690,986

Renfrew District Council has not received any ESF awards.

Information on ERDF payments pre-1989, and ESF payments pre-1990, are not readily available centrally as this period predates the introduction of programmes under the 1989 reform of the structural funds and could be obtained only at disproportionate cost. The information may be available from the local authorities.

Allowances

Mr. McMaster: To ask the Secretary of State for Scotland if he will list the existing rates of allowances and payments to elected members of Scottish regional, district and unitary authorities; if he will include in the table details of what the *(a)* attendance allowance, *(b)* special responsibility payments, *(c)* travelling allowances and *(d)* subsistence rates would be at today's prices had they kept pace with inflation since 1974 and had the method of payment remained the same since that time; and if he will make a statement. [28524]

Mr. Kynoch: The information requested is complex and will take time to compile. I will, however, write to the hon. Member as soon as possible and a copy of my letter will be placed in the Library.

Food Poisoning

Dr. Strang: To ask the Secretary of State for Scotland how many cases of food poisoning have been reported in Scotland this year. [28616]

Lord James Douglas-Hamilton: During the period 1 January to 9 June 1995 1,522 cases of food poisoning were reported in Scotland.

Dr. Strang : To ask the secretary of State for Scotland what was the total number of reported cases of salmonellosis in Scotland in each year since 1979; and what is the latest available figure for this year. [28617]

Lord James Douglas-Hamilton: The total numbers of cases of salmonellosis reported by laboratories to the Scottish Centre for Infection and Environmental Health are as follows. These figures do not necessarily reflect the total incidence of the infection in the community, since doctors do not routinely send specimens from every case for laboratory confirmation.

Year	*Number of notifications*
1979	1,483
1980	1,577
1981	2,526
1982	2,621
1983	2,288
1984	2,221
1985	1,690
1986	2,015
1987	2,286
1988	2,580
1989	2,578
1990	2,441
1991	2,330
1992	2,992
1993	2,919
1994	2,973
1995[1]	857

[1]As at 9 June

Pleading Diets

Mr. McMaster: To ask the Secretary of State for Scotland how many cases under summary procedure in the most recent *(a)* three and *(b)* five years for which figures are available have involved the pleading diet being brought within 21 days; and if he will make a statement. [28634]

Lord James Douglas Hamilton: The subject of the question relates to matters undertaken by the Scottish Court Service. I have asked its chief executive, Michael Ewart, to arrange for a reply to be given.

Letter from Michael Ewart to Mr. Gordon McMaster, dated 20 June 1995:

Lord James Douglas Hamilton has asked me to reply to your question regarding the timing of pleading diets under summary procedure.

Almost all summary criminal prosecutions in the Sheriff Courts are called at pleading diets which fall within 21 days of the date on which the papers are lodged with the Sheriff Clerk.

Chernobyl

Mr. Simpson: To ask the Secretary of State for Scotland how many farms are still affected by restriction notices imposed due to radioactive contamination following the Chernobyl nuclear accident in 1986; what

land area these farms constitute; and what percentage of available farmland in Scotland this represents.

Sir Hector Monro: Currently, 41 holdings in Scotland remain affected by post-Chernobyl controls on the movement and slaughter of sheep. These holdings cover around 43,000 hectares which represents 0.7 per cent. of farm land in Scotland.

Victim Support Groups

Mr. David Marshall: To ask the Secretary of State for Scotland what plans he has to increase funding to victim support groups; and if he will make a statement. [29275]

Lord James Douglas-Hamilton: I am pleased to be able to advise that the funding support given by the Scottish Office to victim support (Scotland) increased from £890,000 in 1994–95 to £985,000 for 1995–96, an increase of 9.64 per cent.; £700,430 of this grant is set aside for distribution by the independent funding panel to provide local co-ordinator posts. Victim Support (Scotland) will put its financial proposals forward later this year in respect of 1996–97, and this will be carefully considered along with the proposals put forward by other voluntary organisations.

NHS Costs

Mr. Milburn: To ask the Secretary of State for Scotland what were the administrative costs incurred by *(a)* NHS purchasers and *(b)* NHS providers in each region in each year since 1990–91. [29095]

Lord James Douglas-Hamilton: In Scotland the equivalent to regional health authorities are health boards. The information shown in the table has been given for each board area and has been taken from the annual accounts for each health board and NHS trust.

The figures in the table represent the total administrative costs for purchasers and providers, comprising administrative salaries and wages, supplies and services, office expenses and agency services. The format of the accounts for 1990–91 does not allow for a split between the purchaser and provider functions. Figures for 1994–95 are not yet available.

The administration figures for providers include senior nurses and clinicians who have transferred to the general/senior managers' pay scales, particularly in latter years. These changes, together with accounting policy changes and transfer of provider functions to NHS trusts since 1992–93, mean that the annual figures are not comparable.

Administration costs

£000

Health board area	*1990–91*	*1991–92*		*1992–93*		*1993–94*	
	Administration	*Purchaser*	*Provider*	*Purchaser*	*Provider*	*Purchaser*	*Provider*
Argyll and Clyde	17,710	4,588	14,375	7,170	15,662	5,235	19,838
Ayr and Arran	13,182	3,839	11,353	4,236	12,741	3,854	12,495
Borders	3,923	1,358	3,710	1,370	3,650	1,837	3,941
Dumfries and Galloway	5,481	2,247	4,750	2,475	4,864	2,829	5,761
Fife	12,014	3,013	9,933	3,874	10,780	5,276	12,399
Forth Valley	10,124	2,945	9,154	3,623	10,380	4,402	10,438
Grampian	20,466	6,140	17,838	7,259	22,968	6,864	24,799
Greater Glasgow	53,052	12,563	46,110	9,585	57,758	15,552	61,192
Highland	9,422	2,668	8,777	2,327	11,470	2,657	11,974
Lanarkshire	17,596	3,417	16,298	4,762	18,612	6,484	21,739
Lothian	33,098	7,494	29,704	9,220	37,490	11,355	38,034
Orkney	723	424	407	529	508	541	596
Shetland	1,176	1,117	364	647	454	646	972
Tayside	18,680	5,146	16,145	5,401	17,381	5,328	19,564
Western Isles	1,622	1,101	719	1,197	1,246	995	1,653
Scotland total	218,269	58,060	189,637	63,675	225,964	73,855	245,394

Contaminated Blood Products

Dr. Godman: To ask the Secretary of State for Scotland what is his most recent estimate of the number of people in *(a)* Inverclyde, *(b)* Strathclyde and *(c)* Scotland infected with hepatitis C from contaminated blood products; and how many of these people are haemophiliacs.

Lord James Douglas-Hamilton: A "lookback" exercise is currently under way to seek to identify, counsel and treat patients who may have been exposed to the hepatitis C virus via blood or blood products. It is estimated that around 650 people throughout Scotland may have been infected in this way, 350 of whom are likely to be haemophiliacs. A breakdown for Inverclyde and Strathclyde is not available.

Ear, Nose and Throat Units

Dr. Godman: To ask the Secretary of State for Scotland what guidelines he has issued about the maximum distance any patient should be from an ear, nose and throat unit; and if he will make a statement. [28324]

Lord James Douglas-Hamilton: No such guidelines have been issued.

Dr. Godman: To ask the Secretary of State for Scotland if he will list all the ear, nose and throat units in *(a)* Renfrewshire and *(b)* Strathclyde. [28325]

Lord James Douglas-Hamilton: Hospitals in Strathclyde and Renfrewshire with ear, nose and throat units[1] at 31 December 1994 are as listed:

Renfrewshire

Royal Alexandra Hospital, Paisley

Strathclyde[2]

Crosshouse Hospital, Kilmarnock

Inverclyde Royal Hospital, Greenock

Law Hospital, Carluke

Monklands District General Hospital, Airdrie

Royal Alexandra Hospital, Paisley

Royal Hospital for Sick Children, Glasgow

Stobhill Hospital, Glasgow

Stonehouse Hospital, Stonehouse

Victoria Infirmary, Glasgow

Western Infirmary, Glasgow

Notes:

[1] Hospitals with two or more staffed ear, nose and throat beds on average in the quarter.

[2] Comprises Argyll and Clyde, Ayrshire and Arran, Greater Glasgow, Lanarkshire health board areas.

Student Loans

Mr. Llwyd: To ask the Secretary of State for Scotland what is the forecast for expenditure on mandatory awards and loans given to students from Scotland during the current year; and if he will make a statement. [29039]

Lord James Douglas-Hamilton: The planned expenditure in the 1995–96 financial year on awards and loans in respect of students domiciled in Scotland is £291 million and £95 million respectively.

Higher Education

Mr. Llwyd: To ask the Secretary of State for Scotland what was the proportion of young people from Scotland entering higher education in *(a)* 1993–94 and *(b)* 1994–95; and if he will make a statement. [29030]

Lord James Douglas-Hamilton: The age participation index of young people aged under 21 from Scotland entering higher education in the UK for the latest two years available is as follows:

1992–93: 35.1 per cent.

1993–94: 38.3 per cent.

Source: Statistical Bulletin 'Scottish Higher Education Statistics 1993–94.

Mr. Llwyd: To ask the Secretary of State for Scotland what was the proportion of students obtaining *(a)* first class and *(b)* upper second class degrees at Scottish higher education institutions in (i) 1991–92 and (ii) 1992–93, and if he will make a statement. [29034]

Lord James Douglas-Hamilton: The available information is for students obtaining first class and second class degrees at Scottish higher education institutions and is shown in the table:

Percentage of students obtaining first and second class degrees at Scottish higher education institutions

	Total (= 100 per cent.)	*1st Honours per cent.*	*2nd Honours per cent.*	*[1]Others per cent.*
1991–92	15,252	7.0	54.0	39.1
1992–93	16,663	7.3	54.8	37.8

Note:

Figures in the above table may not total 100 per cent. due to rounding.

[1] 3rd Honours and unclassified degrees.

Mr. Llwyd: To ask the Secretary of State for Scotland how many students were studying at a Scottish Higher Education Institution in *(a)* 1993–94 and *(b)* 1994–95; and if he will make a statement. [29104]

Lord James Douglas-Hamilton: The information requested is set out in the table:

Number of students studying higher education courses at Scottish Higher education institutions:

	Full-time	*Part-time*
1993–94	112,167	20,306
1994–95[1]	116,472	20,523

[1] Provisional.

Mr. Llwyd: To ask the Secretary of State for Scotland what was the average A-level point score of students embarking on first degrees at Scottish higher education institutions in *(a)* 1991–92, *(b)* 1992–93 and *(c)* 1993–94; and if he will make a statement. [29026]

Lord James Douglas-Hamilton *[holding answer 19 June 1995]:* The information requested is not readily available. Most students embarking on first degrees at Scottish higher education institutions possess Scottish certificate of education higher grades rather than A-levels.

Ayrshire and Arran Community Health Trust

Mr. Foulkes: To ask the Secretary of State for Scotland what expenditure has been incurred by the Ayrshire and Arran community health trust in its campaign to have the proposed south east Ayrshire community hospital sited in Cumnock; under what powers they have incurred such expenditure; and if he will make a statement. [29668]

Lord James Douglas-Hamilton: The current review of community services in south-east Ayrshire is being carried out by Ayrshire and Arran health board to ensure that the best quality services are readily available for patients. The Ayrshire and Arran community healthcare trust has incurred £3,996 towards the preparation of a business case for a new community hospital at Cumnock. Under paragraph 16, schedule 7A to the National Health Service (Scotland) Act 1978, an NHS trust has the power to take any action which appears to it to be necessary or expedient for the purpose of, or in connection with, the discharge of its functions.

House Repossessions

Dr. Godman: To ask the Secretary of State for Scotland what was the number of house repossessions which occurred in *(a)* Inverclyde, *(b)* Strathclyde and *(c)* Scotland as a whole in each of the past 10 years. [28162]

Lord James Douglas-Hamilton *[holding answer 19 June 1995]:* We do not hold this information centrally. However, figures supplied by the Council of Mortgage Lenders suggest that, in 1994, 1,791 properties were taken into possession by mortgage lenders in Scotland. This represents 0.22 per cent. of the total number of properties with mortgages outstanding. The comparable figures for 1993, were 2,330 and 0.29 per cent. respectively. The rate in Scotland remains less than half of that for the rest of the United Kingdom as a whole.

Teachers' Parental Leave

Mrs. Fyfe: To ask the Secretary of State for Scotland if he will bring the entitlement for teachers' parental leave into line with the EU directive on parental leave. [29492]

Lord James Douglas-Hamilton *[holding answer 19 June 1995]:* Matters concerning the terms and conditions of service for teachers are for the Scottish joint negotiating committee to determine and not for my right hon. Friend.

Regional Selective Assistance

Mr. Donohoe: To ask the Secretary of State for Scotland what was the number of grants of regional selective assistance made to Scottish companies and the number of companies involved for each financial year since 1979–80. [25346]

Mr. Kynoch *[holding answer 23 May 1995]:* The available information relates to offers accepted by companies with projects in Scotland. For earlier years, this is published in the Industrial Development Act 1982 annual report, copies of which are available in the Library. In 1994–95, 248 offers were accepted by companies with projects in Scotland.

HEALTH

Dentistry

13. **Mr. Llwyd:** To ask the Secretary of State for Health what initiatives are being pursued to increase the number of students entering dentistry; and if she will make a statement. [27724]

Mr. Malone: There are currently 3,908 dental students in the United Kingdom.

There are no reasons to believe that, in England, there will be too few dentists. The Nuffield report, published in September 1993, recommended that greater use should be made of dental auxiliaries in general practice as part of a dentist-led team. That could have an impact on the level of dental manpower required and, therefore, on the level of student intake needed. The Department will review the position regarding student intake in the light of decisions taken about the Nuffield recommendations.

Residential Institutions (Abuse)

14. **Mr. Wicks:** To ask the Secretary of State for Health what action she is taking to tackle the problem of physical and sexual abuse of people with severe learning difficulties in residential institutions. [27725]

Mr. Bowis: We have in place a programme of guidance and inspection and have funded projects to support good practice in such residential care to lessen the likelihood of abuse, to identify it and to take appropriate action if it does occur.

National Health Service Trusts

15. **Mr. Pike:** To ask the Secretary of State for Health what recent representations she has received regarding federation of services between NHS Trusts. [27726]

Mr. Malone: We have received no representations other than three letters from the hon. Member.

Incomes and Health

16. **Ms Coffey:** To ask the Secretary of State for Health what assessment has been made by her Department as to the relationship between incomes and health; and if she will make a statement. [27727]

Mr. Sackville: I refer the hon. Member to the reply I gave to the hon. Member for Nuneaton (Mr. Olner) on 16 May at column *161*.

Hepatitis C

17. **Mr. Barnes:** To ask the Secretary of State for Health what recent representations she has received concerning compensation for those affected with the hepatitis C virus; and if she will make a statement. [27728]

Mr. Sackville: Representations this year about payments include five parliamentary questions, a short debate in another place and four early-day motions. In addition, Ministers have received 214 letters.

Capital Projects

18. **Mr. Evennett:** To ask the Secretary of State for Health how many capital projects *(a)* have gone ahead since 1990–91 and *(b)* are currently under way or planned in the south Thames region. [27729]

Mr. Sackville: Records of schemes with a total cost of less than £2.5 million are not collected centrally. Fifty six capital schemes each at an approved total cost exceeding £2.5 million have gone ahead since 1990 in South Thames region, nine of which are still under way. A further six schemes are approved to proceed to construction.

Details are not available about schemes at an early planning stage.

Sir Michael Neubert: To ask the Secretary of State for Health how many capital projects have *(a)* gone ahead since 1990–91 and *(b)* are currently under way or planned in the North Thames region. [28357]

Mr. Sackville: Records of schemes with a total cost of less than £2.5 million are not collected centrally. Forty seven capital building schemes each at an approved total cost exceeding £2.5 million have gone ahead since 1990 in North Thames region, eight of which are still under way. A further scheme has been approved to proceed to construction.

Details are not available about schemes which are at an early planning stage.

Care Services

19. **Mr. Betts:** To ask the Secretary of State for Health what assessment she has made of the level of demand since April 1993 for care services; and if she will make a statement. [27730]

Mr. Bowis: Centrally available information, which largely covers provision of services rather than demand, is published in a range of statistical publications and is brought together in "Health and Personal Social Services Statistics for England", copies of which are available in the Library.

Mixed-sex Wards

20. **Mr. Brandreth:** To ask the Secretary of State for Health what representations she has received regarding mixed-sex wards in NHS trust hospitals; and if she will make a statement. [27731]

Mr. Sackville: We have received about 100 representations in recent months. Under the patients charter, patients have the right before entering hospital for a planned treatment to know whether that treatment is to be provided in a mixed-sex ward, so that their preferences can be made known and, if possible, catered for. In addition, all patients can now expect single-sex washing and toilet facilities. How much further national health service trusts can go in meeting individual patient preferences is a matter for local determination in the light of local circumstances.

Access to Information

21. **Mr. Kirkwood:** To ask the Secretary of State for Health if she will limit fees chargeable under the guidance to NHS trusts allowing access to information; and if she will make a statement. [27732]

Mr. Sackville: The guidance to national health service authorities and trusts on the implementation of the code of practice on openness in the NHS makes it clear that, in the vast majority of cases, information will be provided free of charge. In exceptional circumstances, for example where dealing with a request would require significant diversion of resources, a reasonable charge may be made.

Asthma-related Prescriptions

22. **Mr. Rendel:** To ask the Secretary of State for Health what has been the increase in the expenditure on asthma-related prescriptions in Berkshire since 1988. [27733]

Mr. Malone: The net ingredient cost of national health service prescriptions for medicines and appliances used in the treatment of asthma and related conditions in Berkshire family health services authority was £5.6 million in 1993 and £5.9 million in 1994. The net ingredient cost is the basic price of a drug before discounts and the addition of dispensing costs or fees. Retrieval of data from earlier years could be made only at a disproportionate cost.

Blood Stocks

23. **Mrs. Jane Kennedy:** To ask the Secretary of State for Health what are the current levels of blood stocks. [27734]

Mr. Sackville: Blood stocks held on 16 June 1995 were 16,707 units. The National Blood Authority, which is responsible for our blood services, collects sufficient blood from our volunteer donors to meet the needs of hospitals.

Ms Jowell: To ask the Secretary of State for Health what is the estimated daily requirement of red blood cell units for each of the eight NHS regions in England and Wales; and what was the total number available in each region for each of the last 30 days. [29524]

Mr. Sackville: The National Blood Service aims to meet, each day, from stock, the national demand from hospitals for blood. Figures are not collected on the basis of national health service regions.

The last complete period for which figures are available from the National Blood Authority, for issues and stock, is April 1995. During that period, nationally, the average number of units of red cells issued daily was 8,500. During the same period the average daily national stock was 17,000.

Hospital Waiting Times

24. **Mr. Whittingdale:** To ask the Secretary of State for Health what progress has been made in reducing hospital waiting times. [27735]

Mr. Malone: Excellent progress has been made in reducing waiting times. Since 1987, when the waiting time initiative was first introduced, the national health service has almost completely eliminated waits of more than 18 months for in-patient or day case treatment, and the number of patients waiting more than a year for such treatment has fallen from around 210,000 to less than 32,000 today. The average time a patient has to wait has been cut from more than nine months to less than five months. In addition, we have recently introduced for the first time a standard for first out-patient appointments as part of the patients charter. All patients should be seen within 26 weeks of being referred by their general practitioner; nine out of 10 should be seen within 13 weeks.

City and East London FHSA

25. **Mr. Timms:** To ask the Secretary of State for Health what action she is taking to deal with the financial irregularities highlighted by the district auditor's management letter of November 1994 to the City and East London family health services authority. [27736]

Mr. Malone: North Thames regional health authority has commissioned a report from independent auditors. Implementation of the report's recommendations is being monitored by the national health service executive regional office.

Capital Projects

26. **Mr. Devlin:** To ask the Secretary of State for Health how many capital projects *(a)* have gone ahead since 1990–91 and *(b)* are currently under way or planned in the Northern and Yorkshire region. [27737]

Mr. Sackville: Records of schemes with a total cost of less than £2.5 million are not collected centrally. Fifty-five capital schemes, each at an approved total cost exceeding £2.5 million, have gone ahead since 1990 in Northern and Yorkshire region, 18 of which are still underway. A further eight schemes are approved to proceed to construction.

Details about schemes that are at an early planning stage are not available centrally.

Contracting Out

27. **Mr. David Evans:** To ask the Secretary of State for Health what has been the total saving of contracting out services to date. [27738]

Mr. Sackville: Cumulative total savings since 1983 as a result of market testing National Health Service services is now estimated to be in excess of £1 billion. The improved value for money achieved has released additional resources for spending on direct patient care services.

Detailed information on savings of £7.7 million arising from the Department of Health's market testing programme to 30 September 1994 was published on 9 January 1995 in the "Market Testing Bulletin Special Report", copies of which are available in the Library.

Care in the Community

28. **Mr. Amess:** To ask the Secretary of State for Health if she will make a statement on care in the community in Essex. [27739]

Mr. Bowis: Essex county council is responsible for assessing the needs of its local population and deciding on the appropriate services to provide. Between 1990–91 and 1995–96 the council's total resources for community care rose by 95 per cent. in real terms—well above the national average. It is for the council to spend these resources efficiently and effectively.

Measles

29. **Mr. Streeter:** To ask the Secretary of State for Health what is her estimate of how many children were immunised against measles in the recent campaign. [27740]

Mr. Sackville: The latest figure for the number of children in England immunised during the measles/rubella campaign is 6,585,661.

General Practitioner Fundholding

Mr. Mike O' Brien: To ask the Secretary of State for Health how much general practitioner fundholder practice budgets per patient have changed as a percentage and in real terms in each of the last two years ; and if she will make a statement on differences between provider price rises and fundholding price rises and their impact on patients. [25207]

Mr. Malone: Between 1993–94 and 1994–95, the most recent years for which national information is available, the hospital and community health services element of fundholder budgets increased by an average of 5 per cent. per patient—3 per cent. per patient in real terms.

Relevant information on provider prices is not available centrally. Fundholders' budgets represent their patients' fair share of local resources. It is for fundholding general practitioners, like health authority purchasers, to contract with hospitals to achieve the best balance of care for their patients.

Nurses

Mr. Redmond: To ask the Secretary of State for Health how many nurses were *(a)* qualified and *(b)* in training in (i) 1979 and (ii) the last year for which figures are available; what estimate she has made of the number of qualified nurses needed by the National Health Service in 2000; and what plans she has to meet this requirement. [28234]

Mr. Sackville: The figures for the number of nurses who were qualified and in training in 1979 are not available centrally.

For the number of qualified nurses in 1994, I refer the hon. Member to the United Kingdom Central Council for Nursing and Midwifery, which provides the information requested.

The number of nurses in training during the last year for which figures are available is shown in the 1993–94 annual report of the English National Board for Nursing and Midwifery, copies of which are available in the Library.

Estimates for the number of qualified nurses needed by the national health service in 2000 will be calculated from 1996–97 onwards. Action to ensure that the NHS has the number of qualified staff required, including those required to train, is primarily a responsibility for local employers.

Drug Misuse

Dr. Spink: To ask the Secretary of State for Health if she will make it her policy to impose greater controls on the use of illegal drugs in psychiatric hospitals. [29270]

Mr. Bowis: Drug misuse is serious wherever it takes place and psychiatric hospitals are as susceptible to these problems as other parts of the community. Providers of psychiatric services should develop agreed local policies to tackle on-site drug misuse.

Health Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Health if she will specify the categories and amounts of expenditure on health, other than on spending on the national health service, contained within the estimates for health expenditures in *(a)* 1995–96 and *(b)* 1996–97, as set out in table 6A.3 of the "Financial Statement and Budget Report 1995–96." [28965]

Mr. Sackville: The information is shown in the table. The figures in table 6A.3 of the "Financial Statement and Budget Report" are for spending by the Department of Health and the Office of Population Censuses and Surveys combined, as the notes to the table make clear.

£ million

	1995–96	*1996–97*
National Health Service	31,971	32,937
Personal Social Services	43	42
Civil Defence	3	3
Central government grants to local authorities	760	114
Credit approvals	144	137
Total Department of Health	32,921	33,234
Office of Population Censuses and Surveys	36	38
Total DH and OPCS	32,957	33,271

Notes:

These details were published in the Departmental Report (Cm 2812) in March 1995.

Funding plans in the Financial Statement and Budget Report are by convention rounded to the nearest £10 million.

The apparent decrease in central government grants to local authorities between 1995–96 and 1996–97 is because resources for local authorities' new community care responsibilities for 1996–97

are currently held in the Department of the Environment's local government programme.

Section 64 Grants

Mr. Martyn Jones: To ask the Secretary of State for Health if she will list the amounts received by organisations which receive a grant from her Department for each of the last five years. [28969]

Mr. Bowis: The Department makes a large number of grants to voluntary organisations. The main channel is the section 64 general scheme. For details of grants given in 1990–91, 1991–92, 1992–93 and 1994–95 I refer the hon. Member to the replies given to my hon. Friend the Member for Hendon, South (Mr. Marshall) by my right hon. Friend the Member for Loughborough (Mr. Dorrell) on 21 May 1991) at column *435-39*; the reply given to the hon. Member for Paisley, South (Mr. McMaster) by my hon. Friend for Bolton, West (Mr. Sackville) on 18 January 1993 at column *96*; the reply I gave my hon. Friend the Member for Dover (Mr. Shaw) on 21 June 1993 at column *34-39*; and the reply I gave the hon. Member for Barking (Mrs. Hodge) on 5 April 1995 at column *1212*. Details of grants given during 1993–94 will be placed in the Library.

Leukaemia

Mr. Gordon Prentice: To ask the Secretary of State for Health what Government-funded research is being undertaken into leukaemia and other bone marrow related diseases. [29087]

Mr. Malone: The main agency through which the Government support biomedical and clinical research is the Medical Research Council (MRC), which receives its grant-in-aid from the office of my right hon. Friend the Chancellor of the Duchy of Lancaster. In 1993–94, the latest year for which figures are available, the MRC spent a total of £5,084,000 on research directly related to leukaemia. In addition, a further £796,000 was spent on a number of research projects of relevance to bone marrow disease and transplantation.

The Childhood Cancer Research Group—CCRG—funded by the Department at the University of Oxford, is responsible for the national registry of childhood tumours and carries out a programme of epidemiological studies of childhood cancer and leukaemia, together with follow-up studies of children treated for these diseases. The Department funds the CCRG by some £350,000 per year.

Pollution

Mr. William O'Brien: To ask the Secretary of State for Health what reports she has commissioned or evaluated on asthma development and air quality with particular reference to pollution from road traffic. [29090]

Mr. Sackville: The independent expert Committee on the Medical Effects of Air Pollutants (COMEAP) advises Government on the health effects of air pollution. At the request of the Department of Health, COMEAP established an expert sub-group to undertake a major review of asthma and air pollution. This group will report later in 1995.

Medical Cost Inflation

Mr. Malcolm Bruce: To ask the Secretary of State for Health what is her estimate of the rate of medical cost inflation in each of the year since 1993–94; and what it is in the current year. [28966]

Mr. Sackville: There is no separate measure of medical cost inflation. The retrospective measure of current inflation in the hospital and community health services in 1993–94 is provisionally estimated at 3.4 per cent. Estimates for later years are not yet available.

St. Helier Hospital, Wimbledon

Mr. Battle: To ask the Secretary of State for Health how many official complaints the health service authorities have received about practices or procedures in the St. Helier hospital, Wimbledon, in each year since 1990. [29867]

Mr. Malone: This information is not available centrally. The hon. Member may wish to contact Sir Jeremy Elwes, chairman of St. Helier national health service trust, for details.

Medical Workforce Standing Advisory Committee

Mr. Jenkin: To ask the Secretary for Health when she expects the Medical Workforce Standing Advisory Committee to make its second report; and what plans she has for providing funding for NHS spending associated with teaching and research in 1996–97. [30160]

Mrs. Virginia Bottomley: I am pleased to announce that the Medical Workforce Standing Advisory Committee has completed its second report. It is published today and copies will be placed in the Library.

Over the past two years, MWSAC has examined a wide range of issues that affect the medical profession. I am grateful to Sir Colin Campbell, the chairman, and the members of the committee for their continued work on forecasting long-term medical work force requirements. The Government accept the committee's main recommendation of a gradual increase in the United Kingdom target medical school intake from 4,470 to 4,970 by 2000. We will discuss its implementation with interested parties.

For 1995–96, as an interim measure, I increased by £40 million the service increment for teaching and research (SIFTR), which I announced on 22 November 1994 at column 489. SIFTR funds national health service spending in association with teaching and research so that these costs are not borne out of allocations for patient care. For 1996–97 I intend to transfer a further £40 million into the levies which will replace SIFTR.

From 1996–97, funding for NHS spending associated with teaching will be separated from that associated with research. The research element will form part of the single research and development budget described in the plan for implementing the recommendations of the NHS research and development task force published on 11 April 1995. Proposals for the teaching element—the service increment for teaching—were published for consultation on 23 May at column *518*. I shall announce details of the way the £40 million increase for 1996–97 is to be allocated after the end of the consultation period.

London Ambulance Service

Mr. Harry Greenway: To ask the Secretary of State for Health how many times the London ambulance service was called out in the past year; what is the current average response time of the London ambulance service; what are the comparable figures for the recent past; and if she will make a statement. [27977]

Mr. Sackville: Figures for 1993–94 and previous years are contained in the annual publication "Patient Transport Services, Summary information from form KA34", copies of which are available in the Library. My hon. Friend may wish to contact Mr. Martin Gorham, chief executive of the London ambulance service, for specific information.

Chronic Fatigue Syndrome

Rev. Martin Smyth: To ask the Secretary of State for Health if she will make a statement on the differences between the variety of conditions grouped under the acronym CFS. [27978]

Mr. Sackville: The Department recognises the use of the term chronic fatigue syndrome—CFS—for an as yet incompletely understood condition characterised by severe fatigue along with a range of other symptoms and signs. A number of definitions, disease descriptions or diagnostic criteria have been proposed for CFS but there is no general consensus amongst the professions and/or among patient groups as to which should be used. The report of the national task force on CFS. PVFS (post viral fatigue syndrome)/ME (myalgic encephalomyelitis) has considered matters concerning CFS, including the matter of nomenclature. With a view to securing progress and promoting the development of a professional consensus, the Chief Medical Officer has invited the Conference of Medical Colleges to consider the report. The views of the Conference of Medical Colleges will be of much assistance to the Department in helping to determine the best way forward.

Waiting Lists

Mr. Bill Michie: To ask the Secretary of State for Health what was the number of patient fatalities amongst those on the waiting list for heart surgery in the latest period for which figures are available. [27980]

Mr. Malone: I refer the hon. Member to the reply my right hon. Friend the Member for Peterborough (Dr. Mawhinney), then the Minister for Health, gave the hon. Member for Bristol. South (Ms Primarolo) on 19 May 1994 at c. *557*.

Road Traffic Act 1988

Ms Jowell: To ask the Secretary of State for Health how much income was received by trusts as a result of charges levied under the Road Traffic Act 1988 for each year since 1988. [28107]

Mr. Sackville: This information is not available centrally.

Mental Health (Patients in the Community) Bill

Ms Jowell: To ask the Secretary of State for Health which organisations concerned with the needs of people with mental illness or their families have made representations expressing *(a)* support for and *(b)* opposition to her Mental Health (Patients in the Community) Bill; and if she will make a statement. [29526]

Mr. Bowis: Consultations did not take place on the Bill as such but on the three proposals for inclusion in it. We consulted widely on these. It is not possible to categorise the responses in the way referred to in the question, but the numbers indicating support for the principles of each of the three proposals substantially exceeded those expressing opposition.

National Blood Service

Ms Jowell: To ask the Secretary of State for Health when she expects the National Blood Authority to submit to her Department its final recommendations for the re-organisation of the National Blood Service; and when the final report will be published. [29523]

Mr. Sackville: The National Blood Authority will submit its revised recommendations shortly. A copy of the authority's report will be placed in the Library as soon as the recommendations have been considered and announced.

Consultant Contracts

Ms Jowell: To ask the Secretary of State for Health how many *(a)* full time and *(b)* maximum part-time consultant contracts were held by regions for each year since 1990. [29525]

Mr. Malone: The table shows numbers of consultants on full-time and maximum part-time consultants in each region.

Hospital medical consultants by full-time and maximum part-time contracts for each region—30 September 1990–1993 (numbers)

	1990		1991		1992		1993	
	Full-time	Maximum part-time	Full-time	Maximum part-time	Full-time	Maximum part-time	Full-time	Maximum part-time
Northern	750	170	800	200	800	170	750	140
Yorkshire	550	360	560	390	670	400	770	350
Trent	730	400	740	410	810	400	880	360
East Anglian	330	230	340	240	350	250	350	250
North West Thames	540	300	590	250	530	290	520	260
North East Thames	500	470	500	480	560	480	580	470
South East Thames	510	470	540	470	510	460	520	450
South West Thames	350	380	370	380	430	320	460	320
Wessex	390	350	390	370	470	310	460	350
Oxford	310	310	310	310	340	300	420	310

Hospital medical consultants by full-time and maximum part-time contracts for each region—30 September 1990–1993 (numbers)

	1990		1991		1992		1993	
	Full-time	Maximum part-time	Full-time	Maximum part-time	Full-time	Maximum part-time	Full-time	Maximum part-time
South Western	450	340	490	330	510	310	540	320
West Midlands	770	610	810	610	850	600	880	560
Mersey	440	220	520	160	560	140	520	230
North Western	650	500	800	420	750	490	860	450
Special Health Authority	190	70	180	60	170	80	180	80
England	7,390	5,140	7,780	4,960	8,180	4,830	8,530	4,770

Note:
Some doctors have contracts in more than one Region. For this reason the England total is less than the sum of the Regional figures.
Figures rounded to the nearest '10'.
SHA data includes Special Hospitals.

Supervision Registers

Ms Jowell: To ask the Secretary of State for Health which health authorities had introduced supervision registers by 1 May. [29527]

Mr. Bowis: Supervision registers have been established in all health districts. The National Health Service Executive is continuing to monitor the position to ensure that the registers are operating effectively.

Hospital League Tables

Ms Lynne: To ask the Secretary of State for Health how many regional newspaper editors she expects to attend her briefing on the hospital league tables at the Department of Health; and what financial provision has been made for the provision of hospitality at this meeting. [29520]

Mr. Sackville: The number will depend on the level of acceptances. Light refreshments will cost around £5 a head.

Prescriptions

Mr. Miller: To ask the Secretary of State for Health, pursuant to her answers of 15 June, *Official Report*, columns *623–24*, on prescriptions, what is the difference between the figure of £909 million for 1993 and the figure for the total net ingredient costs of all 100 items in the list she regards as "Commercial; in Confidence;" and if she will make a statement. [29927]

Mr. Malone: The data supplied to Chester and Ellesmere Port community health council differed from information supplied in my answer of 15 June for two reasons:

The information supplied to the community health council was for drugs only and excluded dressings and appliances. The information supplied on 15 June was based on all prescription items.

There was also an error in the extraction of data supplied to the community health council which resulted in the exclusion of six drugs from the top 100 and, consequently, in the inclusion of six others with lower total net ingredient cost.

EMPLOYMENT

Labour Market Policy

Mr. Macshane: To ask the Secretary of State for Employment if he will list the federations of employers with whom he regularly meets to discuss labour market policy. [26643]

Miss Widdecombe: My right hon. Friend, the Secretary of State meets many organisations representing both employers and employees such as the Confederation of British Industry and Trade Union Congress, from time to time, and discusses a wide range of labour market issues with them.

Decency Threshold

Mr. Gordon Prentice: To ask the Secretary of State for Employment how many and what percentage of the working population earns less than the threshold level of the lowest acceptable wage as assessed by the Committee of Independent Experts. [27656]

Mr. Oppenheim: The Council of Europe's so called decency threshold has not been accepted by any EU Government and was not accepted by the United Kingdom when it was introduced in 1977. The threshold for the UK was £221.50 per week in April 1994 and 32 per cent. of the full-time working population earn less than this.

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Employment how many written parliamentary questions were tabled for answer by his Department in each of the past five years; and how many of these were not answered because the information *(a)* could be obtained only at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered due to computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28511]

Miss Widdecombe: The information requested could be provided only at disproportionate cost.

Mr. McMaster: To ask the Secretary of State for Employment what percentage of parliamentary questions, which would have been answered directly by

him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28491]

Miss Widdecombe: Ministers are accountable to Parliament for all matters concerning their agencies. Written parliamentary questions concerning matters which have been delegated to the chief executive of an executive agency in its framework document, normally receive a reply from the Minister to the effect that he or she has asked the chief executive to reply to the hon. Member by letter. The chief executive's letter is published in *Hansard* below the Minister's reply.

Health and Safety Executive

Mr. Ian McCartney: To ask the Secretary of State for Employment, what time was spent by the Health and Safety Executive's DSI grade on standard setting work in each of the national interest groups. [29210]

Mr. Oppenheim: The information requested can be obtained only at disproportionate cost.

Mr. Ian McCartney: To ask the Secretary of State for Employment when the industry advisory committees will be consulted about the recommendations of the Health and Safety Executive's management arrangements feasibility study as they affect *(a)* the area office network and *(b)* the national interest group structure. [29226]

Mr. Oppenheim: Industry advisory committees will not be specifically consulted about the recommendations of the Health and Safety Executive's field operations division management arrangements feasibility study.

However, relevant industry advisory committees will be consulted about any implications for them which may arise from a review of national interest groups now in progress.

Mr. Ian McCartney: To ask the Secretary of State for Employment what was the percentage contact time spent by principal factory inspectors in *(a)* the London South area office and *(b)* the Nottingham area office of the Health and Safety Executive between 1 April 1994 and 1 April 1995. [29209]

Mr. Oppenheim: The contact time by principal factory inspectors as a percentage of their total available time between 1 April 1994 and 31 March 1995 averaged 15.1 per cent. in the north midlands (Nottingham) area, and in the London South area averaged 10.5 per cent.

Mr. Ian McCartney: To ask the Secretary of State for Employment what changes to the Health and Safety Executive's efficiency or effectiveness have arisen from the recommendations of the management arrangements feasibility study. [29225]

Mr. Oppenheim: Recommendations of the management arrangements feasibility study remain the subject of consultation with Health and Safety Executive staff. No decisions have yet been made by HSE about their implementation.

Mr. Ian McCartney: To ask the Secretary of State for Employment what information the Health and Safety Executive will maintain on the new FOCUS computer system on *(a)* the number of visits undertaken by inspectors and *(b)* the time spent on these visits; and what information of this type the Health and Safety Executive currently maintains on its existing computer system. [29219]

Mr. Oppenheim: FOCUS will record all visits by inspectors, and doctors and nurses, in the Health and Safety Executive's field operations division. It will record the time spent on each of these visits, and will provide an aggregate.

There are currently different recording systems for different disciplines within FOD. Whilst all enable aggregate time spent on planned activities to be assessed, only one isolates visit time.

Mr. Ian McCartney: To ask the Secretary of State for Employment, how many *(a)* doctors and *(b)* nurses were employed by EMAS in each of the Health and Safety Executive's area offices on *(a)* 1 April 1994 and *(b)* 1 April 1995. [29211]

Mr. Oppenheim: The following tables show the number of doctors and nurses of the employment medical advisory service working in each of the Health and Safety Executive's area offices on 1 April 1994 and 1 April 1995.

Area	*Doctors*	*Nurses*
1 April 1994		
South West	2	3
South	3	3
South East	2	2
London North	2	3
London South	1	0.5
East Anglia	2.5	2
Northern Home Counties	1	2
East Midlands	1	2
West Midlands	1	3
Wales	3	4
Marches	2	2
North Midlands	2.5	1
South Yorkshire and Humberside	3	2
West and North Yorkshire	2.5	2
Greater Manchester	3.5	2
Merseyside	2.5	1
North West	2	2
North East	3	4
Scotland East	4	3
Scotland West	1.5	2
Total	45	45.5
1 April 1995		
South West	1	3
South	3	3
South East	1	1
London North	1.83	1.67
London South	1.83	0.83
East Anglia	2.5	1
Northern Home Counties	1	2
East Midlands	0	2
West Midlands	1	2
Wales	2	4
Marches	1	1
North Midlands	2	1
South Yorkshire and Humberside	2	2
West and North Yorkshire	1	1
Greater Manchester	3	2
Merseyside	1	1
North West	1	1

Area	Doctors	Nurses
North East	3	4
Scotland East	2	3
Scotland West	1.68	2
Total	32.84	38.5

Mr. McFall: To ask the Secretary of State for Employment if he will list the categories of information made available for public scrutiny by the Health and Safety Executive under the open government provisions; and if he will list the location and format in which each category of information is available. [29081]

Mr. Oppenheim: Under the commitments in the code of practice on access to Government information and the requirements on the Environmental Information Regulations 1992, the Health and Safety Executive makes publicly available on request all health, safety and environmental information it holds, subject to the exempted categories of information in the code, the excepted categories of information in the regulations and any other statutory restrictions on the disclosure of information it holds.

Requests may be made to HSE's Sheffield information centre or to any HSE area office. Information will be provided in the format requiring the least use of public resources.

Mr. Ian McCartney: To ask the Secretary of State for Employment how many visits were made by the Health and Safety Executive's factory and agricultural inspectorates in the 12 months to 1 April. [29218]

Mr. Oppenheim: The Health and Safety Executive's field operations division factory, agricultural and quarries inspectorates carried out 136,889 planned inspection visits in 1994–95.

Travel-to-interview scheme

Mr. Ian McCartney: To ask the Secretary of State for Employment (1) if he will list the general grounds for rejection of financial assistance from the travel-to-interview scheme; [29203]

(2) how many applications have been received, on a regional basis, for financial assistance from the travel-to-interview scheme since its inception; what is the total cost of the scheme; and what is the total budget allocation for the scheme; [29201]

(3) how many appeals have been held as a result of rejection of financial assistance from the travel-to-interview scheme; and how many times the rejection of financial assistance has been overturned on appeal; [29204]

(4) how many applications, on a regional basis, for financial assistance from the travel-to-interview scheme have been rejected since its inception. [29202]

Miss Widdecombe: Responsibility for the subject of the questions has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from M. E. G. Fogden to Mr. Ian McCartney, dated 20 June 1995:

The Secretary of State has asked me to reply to your questions on the Travel to Interview Scheme (TIS).

The Travel to Interview Scheme helps unemployed people attend job interviews beyond normal daily travelling distance by meeting the costs of the journey, and where necessary the costs of an overnight stay. In accordance with the rules of the scheme, the general grounds for rejection of applications are as follows:

application was not made in advance;

applicant was not unemployed for four weeks or more;

interview was not beyond normal daily travelling distance;

applicant was not resident in the area for the past four weeks;

job was for less than 30 hours per week;

job was not expected to last for more than 12 months;

job was for self-employment;

the salary was above £25,000 limit;

interview was not in the United Kingdom;

no help can be given for second or subsequent interviews.

However, I should explain that we are presently testing changes to the rules in the North West region. The changes include the removal of the salary limit, help with second and subsequent interviews, help for some self-employed jobs, and a more relaxed interpretation of the 12 month rule.

The scheme was introduced in late 1986. The total cost of the scheme between April 1987–March 1995 has been £8.7m enabling attendance at over 395,000 interviews. The allocation of funds for 1995/96 amounts to £2.2m.

The normal process for appeals against rejected TIS applications operates on two levels. Initially, applicants can ask for their case to be reconsidered by the jobcentre manager. Where the jobcentre manager endorses the original decision and the applicant is still dissatisfied with the explanation, a final appeal can be made to the Employment Service Head Office.

I cannot give you the total number of appeals for Head Office consideration since the schemes's inception, as records are kept for 2 years only. The following figures cover the period from April 1993–March 1995:

appeals 34

number of rejections overturned on appeal 6

The number of appeals cleared at the local office level is not recorded.

The table below shows the number of applications made from April 1987–March 1995 and the number of applications rejected by region.

Regions	Applications made from April 1987–March 1995	Applications rejected from April 1987–March 1995
Northern	36,989	7,485
Yorkshire and Humberside	40,510	9,188
East Midlands and Eastern	40,540	10,620
London and South East	56,045	13,040
South West	37,328	9,437

Regions	Applications made from April 1987–March 1995	Applications rejected from April 1987–March 1995
Wales	27,081	7,843
West Midlands	29,311	7,429
North West	61,827	10,713
Scotland	54,245	13,117

I hope this is helpful.

Correspondence

Mr. Pawsey: To ask the Secretary of State for Employment when the hon. Member for Rugby and Kenilworth may expect a definitive reply to the matter raised in his letters of 23 March, 28 April and 2 June. [28942]

Miss Widdecombe: I will look into the circumstances of this case as a matter of urgency and will write to the hon. Member as soon as possible.

Offshore Installations

Mr. McFall: To ask the Secretary of State for Employment what is the estimated number of operational safety cases for new offshore installations, or mobile installations entering United Kingdom waters for the first time, which will be submitted to the Health and Safety Executive in each of the next three years. [29077]

Mr. Oppenheim: The Health and Safety Executive estimates that a total of 15 to 20 cases for offshore installations and mobile installations entering UK waters for the first time will be submitted in each of the next three years.

Mr. McFall: To ask the Secretary of State for Employment how many *(a)* improvement notices and *(b)* prohibition notices have been issued by the offshore safety division of the Health and Safety Executive in each year since 1991. [29075]

Mr. Oppenheim: The figures are as follows:

Year	Improvement notices	Prohibition notices
1 April 1991 to 31 March 1992	0	2
1 April 1992 to 31 March 1993	19	5
1 April 1993 to 31 March 1994	22	3
1 April 1994 to 31 March 1995	34	5
1 April 1995 to 8 June 1995	3	0

Mr. McFall: To ask the Secretary of State for Employment what is the expected number of well operations notifications per month which will be submitted to the offshore safety division of the Health and Safety Executive under the provisions of regulation 11 of the Offshore Installations (Safety Case) Regulations 1992; and what is the HSE's planned personnel allocation to the handling of these notifications. [29079]

Mr. Oppenheim: The Health and Safety Executive estimates that around 65 well notifications will be submitted per month.

Sixteen staff who are currently engaged on approving well consents will be employed in managing the notification scheme when this comes into effect. The offshore safety division is also able to draw on further specialist staff as required.

Mr. McFall: To ask the Secretary of State for Employment when the first revised safety case is due to be submitted to the Health and Safety Executive under the provisions of regulation 9(4) of the Offshore Installations (Safety Case) Regulations 1992; and how many such revised safety cases are expected to be submitted to the HSE in each of the subsequent three years. [29078]

Mr. Oppenheim: The first revised safety case due to be submitted under the provisions of regulation 9(4) of the Offshore Installations (Safety Case) Regulations 1992 is expected to be submitted in January 1997. from 1997 onwards the Health and Safety Executive estimates that 60 revised safety cases will be submitted in each of the next three years.

Mr. McFall: To ask the Secretary of State for Employment how many offshore installation safety cases have been submitted to the offshore safety division of the Health and Safety Executive to date; and how many of these have been formally accepted by the Health and Safety Executive. [29076]

Mr. Oppenheim: At 31 May 1995, a total of 260 safety cases for offshore installations had been submitted to the Health and Safety Executive, of which 17 were design safety cases which are not formally accepted by HSE. At the same date, 102 safety cases had been accepted by HSE.

Mr. McFall: To ask the Secretary of State for Employment how many exemptions have been granted to the time deadline requirements for safety case submission, as provided for in regulation 17(2) (a) of the Offshore Installations (Safety Case) Regulations 1992. [29080]

Mr. Oppenheim: No exemptions have been requested or granted to the time deadline requirements for safety case submission, as provided for in regulation 17(2) (a).

Foreign Companies

Mr. Lewis: To ask the Secretary of State for Employment if he will list the top 25 foreign companies in the United Kingdom by the total numbers of personnel employed. [29868]

Mr. Oppenheim: The Statistics of Trade Act 1947 prohibits the disclosure of information which could be identified as relating to an individual employer. In the circumstances, I cannot provide the information requested.

Ministerial Visit, Manchester

Mr. Callaghan: To ask the Secretary of State for Employment when he next intends to visit the Greater Manchester area to discuss matters relating to employment with local authority representatives. [29872]

Miss Widdecombe: My right hon. Friend, the Secretary of State, will next visit Stockport and Manchester on Wednesday 21 June 1995 when he shall discuss employment matters with people from a cross section of employment and training organisations. He has no specific plans to meet representatives from local authorities separately.

Training-for-Work

Mr. Callaghan: To ask the Secretary of State for Employment what advice his Department gives to unemployed people in the Greater Manchester area who cannot find places on the training-for-work programmes. [29870]

Miss Widdecombe: There are a large number of training places for those seeking them, and for whom training is the best course of action, but training is not necessarily the priority need for all unemployed people. That is why all Employment Service offices offer a structured and coherent advisory service, which is aimed at helping people back into work as soon as possible. ES provides unemployed people with information and advice about the full range of jobs, training and other programme opportunities available to them. About 1.5 million opportunities are available through ES this year.

Sheep Dips

Mr. Tyler: To ask the Secretary of State for Employment with what frequency, and with what sanctions, inspectors from the Health and Safety Executive monitor the adherence of sheep farmers to the advice contained in the HSE leaflet "Sheep Dipping", reference AS29 revised. [29735]

Mr. Oppenheim: The frequency of visits by Health and Safety Executive inspectors is prioritised on the basis of a number of factors: these include the risks to those at work or the public. Around 30,000 visits per year are made to agricultural premises, though not all of these will, of course, be sheep farms.

Where inspectors find poor conditions the available sanctions range from verbal or written advice to improvement and prohibition notices and, in extreme cases, prosecution.

Unemployment, Manchester

Mr. Callaghan: To ask the Secretary of State for Employment what discussions he has had with other EU employment Ministers on measures to reduce unemployment in the Greater Manchester area. [29871]

Miss Widdecombe: My right hon. Friend, the Secretary of State and I regularly discuss employment matters with our fellow Employment Ministers at the Social Affairs Council. We consistently urge them to make job creation the first priority and not to pursue new restrictions and regulations which can only destroy jobs. Our aim is to improve employment prospects in all areas of Britain, including Greater Manchester.

Charter Week

Mr. Morgan: To ask the Secretary of State for Employment what are the main events he is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [29884]

Miss Widdecombe: A number of events are planned to coincide with the fourth anniversary of the citizens charter, including:

local events organised by the Employment Service, for example, to promote services for long-term unemployed people and to launch client consultation groups on a pilot basis;

publication of revised versions of the Health and Safety Executive's two key statements of service standards.

These activities were planned as part of normal departmental business, although in some instances the timing has been adjusted to coincide with Charter Week and the charter content has been made more explicit. There will be no additional cost or staff resources required as a result of holding the events in July. The officials concerned will be working on the events as part of their normal duties.

Working Abroad

Mr. Milburn: To ask the Secretary of State for Employment how many United Kingdom citizens were working abroad in each of the last 10 years. [29280]

Miss Widdecombe *[holding answer 19 June 1995]:* The information requested is not available.

Redundancies

Mr. Burden: To ask the Secretary of State for Employment (1) on how many occasions in each of the last five years he has taken action against employers failing to notify his Department of impending redundancies under section 193 of the Trade Union and Labour Relations (Consolidation) Act 1992; and what action was taken on each occasion; [29452]

(2) on how many occasions in each of the last five years he has learned of failures by employers to notify his Department of impending redundancies under section 193 of the Trade Union and Labour Relations (Consolidation) Act 1992. [29451]

Mr. Oppenheim *[holding answer 19 June 1995]:* Information on the number of allegations of an employer's failure to notify my right hon. Friend, the Secretary of State in accordance with section 193 of the Trade Union and Labour Relations (Consolidation) Act 1992 is not recorded, though appropriate inquiries are made in such cases. The number of instances in each of the last five years where the Department was notified, but where the notification did not fully meet the requirements of section 193 of the Act is as follows:

1990: 2,828

1991: 4,021

1992: 4,724

1993: 2,630

1994: 1,918

In each case an explanation was sought and the full requirements of the legislation brought to the employer's attention. The legislation provides that where it is not reasonably practical to comply with the full requirements, the employer should take all reasonable steps to comply as far as possible. Taking account of this, it has not so far been found appropriate to prosecute an employer.

DUCHY OF LANCASTER

Business Appointment Rules

Mr. Cousins: To ask the Chancellor of the Duchy of Lancaster what steps are being taken to monitor conditions imposed under the business appointment rules; and if conditions are made known to those offering appointments to which conditions are applied. [29168]

Mr. Horam: Conditions are monitored through routine contact between former employing departments and new employers or their competitors. The Government are considering the recommendation of the Committee on Standards in Public Life that the operation, observance and objectives of the business appointment rules should be reviewed. Conditions are made known to new employers where appropriate.

Mr. Cousins: To ask the Chancellor of the Duchy of Lancaster if he will place a copy of the business appointment rules in the Library. [29163]

Mr. Horam: The business appointment rules form part of the civil service management code, a copy of which is already in the Library.

Mr. Cousins: To ask the Chancellor of the Duchy of Lancaster what is the membership of the Advisory Committee on Business Appointments, the number of meetings attended by each member during the year 1994–95 and the total cost of remuneration or compensation to the membership of the committee in 1994–95. [29165]

Mr. Horam: I refer the hon. Member to the reply I gave to the hon. Member for Sunderland, South (Mr. Mullin) on 23 May 1995, *Official Report* column *535*. The committee met twice during 1994–95; it handles the bulk of its work by correspondence. Committee members do not receive remuneration or compensation.

Mr. Cousins: To ask the Chancellor of the Duchy of Lancaster what plans he has to introduce the possibility of a ban on the acceptance of an appointment under the business appointment rules. [29169]

Mr. Horam: None.

Charter Week

Mr. Morgan: To ask the Chancellor of the Duchy of Lancaster what are the main events he is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [29880]

Mr. Horam: A number of public service events are planned to coincide with the fourth anniversary of the citizens charter, including:

the publication of NHS performance tables for England, Wales and Northern Ireland;

the launch of the charter standard statement for community services in Northern Ireland;

the publication of the revised Customs and Excise travellers charter;

a reception for users who have nominated organisations for the 1995 charter mark and representatives of the nominated organisations; and

the publication of the a guide to consultation.

There will be no additional cost or staff resources required as a result of holding these events in July. The officials concerned will be working on the events as part of their normal duties.

Contracting Out

Mr. McNamara: To ask the Chancellor of the Duchy of Lancaster if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29422]

Mr. Horam: Those parts of the work of the Cabinet Office, its agencies, HMSO and COI which have been contracted-out without an in-house bid are as follows:

Agency	
Central OPSS	Consortium Reports
	Publishing and Print Procurement Service
CCTA	GTN (Long-Distance)
Chessington	UNISON (Phase 1)
CS College	Prospectus Distribution
RAS	Catering Services
	Cleaning Services
	IT Hardware Maintenance
	IT Software Support Services
HMSO	Print Order Processing System
	Software Development: Business Supplies
	Software Development: Finance
COI	Videotext Unit

The Cabinet Office, its agencies, HMSO and COI have contracted-out activities without inviting in-house bids where it has been judged that the private sector is clearly better equipped to deliver a specific service, has a better understanding of market needs, or the capacity to invest in new technology. Other decisions to contract-out services without inviting in-house bids have been taken where an activity is relatively small and peripheral to the Department's functions.

There are no current plans to contract-out any activities within the Cabinet Office, its agencies, HMSO and COI without inviting an in-house bid.

WALES

Male Unemployment

Mr. Llwyd: To ask the Secretary of State for Wales what was the percentage of male unemployment in Dyfed in 1984, 1989 and 1994. [28692]

Mr. Gwilym Jones: The annual average male unemployment rates in Dyfed for 1984, 1989 and 1994, based on the claimant count, were 13.8, 8.3 and 10.8 per cent. respectively.

Mr. Llwyd: To ask the Secretary of State for Wales what was the percentage of male unemployment in the county of South Glamorgan in 1987, 1990 and 1994. [28969]

Mr. Gwilym Jones: The annual average male unemployment rates in South Glamorgan for 1987, 1990 and 1994, based on the claimant count, were 14.2, 8.6 and 13.2 per cent. respectively.

Mr. Llwyd: To ask the Secretary of State for Wales what was the percentage of male unemployment in Gwynedd in 1985, 1990 and 1994. [28690]

Mr. Gwilym Jones: The annual average male unemployment rates in Gwynedd for 1985, 1990 and 1994, based on the claimant count, were 16.9, 9.0 and 12.5 per cent. respectively.

Mr. Llwyd: To ask the Secretary of State for Wales what was the percentage of male unemployment in the county of Gwent for 1988, 1992 and 1994. [28694]

Mr. Gwilym Jones: The annual average male unemployment rates in Gwent for 1988, 1992 and 1994, based on the claimant count, were 12.9, 14.2 and 13.8 per cent. respectively.

Mr. Llwyd: To ask the Secretary of State for Wales what was the percentage of male unemployment in Mid Glamorgan in 1981, 1985, 1990 and 1994. [28693]

Mr. Gwilym Jones: The annual average male unemployment rates in Mid Glamorgan for 1985, 1990 and 1994, based on the claimant count, were 20, 12.2 and 16.4 per cent. respectively. A comparable figure for 1981 is not available. However, the average registrant male unemployment rate for Mid Glamorgan in that year, expressed as a percentage of employees and registrant unemployed, was 17 per cent. This average excludes the figures for March and April 1981, which are not available.

Mr. Llwyd: To ask the Secretary of State for Wales what was the percentage of male unemployment in the county of West Glamorgan in 1981, 1985, 1990 and 1994. [28697]

Mr. Gwilym Jones: The annual average male unemployment rates in West Glamorgan for 1985, 1990 and 1994, based on the claimant count, were 19.1, 9.7 and 14 per cent. respectively. A comparable figure for 1981 is not available. However, the average registrant male unemployment rate for West Glamorgan in that year, expressed as a percentage of employees and registrant unemployed, was 16.7 per cent. This average excludes the figures for March and April 1981, which are not available.

Mr. Llwyd: To ask the Secretary of State for Wales what was the percentage of male unemployment in Clwyd in 1986, 1991 and 1994. [28691]

Mr. Gwilym Jones: The annual average male unemployment rates in Clwyd for 1986, 1991 and 1994, based on the claimant count, were 15.3, 9 and 10.1 per cent. respectively.

Mr. Llwyd: To ask the Secretary of State for Wales what is the current percentage of male unemployment in the county of Powys. [28695]

Mr. Gwilym Jones: The unadjusted male unemployment rate in Powys, based on the claimant count, in May 1995 was 5.1 per cent.

School Meals

Mr. Martyn Jones: To ask the Secretary of State for Wales what nutritional quality standards there are for school meals; and when was the last change in these standards. [28812]

Mr. Richards: The nutritional quality of school meals is a matter for local education authorities or, in some cases, the governing bodies of schools.

Business Start-up Scheme

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will list those areas in Wales where no business start-up schemes are available for the unemployed. [28612]

Mr. Richards: All training and enterprise councils in Wales operate the business start-up scheme.

Complaints

Mr. Jon Owen Jones: To ask the Secretary of State for Wales (1) what use is made of complaints referred to his Department concerning the conduct and or practice of doctors within national health service hospitals; [28971]

(2) if he monitors complaints made against medical practitioners who work in the national health service; [28970]

(3) what advice his Department gives to health authorities in how they deal with complaints made against medical practitioners. [28972]

Mr. Richards: Guidance on the handling of complaints is issued to health authorities and trusts and is revised in the light of experience. The most recent advice from the Department is WHC(93)75. It is the responsibility of health authorities and trusts to investigate complaints and take action on matters involving the conduct or practice of doctors employed by them.

The Department monitors the number of complaints received by health authorities and trusts and publishes the information.

Minerals Planning Guidance

Mr. Gareth Wardell: To ask the Secretary of State for Wales what plans he has to revise mineral planning guidance note 1. [28994]

Mr. Gwilym Jones: My right hon. Friend is considering what revised guidance is needed in Wales to supersede that contained in minerals planning guidance note 1.

Agricultural Grants

Mr. Martyn Jones: To ask the Secretary of State for Wales what is the mean, median and standard deviation for the length of time between receiving a claim and the payment of a claim for each agricultural grant handled by his Department. [29456]

Mr. Gwilym Jones: The information required could be provided only at disproportionate cost. I published the targets for the payment of claims for grants and subsidies in March this year. Details of performance against targets will be published after the end of the financial year.

Employment

Mr. Alan Williams: To ask the Secretary of State for Wales what proportion of the work force in *(a)* Swansea, *(b)* West Glamorgan and *(c)* Wales is employed on a temporary basis. [29512]

Mr. Gwilym Jones: Information on the work force employed on a temporary basis in Swansea and West Glamorgan is not available centrally. The latest available information for Wales is based on the labour force survey conducted in winter 1994–95—three months ending February 1995—and relates to employees rather than the work force. It estimates that 9 per cent. of employees of working age in Wales had jobs that were not permanent in some way.

National Museum of Wales

Mr. Barry Jones: To ask the Secretary of State for Wales what proposals he has to enable the national museum to expand its collection of fine art. [29637]

Mr. Richards: The national museum of Wales receives an annual specimen purchase grant from the Department; the amount for 1995–96 is £1,140,000. Decisions on how the grant is spent are a matter entirely for the museum.

Higher Education

Mr. Llwyd: To ask the Secretary of State for Wales how many people from Wales were studying at higher education institutions in the United Kingdom in *(a)* 1993–94 and *(b)* 1994–95; and if he will make a statement. [29032]

Mr. Richards: In 1994–95, provisional data suggest that there were 48,228 full-time and sandwich Welsh domiciled higher education students in the United Kingdom. The data were collected by the Higher Education Statistics Agency.

In 1993–94, only data for Welsh domiciled students at institutions in England and Wales are readily available. This total was 44,303 and represents the great majority of Welsh domiciled students. In 1994–95, only 556 Welsh domiciled students were at institutions in Scotland or Northern Ireland.

Student Degrees

Mr. Llwyd: To ask the Secretary of State for Wales what was the proportion of students obtaining *(a)* first class and *(b)* upper second class degrees at (i) the university of Wales and (ii) Welsh higher education institutions as a whole in (1) 1991–92 and (2) 1992–93; and if he will make a statement. [29035]

Mr. Richards: The information available on the proportion of first degree students obtaining first class or upper second class honours degrees at the constituent colleges of the university of Wales and at higher education institutions in Wales is shown in the table:

First degree students in Wales

University of Wales[1]	*1991–92* Number	*1991–92* Per cent. awarded	*1992–93* Number	*1992–93* Per cent. awarded
Awarded				
First Class Honours	296	5.9	315	5.5
Other Honours[2]	4,379	86.7	5,018	87.4
Ordinary Degrees	377	7.5	411	7.2
Total	5,052		5,744	

Notes:
[1] As at December.
[2] Includes upper second, lower second and third class honours.
Source:
Universities Statistical Record.

Higher Education Institutions[1]	*1991–92* Number	*1991–92* Per cent. awarded	*1992–93* Number	*1992–93* Per cent. awarded
Awarded				
First Class Honours	101	3.9	120	3.9
Upper Second Class Honours	804	31.2	1,004	32.3
Other Degrees[2]	1,673	64.9	1,987	63.9
Total awarded	2,578		3,111	

Notes:
[1] As at November.
[2] Include lower second, third class and ordinary degrees.
Source:
Examination Results First Destination Survey.

SOCIAL SECURITY

Departmental Performance

Ms Hodge: To ask the Secretary of State for Social Security (1) what performance indicators and performance targets there are for measuring the performance of his Department in *(a)* answering letters from members of the public and *(b)* answering telephone calls from members of the public; how performance is monitored; and what are the latest figures for performance measured against the target set; [26227]

(2) what policy and procedures exist for dealing with complaints against his Department by members of the public; when his Department last updated its policy; what time limit and target for dealing with such complaints his Department has; and what follow-up procedure exists where complaints are not satisfied with his Department's response to a complaint. [26211]

Mr. Hague: DSS headquarters aims to answer all correspondence within 20 working days of receipt. For the period 1 January 1995 to 31 May 1995, 12,317 replies to letters from members of the public were sent of which 83 per cent. were answered within this target. The public inquiry line handles telephone calls from members of the public. It aims to provide good quality answers to customers' inquiries rather than process a set quantity of telephone calls. Quality performance is continually monitored by electronically tracking the number of calls dealt with and by a supervisor routinely listening in to a number of calls. Staff also receive continuous training on information available in addition to regular specific assessment of their individual performance.

The responsibility for day-to-day operations, including the handling of letters, telephone calls and complaints from members of the public, rests with the chief executive of each agency. Each of them will write to the hon. Member.

Letter from Peter Mathison to Ms Margaret Hodge, dated 19 June 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about our performance targets for answering telephone calls and letters, and our complaints procedure.

Over the past two years we have made many improvements in the service we can give to war pensioners. The launch of the War Pensions Agency in April 1994 included the publication of our first Charter Standard Statement, which defines service targets and standards including a complaints procedure if we fail to deliver the service we promise. Our published targets are:

> Telephone calls to War pensions Helpline answered within 30 seconds. If we cannot answer the question straight away, we will call back at a time convenient to the pensioner.
>
> Letters from the public acknowledged within 5 working days followed by a full response by letter or telephone within 10 working days.

The War Pensions Agency telephone Helpline provides the main point of contact for the whole of the Agency and is the number quoted on all correspondence and publicity material. It includes a new automatic call distribution system which amongst other things provides statistics for monitoring and target purposes.

Six months after Helpline was set up, we started a rolling programme of customer perception surveys. In December 1994, these showed that 93% of those asked said the service they received was either very good or good. In 1994/5 calls were answered within an average wait time of only 6.9 seconds and 95% of calls were answered within 30 seconds.

As part of our continued drive to improve standards of service, the use of customer satisfaction surveys are reflected in our business plans. We are currently awaiting results of the 1995 survey, including the area of correspondence, which will be carefully examined and improvement initiatives coordinated by the Total Quality Management team.

In 1994/5, 1781 replies were sent by our operational sections in respect of letters addressed to Ministers or myself with 95 per cent being sent within the 10 day target. The complaints system we now have in place, including a database of information, will enable us to monitor our targets for acknowledgement and replies in other areas of correspondence.

Turning to our complaints system, pensioners with concerns can telephone the War Pensions Helpline on 01253 858858, the Helpline staff will be only too pleased to answer the query.

Our Charter Standard Statement states that if things go wrong, any written complaint will be acknowledged within 5 working days, and a full reply sent within 10 working days. If we think it will take longer than this, we will write or telephone the person concerned to explain why and let them know when to expect a full reply to their complaint.

If a person is dissatisfied with the way the complaint has been dealt with, they can contact our Customer Service Manager. If, however, they are still not satisfied they can get in touch with me. Details of how to do this are contained within the Charter Standard Statement. In addition to this, a person can also ask their MP to refer their case to the Parliamentary Commissioner for Administration for investigation and review.

In addition to the formal complaints procedure, pensioners can discuss any concerns with the many ex-service organisations and we fully investigate any matters referred to us as a result. People can also, if they wish, discuss their cases with their local War Pensions Committee (WPC). These are independent of the Agency and are made up of members who are disabled ex-service persons, some of whom work for voluntary associations. Again, any recommendations may by the WPCs are fully considered. Information on how to contact ex-service organisations or the WPCs is contained in leaflets available from the Agency and our national network of War Pensioner's Welfare Service offices.

I hope you have found this information useful.

Contributions Agency

Ms Primarolo: To ask the Secretary of State for Social Security in what circumstances the Contributions Agency is sending out a form asking people why they believe they are in receipt of benefit. [29014]

Mr. Arbuthnot: Operational matters relating to the Contributions Agency are the responsibility of Mrs. Faith Boardman, the chief executive. She will write to the hon. Member.

Letter from Mrs. Faith Boardman to Ms Dawn Primarolo, dated 19 June 1995:

As Chief Executive of the Contributions Agency, I have responsibility for answering questions about operational matters relating to the Agency and the National Insurance Scheme. I have been asked to reply to your question concerning forms sent to people asking why they believe they are in receipt of benefit.

Whilst there are no formally laid down circumstances in which this question is asked of a customer, there are occasions where it may be necessary to do so. For example, when the Agency is investigating non-payment of National Insurance contributions by self-employed contributors it is possible that the contributor may allege that he or she was, or is, in receipt of benefit. This might affect both the amount of National Insurance contributions outstanding and the course of action that the Agency will take. It may prove necessary in these circumstances to contact the person concerned for more information about any benefit claims.

Alternatively a person may learn, possibly from a notification issued by the Agency, that insufficient contributions were paid in a particular year to make that year qualify for benefit purposes, and may query this. It is possible that the customer may be entitled to credits for periods in which benefits were paid that could make up the shortfall. In investigating some of these cases it may be necessary to contact customers to obtain details of benefit claims so that their National Insurance records can be put right.

These two examples do not cover every eventuality which could result in such enquiries being made. And we avoid making such enquiries when we have enough information to resolve the customers enquiry internally. I hope these examples indicate why it is sometimes important, and in individual customers' own interests, that the Agency sometimes asks questions about benefit claims.

I hope that you will find this information useful. If I can be of any further assistance please let me know.

Social Fund

Mr. Redmond: To ask the Secretary of State for Social Security what is the current average length of time taken to decide an application for assistance from the social fund in the Doncaster and Mexborough area of the Benefits Agency; what is the national average figure; and what were the comparable figures for 12 months ago. [28260]

Mr. Roger Evans: The administration of the social fund is a matter for Mr. Ian Magee, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Ian Magee to Mr. Martin Redmond, dated 19 June 1995:

The Secretary of State of Social Security has asked me to reply to your recent Parliamentary Question about the current average clearance times for applications to the Social Fund (SF), both nationally and in Doncaster and Mexborough.

When the Benefits Agency was established in April 1991, a major restructuring programme resulted in existing offices being grouped

together to form Districts. Mexborough Branch Office is one office within the District of Rother and Dearne. Information has, therefore, been supplied for the Doncaster and Rother and Dearne Districts as figures for Mexborough cannot be given separately.

Unfortunately it is not possible to provide the current average length of time taken to decide an application for assistance from the SF. We are, however, presently looking at whether an average processing time would be a helpful way forward.

At present, our performance is measured against a standard time for processing each type of claim. This is based on the time it takes to clear the more straightforward of cases. For instance, for SF Maternity payment claims, we aim to process 65% in the standard time of 5 days. To ensure proper emphasis is given to the remaining claims, a secondary measure is set which in the same example is 95% in 20 days. Our performance measure for SF Crisis payments is that we aim to process the claim on the day it is received. We aim to achieve this in 95% of cases.

Appendices A - C outline the clearance times for the period 1 April 1993 to 31 March 1994 and 1 April 1994 to 31 March 1995. Appendix A outlines the national figures, Appendix B the Doncaster District and Appendix C the Rother and Dearne District figures.

I hope you find this reply helpful.

Appendix A: Clearance times of applications to the social fund, nationally. 1 April 1993–31 March 1994 and 1 April 1994–31 March 1995.

Application type	*Target*	*Achieved Per cent.*
i. 1993–94		
Crisis loans	On day need arises	96.28
Community care grants	65 per cent. in 7 days	81.13
	95 per cent. in 20 days	96.94
Budgeting loans	65 per cent. in 6 days	77.89
	95 per cent. in 20 days	97.40
Maternity payments	65 per cent. in 5 days	73.31
	95 per cent. in 20 days	96.84
Funeral payments	65 per cent. in 12 days	71.70
	95 per cent. in 35 days	96.10
ii. 1994–95		
Crisis loans	On day need arises	97.40
Community care grants	65 per cent. in 7 days	87.00
	95 per cent. in 20 days	98.20
Budgeting loans	65 per cent. in 6 days	83.97
	95 per cent. in 20 days	98.27
Maternity payments	65 per cent. in 5 days	80.89
	95 per cent. in 20 days	98.02
Funeral payments	65 per cent. in 12 days	75.52
	95 per cent. in 35 days	96.96

Appendix B: Clearance times of applications to the social fund, Doncaster 1 April 1993–31 March 1994 and 1 April 1994–31 March 1995.

Application type	*Target*	*Achieved Per cent.*
i. 1993–94		
Crisis loans	On day need arises	96.46
Community care grants	65 per cent. in 7 days	82.47
	95 per cent. in 20 days	97.19
Budgeting loans	65 per cent. in 6 days	79.34
	95 per cent. in 20 days	97.36
Maternity payments	65 per cent. in 5 days	74.08
	95 per cent. in 20 days	97.33
Funeral payments	65 per cent. in 12 days	70.97
	95 per cent. in 35 days	96.81
ii. 1994–95		
Crisis loans	On day need arises	97.67
Community care grants	65 per cent. in 7 days	84.47
	95 per cent. in 20 days	97.47

Appendix B: Clearance times of applications to the social fund, Doncaster 1 April 1993–31 March 1994 and 1 April 1994–31 March 1995.

Application type	*Target*	*Achieved Per cent.*
Budgeting loans	65 per cent. in 6 days	83.55
	95 per cent. in 20 days	97.71
Maternity payments	65 per cent. in 5 days	82.87
	95 per cent. in 20 days	97.55
Funeral payments	65 per cent. in 12 days	69.81
	95 per cent. in 35 days	97.50

Appendix C: Clearance times of applications to the social fund, Rother and Dearne. 1 April 1993–31 March 1994 and 1 April 1994–31 March 1995.

Application type	*Target*	*Achieved Per cent.*
i. 1993–94		
Crisis loans	On day need arises	99.17
Community care grants	65 per cent. in 7 days	73.61
	95 per cent. in 20 days	97.44
Budgeting loans	65 per cent. in 6 days	79.02
	95 per cent. in 20 days	98.62
Maternity payments	65 per cent. in 5 days	75.69
	95 per cent. in 20 days	97.82
Funeral payments	65 per cent. in 12 days	68.32
	95 per cent. in 35 days	98.02
ii. 1994–95		
Crisis loans	On day need arises	98.44
Community care grants	65 per cent. in 7 days	88.98
	95 per cent. in 20 days	99.30
Budgeting loans	65 per cent. in 6 days	85.53
	95 per cent. in 20 days	99.22
Maternity payments	65 per cent. in 5 days	83.83
	95 per cent. in 20 days	98.77
Funeral payments	65 per cent. in 12 days	69.58
	95 per cent. in 35 days	97.82

Myalgic Encephalomyelitis

Mr. McMaster: To ask the Secretary of State for Social Security what guidance he has issued regarding the assessment of debilitation caused by myalgic encephalomyelitis in relation to incapacity for work benefit; and if he will make a statement. [28575]

Mr. Hague: The administration of Incapacity Benefit is a matter for Mr. Ian Magee, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Ian Magee to Mr. Gordon McMaster, dated 19 June 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the guidance that has been issued regarding the assessment of debilitation caused by myalgic encephalomyelitis in relation to incapacity for work benefit.

No guidance has been issued as the basis of the new test of incapacity for work is the effect of a customer's medical condition on their ability to work and not the medical condition itself.

The new test provides an assessment of the effect of the medical condition on the person's ability to carry out a range of work-related activities. All medical conditions are addressed and the Benefits Agency Medical Services doctors involved have been provided with detailed and comprehensive training in all physical, sensory and mental conditions.

I hope you find this reply helpful.

War Pensions

Mr. Maclennan: To ask the Secretary of State for Social Security what information he has about the expected timetable for clearing the arrears of applications submitted for an allowance for lowered standard of occupation. [29013]

Mr. Arbuthnot: This is a matter for Mr. Peter Mathison, the chief executive of the War Pensions Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Robert Maclennan, dated 19 June 1995:

I am writing in reply to the Parliamentary Question that you raised concerning the clearance of arrears of applications for the Allowance for Lowered Standard of Occupation (ALSO).

Some 982 cases were stockpiled pending legal advice on how legislation should be applied. Following that advice, we were obliged to change the way in which we dealt with certain claims for ALSO.

We again began to process applications, under the new criteria, at the beginning of May and, as of this morning, 692 applications had been cleared. We expect to clear all but a small number of the remainder by the end of this month.

The only cases remaining will be those where we have not yet fully established how the criteria should be applied but we expect to resolve the outstanding questions very shortly and for those cases not to be be delayed much longer.

Income Support

Mr. Martyn Jones: To ask the Secretary of State for Social Security what research his Department has commissioned on the adequacy of income support rates for providing a balanced diet for pregnant women. [28806]

Mr. Roger Evans: No amounts are separately identified within income support for particular household budgetary items such as food.

Whatever the research, there has to be a subjective assessment of what is an appropriate level of benefits. This is especially true of diets where individual preferences vary substantially.

Income Support

Mr. Llew Smith: To ask the Secretary of State for Social Security what assessment he has made of the effects on the special medical and dietary needs of the poorest sections of society of the changes in allowances implemented in the Social Security Act 1986, from April 1988, in Wales. [29153]

Mr. Hague: None. The 1988 reform of income-related benefits replaced a multiplicity of additions for special needs with a more rational and fairer structure of allowances and premiums for the most vulnerable and needy groups.

Vibration White Finger

Mr. Etherington: To ask the Secretary of State for Social Security how many people have *(a)* claimed and *(b)* been awarded disablement benefit for vibration white finger PD A11, in consequence of exposure to vibration in the coal-mining industry. [28944]

Mr. Hague: Information is not readily available in the form requested and could be obtained only at disproportionate cost. The available information is in the table.

Initial assessment of disability by a medical board for Vibration White Finger (PD A11) in the deep coal mining industry

	Total initial assessments	*Assessments of 14 per cent. or more*
1992–93	683	5
1993–94	492	6

Source:
B127—100 per cent. count of cases where PD A11 has been diagnosed.

Child Support Agency

Ms Lynne: To ask the Secretary of State for Social Security what research his Department has commissioned to assess the impact of the activities of the Child Support Agency in respect of encouraging lone parents into work; and when he expects to be able to publish the results. [29522]

Mr. Burt: The Department has commissioned a continuing research programme with the Policy Studies Institute to look at the circumstances of lone parents. Two reports have been published:

"Families, Work and Benefits", Marsh and McKay. PSI Publishing 1993.

"Lone parents and Work", McKay and Marsh. DSS Research Report No. 25.

A further study of lone parents is planned for 1995–96.

In addition, the Department has commissioned research by the Centre for Research in Social Policy at Loughborough university to investigate the incentives and disincentives to leaving income support. This will include information about lone parents and a report is expected to be published in the DSS series within the year.

The CSA aims to secure regular payment of maintenance, this will give lone parents a secure financial base from which they can make a decision about moving into employment.

Social Security Expenditure

Mr. Frank Field: To ask the Secretary of State for Social Security, pursuant to his answer of 13 June, *Official Report*, columns *293–94*, if he will detail further the changes in his forecasting techniques which have lead to a further £1.7 billion saving in social security expenditure up to the year 2000–01. [29736]

Mr. Hague: The £1.7 billion saving in social security benefit expenditure in 2000–01 attributed to forecasting changes was due partly to the use of more up-to-date information in the later forecasts and partly to the use of improved forecasting techniques.

The improvements to forecasting techniques include the introduction of new models for forecasting housing benefit and the earnings-related component of retirement pension as well as improvements to the forecasting models for several other benefits including income support.

Appeals

Mr. Tipping: To ask the Secretary of State for Social Security how many appeals to the disability appeals tribunal have been waiting more than the average clearance time; what is the average; and what is the longest time an appeal to a disability appeal tribunal has been outstanding. [29873]

Mr. Hague: I have been informed by the president of the independent tribunal service that approximately 10,000 appeals have been waiting more than the average clearance time of 23 weeks and that the longest time an appeal has been outstanding is six years.

DEFENCE

Arms Exports

Dr. David Clark: To ask the Secretary of State for Defence (1) when his Department was informed that British arms were being exported to Iran via Singapore; and if he will make a statement; [29463]

(2) when his Department received notice of allegations that BMARC was exporting arms via Singapore to Iran. [29474]

Mr. Freeman: In 1991 my Department was made aware of allegations to this effect as a result of evidence given to Trade and Industry Select Committee.

Dr. David Clark: To ask the Secretary of State for Defence what assessment he has made of the types of military equipment exported to Iran via Singapore by the British firm BMARC. [29464]

Mr. Freeman: As stated by my right hon. Friend, the President of the Board of Trade, on 13 June 1995 at columns 595–606, there may be grounds for believing that the final destination of GAM B01 naval guns, spares and associated ammunition exported by BMARC could have been Iran. This type of equipment is fitted in many surface ships of the Royal Navy and other naval forces including the Singaporean navy.

Dr. David Clark: To ask the Secretary of State for Defence what representations were made to his Department during the period of the Iran–Iraq arms embargo to permit British arms to be sold to Singapore. [29466]

Mr. Freeman: The Ministry of Defence receives frequent inquiries from British companies who are interested in exporting defence equipment to Singapore or other countries. We do not keep records of all such inquiries.

Dr. David Clark: To ask the Secretary of State for Defence what was the total value of arms exports sold to Singapore since 1980. [29467]

Mr. Freeman: It has been the policy of successive Governments not to reveal the value of defence exports to individual countries. However, the value of exports by geographic region is contained in table 1.11 of UK defence statistics.

Dr. David Clark: To ask the Secretary of State for Defence what reports his Department has received that British arms exports are currently being sold to Iran through Singapore. [29468]

Mr. Freeman: It is not normally the practice of my Department to comment on intelligence reports. The possibility of British arms exports to Iran through Singapore, or other countries, is kept under regular review interdepartmentally and appropriate action taken.

Dr. David Clark: To ask the Secretary of State for Defence if he will make a statement on the normal procedure undertaken by his Department following requests from the Department of Trade and Industry for information on British arms export licences; and if he will make a statement. [29469]

Mr. Freeman: The Department of Trade and Industry normally circulates export licence applications, to the FCO and MOD. Unless the exports concerned have already been the subject of MOD scrutiny they are normally circulated within MOD for the appropriate operational, security and intelligence assessments. A MOD view is then co-ordinated and sent back to the DTI.

Dr. David Clark: To ask the Secretary of State for Defence what procedures his Department adopts to prevent British arms from being sold to Iran; and if he will list the changes to these procedures in the last 10 years. [29471]

Mr. Freeman: All export licence applications are looked at on a case-by-case basis, taking into account all the available evidence and our national and international policy commitments.

In the case of Iran, since December 1984, this has been undertaken by a Ministry of Defence working group and an interdepartmental committee, which includes representatives from FCO and DTI.

Dr. David Clark: To ask the Secretary of State for Defence (1) if he will make a statement on the duties of the Minister of State for Defence Procurement in the export procedures of British arms; [29472]

(2) what role the right hon. member for Thanet, South, (Mr. Aitken) had in respect of the export of arms to Singapore while acting as Minister for Defence Procurement. [29473]

Mr. Freeman: The Minister of State for Defence Procurement has responsibility within MOD for, inter alia, promoting defence exports within Government policy. He also has ministerial responsibility in relation to the advice on exports his Department gives to the Department for Trade and Industry, as licensing authority.

Sea Dart

Mr. Thurnham: To ask the Secretary of State for Defence when he expects the contract for the Sea Dart airframe refurbishment contract to be placed. [28887]

Mr. Freeman: A response to the single-source invitation to tender is currently the subject of detailed evaluation. Contract award will be dependent on the negotiation of an acceptable price which can be demonstrated as offering value for money.

RAF Redundancy Programme

Mr. Bill Walker: To ask the Secretary of State for Defence if he will make a statement about the RAF redundancy programme. [29449]

Mr. Freeman: A total of some 8,600 Royal Air Force redundancies are planned in two phases over 1995–96 and 1996–97. Those leaving in 1995–96 will be volunteers. Work is continuing on the composition of the second phase in 1996–97, which will be made up of volunteers and some compulsory redundancies. It is hoped that as many places as possible will be taken by volunteers.

Ballistic Missiles

Mr. Menzies Campbell: To ask the Secretary of State for Defence what recent discussions he has had with other members of NATO about ballistic missile defence. [28920]

Mr. Freeman: The NATO summit in January 1994 commissioned work to develop a NATO policy to address the risks posed by the proliferation of weapons of mass destruction and their means of delivery. Since then there have been regular meetings both bilaterally and multilaterally with allies in a number of fora to review all aspects of this problem, including ballistic missile defence. The most recent discussions were at the last defence planning committee in Brussels on 8 June.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what is her Majesty's Government's policy towards the procurement of a ballistic missile defence system for the United Kingdom. [28922]

Mr. Freeman: I refer the hon. Gentleman to the answer I gave on 12 June 1995, *Official Report*, column *364*.

Multifunction Electronically Scanned Adaptive Radar

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he will make a statement about the Mesar system and its application for ballistic missile defence. [28921]

Mr. Freeman: The multifunction electronically scanned adaptive radar is being developed with a number of air defence applications in mind, including most surface-to-air missile systems. It is also the key element of a technology demonstrator programme which, as I announced to the House on 18 October 1994, *Official Report*, column *239*, could have an application for ballistic missile defence. This programme will take some two and half years to complete, including tests, and aims to develop technologies where the UK is an acknowledged world leader.

Eurofighter 2000

Mr. Menzies Campbell: To ask the Secretary of State for Defence what is his current estimate of the likely cost of each aircraft in the Eurofighter 2000 project. [29160]

Mr. Freeman: The current estimated unit production cost of the Eurofighter 2000 aircraft for the UK is £37.3 million at today's prices.

Service Personnel

Mr. McAllion: To ask the Secretary of State for Defence how many *(a)* service personnel, *(b)* retired officer grades and *(c)* other non-industrial civil servants were employed in each of the service areas dealing with quarterly or estates functions in each year since 1979. [28791]

Mr. Soames: Personnel data are not held for this particular function, and the information requested could be provided only at disproportionate cost.

Institute of Pathology and Tropical Medicine

Mr. Burden: To ask the Secretary of State for Defence how many people are currently employed at the RAF Institute of Pathology and Tropical Medicine. [29886]

Mr. Soames: As at 16 June 1995, 16 civilian and 74 service personnel were employed there.

Charter Week

Mr. Morgan: To ask the Secretary of State for Defence what are the main events he is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [29883]

Mr. Soames: A number of Ministry of Defence events are planned to coincide with the fourth anniversary of the citizens charter, including:

1 July: RAF Quedgley, Gloucester—Open Day

8–9 July: Wirral Show, Wallasey—Defence Policy Exhibition (DPE)

11–13 July: Great Yorkshire Show, Harrogate—DPE

16 July: RAF Sealand, Chester—Open Day

18–20 July: East of England Show, Peterborough—DPE

19–29 July: Royal Tournament, Earls Court

22–23 July: International Air Tattoo—DPE

These events were scheduled to take place as part of MOD's normal arrangements for keeping the public informed about defence policy and on what taxpayers' money is spent. No additional costs or staff resources will be required.

Gulf War Syndrome

Mr. Gapes: To ask the Secretary of State for Defence how many ex-service personnel have been examined to date by his Department's medical personnel, or on behalf of his Department, concerning Gulf war syndrome. [28625]

Mr. Soames: To date a total of 270 individuals have been medically examined as part of my Department's Gulf war medical assessment programme, 190 of whom were former members of the armed forces at the time of their assessment.

Mr. Gapes: To ask the Secretary of State for Defence if he will make a statement on Gulf war syndrome. [28623]

Mr. Soames: We continue to investigate the allegations of a Gulf war syndrome with scientific rigour, principally through a medical assessment programme. To date 270 veterans have been examined as part of the programme and any remaining veterans concerned about their health are encouraged to come forward for assessment by a service consultant. Preliminary findings of the assessment programme, published in the *British Medical Journal* on 22 April 1995, show that there is no evidence from these clinical examinations that United Kingdom Gulf personnel are suffering from any syndrome or unexplained pattern of illness.

Mr. Gapes: To ask the Secretary of State for Defence what financial and other assistance is made for ex-military personnel suffering from Gulf war syndrome. [28626]

Mr. Soames: There is comprehensive assistance for all ex-service personnel. In addition, those ex-service personnel who are concerned about their health as a result of service in the Gulf conflict have repeatedly been urged to come forward for a medical examination by a service consultant under my Department's Gulf war medical assessment programme. Financial assistance is available to help with the travel and subsistence costs of attending the programme. Veterans coming forward for assessment are given a comprehensive medical examination and offered a diagnosis.

As the prime responsibility for the health of former service personnel rests with the national health service a medical report is forwarded to the individual's civilian general practitioner to assist with further treatment.

Claims for compensation will of course be met by Department if it is proven that a liability in common law exists in respect of the claimed illnesses but to date no detailed grounds for such claims have been submitted by solicitors representing Gulf veterans.

Personnel discharged on medical grounds for whatever reason my be eligible for benefits under the armed forces benefit scheme. In addition, all former service personnel can apply to the War Pensions Agency of the Department of Social Security for a war disablement award if they consider that they are suffering a disability as a direct result of their armed forces service, including service in the Gulf conflict. To date 153 such awards have been made to Gulf veterans, although none is in respect of the alleged Gulf war syndrome. Finally, all former personnel have access to the various welfare organisations and charities associated with the services.

Mr. Gapes: To ask the Secretary of State for Defence how many cases of Gulf war syndrome have been reported since 1990. [28624]

Mr. Soames: The first cases of the alleged Gulf war syndrome among United Kingdom Gulf veterans were reported in 1993. Since then, 302 individuals have responded to requests from my Department for those who are concerned about their health as a result of service in Operation Granby to come forward to examination under the Department's Gulf war medical assessment programme. Around 240 of these are from a group of some 530 individuals on whose behalf notification has been received from solicitors that they intend to make a claim against my Department in respect of illnesses alleged to result from service in the Gulf. Our investigations have not established any medical or scientific evidence to support a connection between Gulf war service and the reported illnesses.

Low Flying

Mr. Gordon Prentice: To ask the Secretary of State for Defence if he will place in the Library a copy of the final report by the RAF Police into the alleged low flying incident over Barnoldswick and Earby in January. [28814]

Mr. Soames: No. Service police reports are prepared for internal purposes and are considered confidential to the Ministry of Defence. However, the conclusions and summaries of the findings of RAF Police investigations into alleged breaches of low flying regulations are provided to those Members of Parliament or individuals who report the incidents to my Department.

In the case in question, the hon. Member was provided with this information during the Adjournment debate on low-flying military aircraft on 28 April, *Official Report*, column 1159 and in the letter of 7 June from my noble Friend, the Under-Secretary of State for Defence.

Annual Reports

Mr. Fabricant: To ask the Secretary of State for Defence how many inspecting grade officers of his Department's police were awarded box 4 assessments for their overall performance in their annual staff reports during the period between 1990 and 1994; and how many of these officers then had his Department's inefficiency procedure initiated against them. [28632]

Mr. Soames: Four inspecting officers were awarded box 4 assessments for their overall performance between 1990 and 1994. Only one had inefficiency procedures initiated against him.

Atlas Equipment Company

Mr. Llew Smith: To ask the Secretary of State for Defence what contracts his Department has placed with the Atlas Equipment Company based in London for periods for which information is available since 1979. [28996]

Mr. Freeman: According to the Defence Accounts Agency database the Procurement Executive has had no contact with any company of this name in London as far back as our current records date, which is to 1990.

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Defence how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because the information *(a)* could be obtained only at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered due to computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28515]

Mr. Soames: The information requested could be provided only at disproportionate cost.

Royal British Legion

Mr. McMaster: To ask the Secretary of State for Defence what public funds are available to branches of the Royal British Legion who wish to mount events to commemorate VJ day; and if he will make a statement. [28526]

Mr. Soames: Public funds are being made available only for Government sponsored events which are scheduled to take place in London, Belfast, Cardiff and Edinburgh. They are not available for local, privately organised events.

BMARC

Mr. Byers: To ask the Secretary of State for Defence how many documents seized by his Department's police from the offices of BMARC in April 1990 have been withheld for *(a)* security and *(b)* other reasons. [29662]

Mr. Soames: All the documents taken by the Ministry of Defence Police which previously belonged to Astra/BMARC, and of which we are aware, have been sent to the liquidators.

Arms Sources (Iran-Iraq War)

Dr. David Clark: To ask the Secretary of State for Defence what assessment has been made by his Department on the source of arms used by the Iranian Government during the Iran-Iraq war; and if he will make a statement. [29470]

Mr. Freeman: My Department broadly agrees with the assessment contained in the 1987 edition of the SIPRI Yearbook on World Armament and Disarmament, which shows that some 40 countries supplied arms to Iran during 1980–86.

Written Answers to Questions

Wednesday 21 June 1995

AGRICULTURE, FISHERIES AND FOOD

Farming Subsidies

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food how many farm holdings receive subsidy payments, excluding environmental and hill livestock compensatory allowances, in excess of *(a)* £30,000, *(b)* £40,000 and *(c)* £50,000 per annum. [28354]

Mr. Jack *[holding answer 13 June 1995]:* Farm holdings can receive subsidy payments under one or several schemes. Those holdings in England receiving payments under the sheep annual premium, suckler cow premium, beef special premium and arable area payments schemes which either together or separately exceeded the totals stated for the 1994 scheme year are as follows:

(a) £30,000: 10,857

(b) £40,000: 7,219

(c) £50,000: 5,055

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food how much money would be saved if farm subsidy payments, excluding environmental and hill livestock compensatory allowances, were capped at a ceiling of *(a)* £30,000 per holding, *(b)* £40,000 per holding and *(c)* £50,000 per holding per annum. [28355]

Mr. Jack *[holding answer 13 June 1995]:* Farm holdings can receive subsidy payments under one or several schemes.

The total sums paid under the sheep annual premium, suckler cow premium, beef special premium and arable area payments schemes, in respect of the 1995 scheme year, would have been reduced by the following amounts if the respective ceilings per holding had been applied:

Ceiling applied per holding £	*Reduction in total payments* £ million
(a)	
30,000	350.4
(b)	
40,000	261.7
(c)	
50,000	201.1

Brent Spar

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food (1) what measure HMS Alderney is taking in respect of *(a)* monitoring pollution and *(b)* monitoring the activities of Greenpeace; [29181]

(2) for what reasons HMS Alderney is following the Shell flotilla towing the Brent Spar; and what task it is undertaking. [29180]

Mr. Soames: I have been asked to reply.

The Royal Navy ship which has been deployed to the area of Brent Spar has been asked to monitor the general situation. It has been taking no measures beyond this specifically to monitor pollution or Greepeace activity.

Mr. Harvey: To ask the Minister for Agriculture, Fisheries and Food how may *(a)* sheriff officers and *(b)* police officers are present on HMS Alderney on its current voyage following the Shell flotilla towing the Brent Spar. [29182]

Mr. Soames: I have been asked to reply.

The answer is none.

DUCHY OF LANCASTER

Justices of the Peace

Ms Janet Anderson: To ask the Chancellor of the Duchy of Lancaster what is the political profile of justices of the peace on all benches under his jurisdiction. [29481]

Mr. David Hunt: The political breakdown of justices of the peace for benches in the counties of Lancashire, Greater Manchester and Merseyside is as follows:

Political profile of benches in the counties of Lancashire, Greater Manchester and Merseyside

	Conservative	*Labour*	*Liberal Democrat*	*Others uncommitted*
Lancashire				
Blackpool	68	31	14	30
Fylde	29	7	7	9
Wyre	38	13	10	7
Preston	53	33	3	22
Lancaster	30	19	14	20
Chorley	40	12	6	15
South Ribble	33	16	4	20
Ormskirk	46	19	7	11
Blackburn, Darwen and Ribble Valley	49	32	10	29
Hyndburn	22	19	3	10
Burnley and Pendle	67	40	17	36
Rossendale	27	11	4	5
Greater Manchester				
Bolton	83	44	16	48
Bury	62	26	20	33
Manchester	122	104	59	74
Oldham	62	49	32	50
Rochdale	29	19	35	27
Middleton and Heywood	26	23	11	19
Salford	61	47	21	34
Stockport	73	35	30	44
Tameside	81	40	14	48
Trafford	50	26	20	26
Wigan	62	40	12	49
Leigh	26	28	3	29
Merseyside				
Knowsley	45	39	27	24
Liverpool	171	76	89	62
North Sefton	45	2	19	45
South Sefton	50	25	22	30
St. Helens	41	18	18	50
Wirral	123	49	36	55

Parliamentary Questions

Mr. McMaster: To ask the Chancellor of the Duchy of Lancaster how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because the information *(a)* could be obtained only at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered now due to computerisation; more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28509]

Mr. David Hunt: The information requested could be provided only at disproportionate cost.

Mr. McMaster: To ask the Chancellor of the Duchy of Lancaster what percentage of parliamentary questions, which would have been answered directly by him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28499]

Mr. David Hunt: Ministers are accountable to Parliament for all matters concerning their agencies. Written parliamentary questions concerning matters which have been delegated to the chief executive of an executive agency in its framework document normally receive a reply from the Minister to the effect that he or she has asked the chief executive to reply direct to the Member by letter. The chief executive's letter is published in *Hansard after the Minister's reply.*

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mr. Hutton: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 14 June, *Official Report*, column *519*, what was the total amount of fraudulent legal aid claims made by solicitors in each of the last five years; how much was recovered in each year; and how many cases resulted in criminal prosecutions and conviction. [29707]

Mr. John M. Taylor: It is not possible to quantify the total amount of fraudulent legal aid claims made by solicitors in each of the last five years. This is because there may well be an element within the total amount of the claims under suspicion which may relate to work actually and reasonably done by the solicitor. In addition, it is very difficult to identify fraud separately from claims made outside the regulations either through abuse, misuse, ignorance or incompetence. The number of cases involving solicitors and/or their employees prosecuted in the past five years is shown in the table, together with the outcome of those proceedings:

Financial year	*Cases*	*Number of solicitors/employees prosecuted*	*Outcome*
1990–91	3	7	4 convictions 3 acquittals
1991–92	2	3	3 convictions
1992–93	2	2	1 conviction 1 acquittal
1993–94	4	4	3 convictions 1 acquittal
1994–95	1	1	1 jury failed to agree —acquitted at retrial

The amounts recovered either by order of the court or by the board's investigation section, in each of the last five years were as follows:

1990–91: £50,331
1991–92: £2,853
1992–93: £20,153
1993–94: £143,001
1994–95: £524,276

Judiciary

Mr. Allen: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will update the information given in his answer of 7 February 1994, *Official Report*, column *11*, to the hon. Member for Nottingham, North regarding the composition of the judiciary. [28889]

Mr. John M. Taylor: The information relating to numbers of men, women, barristers and solicitors in post, correct as at 1 June 1995, is set out in table 1. The figures for black and Asian office holders are believed to be correct, but the formal recording of the ethnic background of applicants for judicial office began only on 1 October 1991, so such information may be incomplete. Aggregated information is not generally kept on the average ages of judges. The information supplied on 7 February 1994 was available as a result of a special exercise, which has not since been repeated, and no new information is readily available. Aggregated information is not generally kept about the educational background of judges, but the results of a recent special exercise in relation to the university background of the more senior levels of the judiciary, as at 26 May 1995, is set out in table 2.

Table 1: Details of judiciary in post as at 1 June 1995

	Number	Men	Women	Barrister[1]	Solicitor	Black/Asian
Lords of Appeal in Ordinary	12	12	0	12	0	0
Lords Justices	32	31	1	32	0	0
Heads of division (excludes Lord Chancellor)	4	4	0	4	0	0
High court judges	95	89	6	94	1	0
Circuit judges (include official referees)	514	483	31	455	59	3
Recorders	927	872	55	833	94	10
Assistant recorders (excludes assistant recorders in training)	334	284	50	270	64	8
Stipendiary magistrates	87	76	11	36	51	1

Table 1: Details of judiciary in post as at 1 June 1995

	Number	Men	Women	Barrister[1]	Solicitor	Black/Asian
Industrial tribunal chairmen[2]	80	70	10	34	46	2
Value added tax chairmen[2]	4	4	0	3	1	0
Social security appeal tribunal chairmen[2]	42	31	11	13	29	1

[1] Or member of the faculty of advocates.
[2] The figures relate to full-time chairmen.

University backgrounds
As at 26 May 1995

	Oxbridge	*Other University*	*College*	*None*	*Total*
Lords of Appeal in Ordinary	8	4	0	0	12
Lord Justices	26	5	1	0	32
Heads of division (excludes Lord Chancellor)	3	1	0	0	4
High court judges	78	14	0	3	95
Circuit judges (includes Official Referees)	264	180	38	36	158

ENVIRONMENT

National Rivers Authority

19. **Dr. Goodson-Wickes:** To ask the Secretary of State for the Environment what consultations he has had over the future of the NRA within the proposed environment agency. [28045]

Mr. Gummer: The integrated environment agency has been welcomed in all parts of the House and by the environmental bodies. We are now consulting on the options for the geographical and managerial structure.

Empty Houses

21. **Mr. Hendry:** To ask the Secretary of State for the Environment what is the latest information he has on the number of empty houses in England. [28047]

Mr. Gummer: Local authorities estimated in their 1994 housing investment programme returns that there are some 845,000 empty properties in England.

Right to Buy

22. **Mr. Purchase:** To ask the Secretary of State for the Environment what measures he proposes to assist council leaseholders of former council high-rise dwellings with service charges. [28048]

Mr. Robert B. Jones: My hon. Friend the Minister for Local Government, Housing and Urban Regeneration announced on Monday the introduction of a package of measures to help local authorities to assist leaseholders, including a good practice guide on service charges, a more flexible form of mortgage indemnity agreement and an exchange sale scheme.

35. **Mr. Simon Coombs:** To ask the Secretary of State for the Environment how many houses have been bought by their tenants under right-to-buy legislation; and if he will make a statement. [28065]

Mr. Curry: In England, almost 1.25 million homes have been sold under the right to buy up to the end of 1994. The figure for Great Britain as a whole is more than 1.6 million.

House Repossessions

24. **Ms Lynne:** To ask the Secretary of State for the Environment how many houses were repossessed in each year since 1990; and if he will make a statement. [28050]

Mr. Curry: Figures published by the Council of Mortgage Lenders show that the number of properties taken into possession in each year since 1990 is as follows:

1990: 43,890
1991: 75,540
1992: 68,540
1993: 58,540
1994: 49,210

These figures show that the number of properties taken into possession in 1994 was the lowest since 1990 and 35 per cent. lower than the peak in 1991.

27. **Mr. Roy Hughes:** To ask the Secretary of State for the Environment what is his latest estimate of the number of households likely to lose their home through repossession for mortgage arrears in the next 12 months. [28054]

Mr. Robert B. Jones: The Government do not make predictions about future levels of repossessions, but I am pleased to note from the latest figures published by the Council of Mortgage Lenders that the number of properties taken into possession in 1994 was the lowest since 1990 and 25 per cent. lower than the peak in 1991.

Social Housing

25. **Mr. Livingstone:** To ask the Secretary of State for the Environment what is his estimate of the likely need for social housing in Britain up to 2001. [28052]

Mr. Curry: The analysis released by the Department last month to the Environment Select Committee suggests the additional demand for new social lettings lies within the range 60,000 to 100,000 units a year.

Planning Policy

26. **Mr. Gunnell:** To ask the Secretary of State for the Environment what representations he has received regarding his review of planning policy. [28053]

Sir Paul Beresford: I refer the hon. Member to my oral answer to the hon. Member for Delyn (Mr. Hanson) earlier today.

34. **Mr. Matthew Banks:** To ask the Secretary of State for the Environment if he will make a statement about the implementation of planning policy guidance notes 6 and 13. [28064]

Sir Paul Beresford: PPG6 is currently being revised. I hope to issue it for consultation next month. A guide to better practice, to help implement PPG13, will be issued in the early autumn. Research is under way to monitor the implementation of PPG13.

Mr. Hoon: To ask the Secretary of State for the Environment what representations he has received regarding his review of planning policy. [28049]

Sir Paul Beresford: The only review that my right hon. Friend proposes is to revise PPG6, on which he has received a number of representations.

Water Metering

30. **Ms Coffey:** To ask the Secretary of State for the Environment what representations he has had about compulsory water metering of the business premises by North West Water. [28057]

Sir Paul Beresford: None.

Regional Government

31. **Mr. Clappison:** To ask the Secretary of State for the Environment what representations he has received about the need to introduce regional government in the east of England. [28058]

Mr. Gummer: I have received no representations on this issue.

Energy Conservation

32. **Mr. Wallace:** To ask the Secretary of State for the Environment what is the estimated amount of energy saved, to date, as a result of his Department's "Wasting Energy Costs the Earth" campaign. [28059]

Mr. Robert B. Jones: The "Wasting Energy Costs the Earth" campaign, launched in October last year, aims to raise public awareness and encourages action to save energy in the home, as part of the United Kingdom's climate change programme. A full assessment of the campaign's effectiveness will be made when it is completed.

Standard Spending Assessment, St. Helens

33. **Mr. John Evans:** To ask the Secretary of State for the Environment if he will pay an official visit to St. Helens to discuss standard spending assessments. [28062]

Mr. Gummer: I have no plans to visit St Helens. If there are any proposals that St. Helens wishes to make as to how the standard spending assessment methodology could be improved, I suggest that these are passed to the Association of Metropolitan Authorities for discussion at the SSA sub-group.

Landfill

36. **Mr. Llew Smith:** To ask the Secretary of State for the Environment what are the implications for the United Kingdom of the recent changes made in the EU draft directive on landfill of waste by the European Parliament in report A-4 0082/95. [28066]

Mr. Atkins: There are no implications for the United Kingdom of the report to the European Parliament by the Committee on the Environment, Public Health and Consumer Protection. This recommended acceptance of the Council's proposal to amend the legal basis of the draft landfill directive from article 100A of the treaty of Rome to article 130S. The United Kingdom supported this change in Council. The European Parliament has now agreed to the change of legal base.

Private Rents

Mr. Mullin: To ask the Secretary of State for the Environment what is the average rent paid by tenants of private landlords; and what the figure was in 1978–79 in actual and real terms. [28055]

Mr. Curry: The average weekly rent paid by tenants of private landlords in England is £60. The average weekly rent in 1978–79 was £6.30, equivalent to £17 a week at 1993–94 prices.

Air Quality

Mr. Dowd: To ask the Secretary of State for the Environment what plans he has to reduce levels of air pollution in London. [28056]

Mr. Atkins: The Government have put forward amendments to the Environment Bill to implement a new framework for air quality management, and will publish later this year their draft national strategy for improving air quality throughout the United Kingdom.

Mr. Wigley: To ask the Secretary of State for the Environment what proposals he has for revising the air quality banding system in order to make it readily understandable by the public. [29489]

Mr. Atkins: I shall shortly be publishing a consultation paper proposing revisions to the Department of the Environment's air quality bulletin service.

Rural Water and Sewerage Services

Mr. Stern: To ask the Secretary of State for the Environment when he will announce what action the Government intend to take on the recommendations in the review of rural water supply and sewerage in England and Wales following the consultation exercise on the review's findings last year. [30236]

Mr. Atkins: The Government accept the review's recommendations affecting existing development. In taking them forward, my right hon. Friend will be introducing today into the Environment Bill amendments to the Water Industry Act 1991. These will put a new requirement on sewerage undertakers to provide public sewers to be used for the drainage for domestic purposes of premises in any locality in its area where there are problems arising from the existing system, and mains connection is the most satisfactory and most effective solution.

In the event of any dispute, there will be a right to apply to the new Environment Agency to rule on whether there is a case for extending the mains sewerage network. The agency will also have the power to direct a statutory sewerage undertaker to extend the mains sewerage network in a locality by a due date. The costs will be spread across all the customers for the area of that undertaker. It is intended that these powers will relate only to existing properties and will not cover future development. The Government will issue guidance to sewerage undertakers and the agency on how to address these issues.

From the date the provisions come into force, section 151 of the Water Industry Act 1991, which makes provision for the current grant regime, will be repealed and the Government will no longer pay grant towards first-time mains water supply and sewerage, but provision will be made to allow for existing commitments to be met. The reason for this is that the Government consider that mains water connection has reached its natural limits, and that better provisions are required for first-time sewerage services.

The Government will be pursuing those recommendations arising from the review which relate to the issue of further guidance about the potential problems from new development served by non-mains sewerage, and how best to prevent those problems.

In addition, other recommendations arising from the review will also be pursued, including discussing with the Director General of Water Services the operation of inset appointments and encouraging the environment agency to continue the detailed mapping of groundwater vulnerability.

Privatisation

Mr. McNamara: To ask the Secretary of State for the Environment if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29421]

Sir Paul Beresford: Since April 1992, the Department's agencies, Property Holdings and the Planning Inspectorate, strategically contracted out—that is, without an in-house bid—two areas of work:

Property Holdings: Professional Property Services

Planning Inspectorate: IT Project Management

All the central Department's activities under the "Competing for Quality" initiative so far have involved in-house bids.

No decisions have been taken on which additional areas of work may be suitable for contracting out without an in-house bid.

Contracting out without an in-house bid can occur for example when a Department judges that the private sector is clearly better equipped to deliver a specific service, has a better understanding of market needs or has capacity to invest in new technology. A strategic decision to contract out could also be taken where an activity has not previously been performed in-house or where an activity may be relatively small and peripheral to a Department's functions.

Community Charge Registers

Mr. Cohen: To ask the Secretary of State for the Environment what information he has on the number of times per year addresses were changed on the community charges registers held by London boroughs during the operation of the poll tax; and if he will make a statement. [29768]

Mr. Robert B. Jones: None. The maintenance of community charge registers was a matter for local authorities.

Sites of Special Scientific Interest

Mr. Sheerman: To ask the Secretary of State for the Environment how many sits of special scientific interest have been *(a)* wholly and *(b)* partially affected by residential, industrial or other development in the past 10 years. [29643]

Mr. Atkins: The information is not available in the form requested. Between 1 April 1984 and 31 March 1991 statistical information on damage to SSSIs in Great Britain is set out in the annual reports of the former Nature Conservancy Council. Since 1 April 1991 similar detail for England is contained in English Nature's annual reports. Copies of annual reports are in the Library.

Local Government, Wiltshire

Mr. Key: To ask the Secretary of State for the Environment when he will implement in full the recommendations for Wiltshire of the Local Government Commission, with particular reference to parish council status to the city of Salisbury. [28233]

Mr. Robert B. Jones: We expect to announce shortly our decisions on a number of the commission's recommendations concerning new parishes, including that for Salisbury.

As to the commission's other recommendations for Wiltshire, the draft Wiltshire (Borough of Thamesdown) (Structural Change) Order, which provides for change to the structure of local government in Thamesdown on 1 April 1997 and other associated matters, was laid before Parliament on 15 June 1995. Subject to approval of that order, my right hon. and learned Friend the Home Secretary intends in due course to lay before Parliament an order giving effect to the commission's recommendation for a combined fire authority. We intend to give effect to the commission's recommendations for ceremonial matters in a statutory instrument to be laid before Parliament later this year. Other recommendations are for the local authorities themselves to take forward.

Riding Schools (Rates)

Mr. Harry Greenway: To ask the Secretary of State for the Environment what representations he has received from riding school proprietors about the rates they pay; what subsequent action he is proposing to take; and if he will make a statement. [28548]

Mr. Robert B. Jones: I have received four such representations since the beginning of last year. I have no plans for action in this area.

Natterjack Toads

Mr. Flynn: To ask the Secretary of State for the Environment what new proposals he has to multiply and improve the habitats of natterjack toads. [29302]

Sir Paul Beresford: The natterjack toad has been the subject of a three-year English Nature species recovery programme, which is due to end in June 1995. English Nature will continue to participate, in co-operation with the Herpetological Conservation Trust, in conservation and repopulation measures identified in a consequential 10-year management plan.

Airport Noise Abatement Grants

Mr. Jim Cunningham: To ask the Secretary of State for the Environment (1) if he will list the airports outside London that have received European grants for noise abatement; [24980]

(2) how much by way of European grants was paid for noise abatement to each airport in respect of *(a)* London airports and *(b)* airports outside London. [24981]

Mr. Norris: I am answering these questions on behalf of my hon. Friend the Secretary of State for the Environment.

We have no record of European grant being paid for noise abatement to any airport in the UK.

NATIONAL HERITAGE

National Lottery

Mr. Tredinnick: To ask the Secretary of State for National Heritage how many representations he has received *(a)* for and *(b)* against the size of the jackpot in the national lottery. [29105]

Mr. Dorrell *[holding answer 20 June 1995]:* I have received many representations about the size of the national lottery jackpots. It is not possible to determine the number for or against the size of the jackpot without incurring disproportionate cost.

SOCIAL SECURITY

Child Support Agency

Ms Lynne: To ask the Secretary of State for Social Security what are the figures for each month since the launch of the Child Support Agency of *(a)* the amount of child maintenance assessed by the Agency as payable and *(b)* the amount payable under arrangements carried over from before the launch of the agency; and how much of each amount was paid (i) directly to the parent with care and (ii) via the agency. [27947]

Mr. Burt: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member shortly.

Letter from Miss Ann Chant to Ms Liz Lynne, dated 21 June 1995:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about maintenance assessed by the Child Support Agency.

Monthly information in the form you request is only available for maintenance arising from CSA assessments in cases where the parents are using the Agency collection service. This is set out in the attached table.

However, these figures do not show the whole picture, as they do not include maintenance paid direct between parents who do not use the Agency's collection service. Although this information is now being collected, figures are not available for 1993/94 or broken down on a monthly basis for 1994/95. We do however, estimate that between April 1994 and March 1995, around £111 million arising from CSA assessments was assessed as payable and actually paid in this way.

The total maintenance assessed and paid arising from CSA assessments for the 1994/95 year was therefore £615.77 million and £185.24 million respectively.

Comparable figures are not available for maintenance paid under pre-CSA arrangements, as in these cases it is only necessary for information to be collected on the amount of maintenance paid that offsets benefit spending.

I hope this is helpful.

Annex A: Maintenance arising from CSA assessments

£ million

	Assessed and scheduled for payment via agency collection service	*Paid via agency collection service*
Total 1993–94	107.54	12.57
April 1994	27.82	3.70
May 1994	30.43	4.04
June 1994	32.33	4.66
July 1994	43.31	4.80
August 1994	42.64	5.75
September 1994	47.41	6.10
October 1994	44.81	6.47
November 1994	45.95	7.03
December 1994	53.98	7.09
January 1995	43.56	7.85
February 1995	43.48	7.66
March 1995	49.05	9.09
Total 1994–95	504.77	74.24

Ms Lynne: To ask the Secretary of State for Social Security how many absent parents are making child support payments by way of deduction of earnings orders. [29521]

Mr. Burt: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Ms Liz Lynne, dated 21 June 1995:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the number of absent parents who are making child support payments via Deduction from Earnings Orders (DEO).

Since launch to the end of March 1995, the Agency has issued over 34,000 DEOs Aggregated information is now available on the number of DEOs that have been honoured since 18 November 1994. Of the 15,600 DEOs issued from that date to the end of March 1995, payments have been received in relation to 5,800. Due to the processes involved in the implementation of a DEO, a number of the DEOs issued towards the end of 1994/95 would not have been implemented by employers before the end of March 1995.

I hope this is helpful.

State Retirement Pension

Mr. Michael Spicer: To ask the Secretary of State for Social Security what was the value of the state retirement pension in real terms, for each year since 1979. [29550]

Mr. Arbuthnot: The information is in the table:

£ per week

	Standard rate of basic retirement pension for people under 80		*Value at April 1995 prices*	
	Single[1]	*Married couple*[2]	*Single*[1]	*Married couple*[2]
November 1979	23.30	37.30	57.62	92.24
November 1980	27.15	43.45	58.22	93.18
November 1981	29.60	47.35	56.69	90.69
November 1982	32.85	52.55	59.21	94.72
November 1983	34.05	54.50	58.54	93.70
November 1984	35.80	57.30	58.65	93.87
November 1985	38.30	61.30	59.50	95.22
July 1986	38.70	61.95	59.13	94.66
April 1987	39.50	63.25	57.81	92.58
April 1988	41.15	65.90	57.95	92.81
April 1989	43.60	69.80	56.84	90.99
April 1990	46.90	75.10	55.86	89.45
April 1991	52.00	83.25	58.21	93.19

£ per week

	Standard rate of basic retirement pension for people under 80		Value at April 1995 prices	
	Single[1]	Married couple[2]	Single[1]	Married couple[2]
April 1992	54.15	86.70	58.13	93.07
April 1993	56.10	89.80	59.45	95.17
April 1994	57.60	92.10	59.52	95.17
April 1995	58.85	94.10	58.85	94.10

[1] Man or woman on own insurance.
[2] Man plus wife on his insurance.

Income Support, North Wales

Dr. Marek: To ask the Secretary of State for Social Security if he will give the amount recovered by claimants by way of arrears of supplementary benefit in the area covered by the Wrexham and North Wales Coast district benefits agency for each of the last 12 months for which figures are available. [29706]

Mr. Roger Evans: The information is not available and could be obtained only at disproportionate cost.

HEALTH

Respiratory Illness

Mr. William O'Brien: To ask the Secretary of State for Health what is her estimate of the number of people who died because of asthma and respiratory illness in each of the last five years. [29089]

Mr. Sackville: The information for England and Wales is shown in the table.

Numbers of deaths certified as due to asthma, ICD9 code 493, and diseases of the respiratory system, ICD9 code 460–519 inclusive, in the last five years.

Year	Deaths certified as due to diseases of the respiratory system (ICD9 code 460–519)	Deaths certified as due to asthma (ICD9 code 493)
1993	90,745	1,690
1992	60,388	1,790
1991	63,237	1,884
1990	61,018	1,858
1989	66,712	1,957

Mr. William O'Brien: To ask the Secretary of State for Health if she will list the top 10 districts where expenditure on prescriptions are the highest for *(a)* asthma treatment and *(b)* other respiratory conditions. [29088]

Mr. Malone: The information is shown in the tables. They list those family health services authorities in which total expenditure is greatest, which could reflect the size of the family health services authorities, and do not show where the expenditure per head of population is greatest.

The top 10 family health services authorities in terms of net ingredient cost for drugs and appliances used in the treatment of asthma

England 1994

Rank	Family health services authority
1	Lancashire
2	Hampshire
3	Essex
4	Kent
5	Devon
6	Nottinghamshire
7	Staffordshire
8	Birmingham
9	Cheshire
10	Derbyshire

1. Drugs used in the treatment of asthma are contained in the British National Formulary sections 3.1, 3.2 and 3.3. The above figures also include peak flow meters and inhaler devices. Some of the drugs may be used for other conditions.
2. Data cover all prescriptions dispensed by chemist and appliance contractors, dispensing doctors and personal administration.

The top 10 family health services authorities in terms of net ingredient cost for drugs used in the treatment of diseases of the respiratory system excluding those used in treatment of asthma

England 1994

Rank	Family health services authority
1	Essex
2	Lancashire
3	Kent
4	Hampshire
5	Birmingham
6	Humberside
7	Hertfordshire
8	Surrey
9	Leicestershire
10	Cheshire

1. Drugs used in the treatment of diseases of the respiratory system are contained in the British National Formulary chapter 3. Drugs used in the treatment of asthma are contained in the British National Formulary sections 3.1, 3.2 and 3.3. Some of the drugs may be used for other conditions.
2. Data cover all prescriptions dispensed by chemist and appliance contractors, dispensing doctors and personal administration.

Temazepam

Mr. McMaster: To ask the Secretary of State for Health what studies her Department has made of the possible negative effects of using temazepam without a prescription, with special reference to the injection of the drug; what assessment she has made of whether other benzodiazepines are more effective in the treatment of anxiety and sleeplessness than temazepam; what information and educational material is currently available to the general public concerning the ill effects of illegal

use of temazepam; to what degree this information is available; and if she will make a statement. [29247]

Mr. Bowis: The Department has commissioned research on the impact of prescription drug leakage on the illicit drug market, including on the risk behaviours associated with injecting prescription drugs. It is due to be completed in late 1996.

It is for doctors treating patients for anxiety and sleeplessness to decide which benzodiazepine, if any, would be the most effective for individual patients. Doctors have access to information about the effects of benzodiazepine prescribing in the British National Formulary, copies of which are in the Library. The Department issues this to all doctors free of charge.

General information on the ill-effects of the misuse of benzodiazepines, including temazepam, is given in the leaflets "Drugs and Solvent Misuse—A Basic Briefing" and "Drugs and Solvents: Things You Should Know" which is targeted at young people. These are widely available and, together with similar leaflets produced for Scotland, Wales and Northern Ireland, can be ordered free of charge through the national drugs helpline service, telephone 0800 77 66 00. Local health authorities and boards or other agencies may produce their own educational materials.

The Mental Health Foundation booklet "Guidelines for the Prevention and Treatment of Benzodiazepine Dependence", which contains information about the risks of benzodiazepines, drew attention to the potential for misuse of these drugs and for diversion of supplies to illicit markets. The booklet, copies of which are available in the Library, was circulated to all English family health services authorities in March 1994 under cover of a letter which gave Departmental endorsement to the guidelines and recommended their use by general practitioners wishing to help patients who may be dependent on benzodiazepines to shift gradually to non-prescribing interventions.

The Department is considering what further advice should be issued to FHSAs on the powers they have to examine controlled drug prescribing and to clinicians on the prescribing of benzodiazepine and related drugs.

Speech Therapists

Mr. Benton: To ask the Secretary of State for Health if she will take action to unfreeze the posts for speech therapists required for special education needs in Bootle. [29321]

Mr. Malone: This is a matter for Sefton health authority. The hon. Member may wish to contact Mr. F. R. Ludlow, chairman of the health authority, for details.

Residential Care Charges

Mr. Heald: To ask the Secretary of State for Health if she will make a statement about the treatment of occupational pensions by local authorities when the recipient enters residential accommodation leaving a spouse remaining in the community. [30505]

Mr. Bowis: We have been looking carefully and sympathetically at this issue. While our guidance to social services departments makes it clear that they can exercise discretion when applying the charging rules to care home residents with occupational pensions, they are not at present required to disregard a portion of that occupational pension in order to provide for a spouse remaining at home. We have now decided in principle that the local authority charging regulations should be amended so as to disregard half the occupational pension when a husband or wife enters a residential care or nursing home in order to help their spouse remaining at home. The Department will be consulting with the interested parties, including the local authority associations, about the details of implementing this proposal. At the same time, my right hon. Friend the Secretary of State for Social Security will be taking forward a similar proposal in respect of people who were in residential care or nursing homes on 31 March 1993 and who have preserved rights to the higher levels of income support.

Special Hospitals

Sir Malcolm Thornton: To ask the Secretary of State for Health if she will make a statement about the future management of special hospitals. [30595]

Mr. Bowis: We have decided on a number of important changes in the organisation and funding of high security psychiatric services provided by the three special hospitals, Ashworth, Broadmoor and Rampton. Their purpose is to integrate special hospital services more closely with mainstream mental health services while fully maintaining the protection of the public, staff and patients themselves. They build on the substantial improvements in quality and effectiveness of services that have been achieved by the Special Hospitals Service Authority since it was set up in 1989.

The changes take account of the recommendations of the expert group, chaired by Dr. John Reed CB, on high security and related psychiatric provision whose report was published in July 1994. I announced then that we were asking officials to examine further the group's recommendations and advise on what changes, if any, should be made in the funding, management and deployment of the services. In doing this, they were to pay particular regard to Ministers' obligations to maintain the security and quality of the services and to achieve value for money. The decisions I am announcing today have been taken in the light of this further advice.

The key features of the new arrangements that we are introducing are:

- a national high security psychiatric services commissioning board within the NHS executive, which will be responsible for commissioning services provided by the special hospitals. It will advise and be accountable to Ministers through the chief executive of the national health service executive and include representation from NHS purchasers, the Welsh Office, Home Office, Prison Service and the present Special Hospitals Service Authority;
- the establishment of three new special health authorities which will be responsible for managing services provided by the special hospitals;
- the establishment of a co-ordinated structure of commissioning arrangements for secure psychiatric services from the special hospitals to those provided at local level.

Further details are contained in a paper entitled "High Security Psychiatric Services—Changes in Funding and

Organisation" which is being published today, copies of which are available in the Library.

This will bring high-security services much more closely into line with the arrangements for other NHS services through:

separation of responsibility for commissioning and provision of high security services:

This will extend to the special hospitals the benefits which have been achieved in the NHS generally through the separation of the purchasing and providing functions. The hospitals will concentrate on improving the quality and effectiveness of service delivery. The new commissioning board will be responsible for assessing national needs for psychiatric care in conditions of high security and contracting for services to meet those needs;

local management for the three special hospitals:

will give greater responsibility to the people who work in each hospital so that they are able to develop the organisation in ways that best meet the needs of their patients and respond quickly on day-to-day matters affecting patients and staff;

better integration of high security services with other parts of the mental health services:

will help to reduce, both for patients and staff, the isolation of the special hospitals and the impediment this presents to improving the quality and effectiveness of their services. This includes the removal of financial and organisational barriers which have tended to impede the movement of patients through services in accordance with their clinical and security needs. It will also allow freer movement of staff between the hospitals and other NHS employment. It will support the reshaping of existing patterns of services in accordance with assessed patients needs;

direct involvement of local NHS health purchasers in commissioning high security services:

will ensure that the needs of patients requiring high security are better understood and strategies to meet their continuing care needs are built into local mental health service development plans. This will help secure the most effective use of available resources to provide high- quality services at the level of security required.

The new arrangements will take effect on 1 April 1996. At that point, the Special Hospitals Service Authority will cease to be responsible for the management of special hospital services and we intend to take the necessary steps to abolish it. I should like to take this opportunity of paying tribute to the chairman, Mrs. Anne-Marie Nelson, her predecessor Dr. David Edmond, the members of the authority, and all its staff for the invaluable work that they have done in the past six years in improving and modernising the services of the special hospitals.

The new arrangements will incorporate special provisions for funding, commissioning and regulation to maintain the degree of central oversight which is essential for high security services. The chief executive of the NHS executive is putting in hand the necessary preparatory work to enable the change to be implemented from April 1996.

I recognise that the period of change will be a challenging one for the staff of the authority and the hospitals. The authority is arranging for there to be full discussion with staff and patients about the implications of the changes for them. I have complete confidence in their commitment and dedication to ensure that the quality of the service they provide is fully maintained as the changes proceed.

Our task now is to consolidate the authority's past successes and develop a service for the future which can respond to the full range of patients' needs, meet the aspirations and potential of staff and work effectively with other secure psychiatric services, while continuing to ensure the protection the wider public rightly expects. I believe that the changes I have announced today create the framework we need for achieving this.

Appetite Suppressants

Mr. Flynn: To ask the Secretary of State for Health what proposals she has to reduce the availability of appetite suppressant drugs. [29305]

Mr. Sackville: Proposals are being considered to limit the availability of appetite suppressants by way of an order under section 62 of the Medicines Act 1968 to situations in which there exists a clear medical need for such products. The Medicines Control Agency is currently consulting those with an interest in this subject on the form that such an order might take.

Hip Replacements

Mr. Flynn: To ask the Secretary of State for Health what was the average cost in real terms of hip prostheses to the national health service in each of the last 12 years. [29300]

Mr. Sackville: The information is not available centrally.

Multiple Births

Mr. Wigley: To ask the Secretary of State for Health how many sets of *(a)* twins, *(b)* triplets, *(c)* quadruplets, *(d)* quintuplets and *(e)* sextuplets were born in England in each year from 1990 to 1994; what was the total number of maternities in England in each year; how many multiple births were conceived as a result of (i) in vitro fertilisation, (ii) gamete intra-fallopian transfer and (iii) other forms of assisted conception; and if she will make a statement. [29529]

Mr. Sackville: The information on multiple and total maternities is shown in the table.

England

	1990	*1991*	*1992*	*1993*	*1994*
Twins	7,537	7,739	7,883	7,897	8,014
Triplets	190	201	192	225	249
Quadruplets	9	10	8	11	8
Quintuplets	—	1	1	—	—
Sextuplets	—	—	—	1	—
Septuplets	—	—	—	—	—
Total number of maternities with multiple births	7,736	7,951	8,084	8,134	8,271
All maternities	662,048	655,703	646,266	631,710	624,004

The table excludes those maternities to mothers resident outside England and Wales.

Figures relating to multiple births following assisted conception are contained in the Human Fertilisation and

Embryology Authority annual report, copies of which are available in the Library.

Edgware General Hospital

Mr. Dykes: To ask the Secretary of State for Health what plans she has to visit Edgware general hospital in the near future; and if she will meet a deputation of local residents and medical staff during her visit. [29752]

Mr. Malone: My right hon. Friend the Secretary of State has no plans to visit Edgware hospital at present.

Mr. Dykes: To ask the Secretary of State for Health (1) if she will make it her policy to review the proposed closure in April 1997 of Edgware general hospital accident and emergency unit when her Department receives medical evidence of up-to-date local requirements; [29753]

(2) if she will list the replacement services for the local community to be undertaken by the relevant health authorities after the closure in April 1997 of the accident and emergency department of Edgware general hospital. [29751]

Mr. Malone: No. Barnet health authority has a duty to ensure that residents have a comprehensive health service meeting the full range of their needs effectively and safely. Edgware hospital's accident and emergency department will not close until alternative facilities are available and capable of providing an improved service to patients.

A new minor accident treatment service is being established on the Edgware site and will provide modern and effective services for local residents. Full-scale accident and emergency services will be provided at the redeveloped Barnet hospital, as well as at Northwick Park and the Royal Free. A primary care investment fund, amounting to £17 million, has been established to improve family doctor and community services in the area.

Compulsory Competitive Tendering

Mr. Milburn: To ask the Secretary of State for Health what have been the annual costs of carrying out competitive tendering processes in the national health service since their introduction. [29705]

Mr. Sackville: This information is not available centrally.

General Practitioner Lists

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health how many patients *(a)* in each region and *(b)* in England were removed from general practitioners' lists in the latest available year; how many and what proportion of these were de-registered at the request of their GP; and how many patients in England were de-registered at the request of their GP in each of the last five years for which figures are available. [29700]

Mr. Malone: Information on the removal of patients is available only for 1992–93, and I refer the hon. Member to the answer that the Under-Secretary of State, my hon. Friend the Member for Battersea (Mr. Bowis), gave him on 20 July at columns *368–70*.

Market Testing

Mr. Milburn: To ask the Secretary of State for Health what has been the annual cost of carrying out market-testing processes in the national health service since their introduction. [29704]

Mr. Sackville: This information is not available centrally.

Gorton Medical Centre

Mr. Kaufman: To ask the Secretary of State for Health, pursuant to her reply of 16 May, *Official Report*, column *167*, with regard to Gorton medical centre, if she will state the latest position both with regard to the judgment of the High Court and with regard to financial assistance to improve the premises of the centre. [29969]

Mr. Malone: We are still considering the implications of the judgment of the High Court.

Officials at Manchester family health services authority have recently received a copy of plans from the doctors at Gorton medical centre regarding the proposed work to improve their practice premises. The authority will now consider what financial assistance can be provided and the right hon. Member may wish to contact Professor Joan Higgins, chairman of Manchester FHSA, about future progress in this connection.

ATTORNEY-GENERAL

Treasury Counsel Fees

Mr. Byers: To ask the Attorney-General, pursuant to his answer of 22 May, *Official Report*, column *451*, how much each Treasury counsel retained for civil work received in fees from public funds in 1994–95; of the Treasury counsel based at the central criminal court, how many received between (i) £250,000 to £300,000, (ii) £300,000 to £350,000, (iii) £350,000 to £400,000, (iv) £400,000 to £500,000, (v) in excess of £500,000 from the Crown Prosecution Service for financial year 1994–95. [29928]

The Attorney-General: The Treasury Solicitor's Department paid each of the two Treasury counsel retained for Government civil work between £200,000 and £250,000 in the financial year 1994–95. However, Treasury counsel will also have received fees from other Government Departments and agencies which have instructed them direct. The total fees paid to Treasury counsel from public funds could be calculated only at disproportionate cost.

On the information currently available, of the Treasury counsel based at the central criminal court the following numbers received payments from the Crown Prosecution Service during the financial year 1994–95 in the following bands:

	Number
(i) £250,000 to £300,000	3
(ii) £300,000 to £350,000	1
(iii) £350,000 to £400,000	0
(iv) £400,000 to £500,000	1
(v) in excess of £500,000	1

All figures are inclusive of value added tax.

TREASURY

Crown Immunity

Mr. Foulkes: To ask the Chancellor of the Exchequer if he will list all areas within *(a)* his Department, *(b)* agencies under his Department's control and *(c)* organisations for which he has ministerial responsibility to which Crown immunity applies; what consideration he has given to removing this; and if he will make a statement. [28657]

Mr. Kenneth Clarke *[holding answer 15 June 1995]:* The reference to the Crown immunity in the question is taken to refer to legislation that does not bind the Crown. Certain legislation is expressly applied to the Crown. In most legislation, however, particularly older legislation, there is no such express provision. In those circumstances, whether legislation applies to the Crown will depend upon the implications to be drawn from the drafting and context of the legislation.

Lloyd's

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what are his estimates of the *(a)* total tax assessed and *(b)* total tax refunded in respect of profits or losses made by the underwriting members of Lloyd's of London in each of the years since 1977–78. [28673]

Sir George Young *[holding answer 15 June 1995]:* The available information is shown in the table, and covers *(a)* the total tax charged on initial assessments, including estimated assessments, made during each tax year on underwriting profits and gains and *(b)* the total of income tax and capital gains tax repaid to Lloyd's underwriters by the underwriters unit of Inland Revenue in each tax year, including any repayment supplement attracted by the tax refunded.

£ million

Tax year	*(a) Initial assessments*	*(b) Repayments*
1977–78	43.6	not available
1978–79	53.0	not available
1979–80	60.5	not available
1980–81	72.1	not available
1981–82	75.9	not available
1982–83	96.3	24.3
1983–84	146.9	85.6
1984–85	153.5	87.1
1985–86	182.7	62.0
1986–87	204.0	160.3
1987–88	152.5	155.6
1988–89	157.3	157.7
1989–90	308.9	118.2
1990–91	228.2	91.0
1991–92	101.8	126.7
1992–93	10.3	386.6
1993–94	3.7	479.1
1994–95	8.9	375.4

BMARC

Mr. Hoyle: To ask the Chancellor of the Exchequer if the findings of Her Majesty's Customs and Excise will be presented to the Chief Secretary to the Treasury following its investigation into breaches of export control by BMARC. [29352]

Mr. Heathcoat-Amory *[holding answer 19 June 1995]:* No.

Mr. Cousins: To ask the Chancellor of the Exchequer if he will set out the terms of the reference and subject matter of the HM Customs and Excise inquiry into BMARC. [29484]

Mr. Heathcoat-Amory: Customs and Excise is an independent prosecuting authority of the Crown and conducts investigations to determine whether there is a basis for instituting criminal proceedings in relation to alleged breaches of, inter alia, statutory export and import controls.

In that capacity, it is for the commissioners to determine the subject matter and extent of any investigation and, in relation to the BMARC allegations, the Department is actively following up information received.

Parliamentary Questions

Ms Quin: To ask the Chancellor of the Exchequer when he last reviewed the threshold figure for the definition of proportionate cost in relation to parliamentary questions. [29362]

Mr. Nelson: The disproportionate cost threshold for answering written parliamentary questions was last reviewed in February 1995. I concluded that costs had not increased sufficiently since the previous review to warrant raising the threshold. The threshold continues to be £450.

Public Sector

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what are his estimates of the *(b)* public sector's tangible assets, *(b)* public sector's net financial liabilities and *(c)* public sector's net worth for each year from 1970–71 to 1997–98 expressed in 1994 prices. [29890]

Mr Aitken: Table 12.12 in the Central Statistical Office Blue Book provides the information requested for 1984 up to 1993. Included within the table are the relevant CSO identifiers, providing the data as far back as is readily available, for each of *(a)*, *(b)* and *(c)*.

Forecasts of the public sector's tangible assets and thus net worth are not available. However, forecasts of the public sector's net financial liabilities, as measured by "net public sector debt" were published in table 4.3 of the "Financial Statement and Budget Report 1995–96", revised tables. Table 6A.1 of the FSBR contains the necessary deflators to convert the figures into real terms.

Budget

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if it is his policy to aim to run a balanced Budget over the cycle. [29898]

Mr. Aitken: The Government's fiscal objective is to bring the public sector borrowing requirement back towards balance over the medium term.

Spirits

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what assumption about the price elasticity of demand for spirits was used by his Department in 1994

in consideration of altering the levels of domestic duty on spirits in the Budget. [29891]

Mr. Heathcoat-Amory: The Chancellor takes into account a wide range of factors when determining possible tax changes. The revenue implications are estimated using a computer model produced by the Institute of Fiscal Studies. That model has a wide range of both own and cross price elasticities for various categories of consumption. The own price elasticity for spirits is –1.07.

Retail Prices Index

Mr. Campbell-Savours: To ask the Chancellor of the Exchequer what change has taken place in the retail prices index between March 1979 and March 1995. [26364]

Mr. Nelson: The information requested can be calculated from table 11 of the March 1995 edition of the "Business Monitor MM23 on Retail Prices Index", a copy of which is available in the House of Commons Library.

Information Technology Contracts

Mr. Cohen: To ask the Chancellor of the Exchequer, pursuant to his answer on 12 June, *Official Report*, column *395*, regarding contracts with EDS in respect of Government data, what arrangements exist to ensure the smooth, continuous running of the relevant systems in the event of a change of contractor, the appointment of a subcontractor or an unforeseen event or policy decision taken by the contractor; and what back-up arrangements are in place to ensure the continuous running of these systems. [29766]

Sir George Young: EDS has outsourcing contracts with the Inland Revenue, the Department of Social Security and the Department of Transport.

There are provisions within the EDS contracts with those Government Departments, which cover the handover of work and resources at the end of the contract and which will ensure continuity of service. The provisions for handover apply equally to a transfer to another supplier or direct to the Department and they can be invoked even if the contract is terminated prematurely.

Generating Company Shares

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer to what extent he took into account section 164 of the Financial Services Act 1986 in determining whether or not to go ahead with the sale of National Power and PowerGen. [28816]

Sir George Young: Section 164 of the Financial Services Act 1986 has never been brought into force, but would in any case have applied only to unlisted securities. The shares of the generating companies were already listed.

Alcohol Duty

Mr. Hanson: To ask the Chancellor of the Exchequer what forward projections he has made for the income from alcohol duty for each of the next 10 years. [29436]

Mr. Heathcoat-Amory: Forecasts cover the short to medium term; and the last published set was in the revised 1995–96 "Financial Statement and Budget Report". After 1995–96, figures presented combine income from excise duties on fuel, alcohol and tobacco. New estimates will be published by HM Treasury in the summer economic forecast at the end of June.

Mr. Hanson: To ask the Chancellor of the Exchequer what plans he has to meet representatives of the Licensed Victuallers Association to discuss the Government's policy on the harmonisation of alcohol duties across the EC. [29434]

Mr. Heathcoat-Amory: Meetings are held regularly with trade organisations and other representatives of that industry.

Manufactures (Exports)

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what estimate he has made of the effect of the Government's monetary and exchange rate policies since 1979 on the UK share of exports of manufactures by the main manufacturing countries. [29442]

Mr. Nelson: The UK's share of exports of manufactures by the main manufacturing countries depends on a variety of factors, including competitiveness and export profitability. It is not possible to isolate with any confidence the effects stemming from monetary and exchange rate policies. However, the Government's commitment to deliver permanently low inflation will provide a stable climate within which British manufacturing can compete successfully, in both world and domestic markets.

Alcohol Policy

Mr. Hanson: To ask the Chancellor of the Exchequer what assessment he has made of the EUROCARE report into alcohol policy across the European Union. [29433]

Mr. Heathcoat-Amory: I await a copy of that report, which will then receive attention.

Vehicle Excise Duty

Mr. Wigley: To ask the Chancellor of the Exchequer what studies his Department has carried out into the potential for using the reform of vehicle excise duty to encourage the sale and purchase of less-polluting vehicles. [29490]

Mr. Heathcoat-Amory: The possibility of using vehicle excise duty to encourage the sale and purchase of less-polluting vehicles is kept under review. The policy of phased increases in fuel duty is, however, thought at present to be the most efficient way of curbing emissions from vehicles.

HOME DEPARTMENT

Immigration

Dr. Howells: To ask the Secretary of State for the Home Department how many notices have been issued to

carriers under the Immigration (Carriers' Liability) Act 1987 in each quarter since March 1991. [29701]

Mr. Nicholas Baker: The total number of notices issued in each quarter since March 1991 is as follows:

Quarter ending	*Number of notices*
31 March 1991	2,843
30 June 1991	2,759
30 September 1991	2,451
30 December 1991	2,031
31 March 1992	1,954
30 June 1992	1,605
30 September 1992	2,355
31 December 1992	2,197
31 March 1993	1,608
30 June 1993	1,663
30 September 1993	1,815
31 December 1993	1,819
31 March 1994	1,638
30 June 1994	1,605
30 September 1994	2,085
31 December 1994	2,011
31 March 1995	1,864

Dr. Howells: To ask the Secretary of State for the Home Department what has been the total amount of liability incurred by all carriers under the Immigration (Carriers' Liability) Act 1987; and how much has been paid. [29703]

Mr. Nicholas Baker: A total of £79.770 million had been incurred to 31 May 1995. Of that sum, £45.861 million has been paid and £10.47 million waived following representations by carriers.

Repatriation (Financial Assistance)

Mr. Churchill: To ask the Secretary of State for the Home Department if he will take steps to extend to British citizens born overseas who wish to return to their countries of origin the programme of financial assistance for repatriation already available to non-British citizens in similar circumstances. [29929]

Mr. Nicholas Baker: Under section 29 of the Immigration Act 1971 the Government fund a small humanitarian programme that provides for limited assistance to be given to non-British citizens who wish to return to their countries of origin but who lack sufficient means to do so. British citizens born overseas who wish to return to their countries of origin to settle may, in certain circumstances, renounce their British citizenship, and become eligible to receive assistance from the programme.

Asylum

Dr. Howells: To ask the Secretary of State for the Home Department how many asylum applications were taken in; how many decision were made; what was the backlog of all work; what was the average cost per case; and what was the average output per staff day in each year since 1990. [29702]

Mr. Nicholas Baker: The information requested is given in the table.

Decisions[1] on applications[1] received for asylum in the United Kingdom, excluding dependants, 1990 to 1994

	1990	*1991*	*1992*	*1993*	*1994*
Asylum applications[2]	26,205	44,840	24,605	22,370	32,830
Decisions[2,3]	4,025	6,075	34,900	23,405	20,990
Recognised as a refugee and granted asylum	920	505	1,115	1,590	825
Not recognised as a refugee but granted exceptional leave to remain[4]	2,400	2,190	15,325	11,125	3,660
Total refused	705	3,380	18,465	10,690	16,500
Refused asylum and ELR—after full consideration	705	3,380	2,675	4,705	12,655
Refused under para 340[5]	—	—	15,195	5,240	2,985
Refused on safe third country grounds[6]	—	—	595	745	865
Applications outstanding at end of year[7]	34,050	72,070	19,110	45,805	55,255
Average cost per case[8]	—	—	—	£175	£185
Average output per staff day[9]	—	—	—	0.30	0.25

[1] Provisional figures rounded to the nearest 5 with '—' = not available.
[2] Figures exclude information on applications made overseas.
[3] Decisions do not necessarily relate to applications made in the same year.
[4] Usually granted for a year in the first instance, subject then to further review.
[5] For failure to provide evidence to support the asylum claim within a reasonable period including failure to respond to invitation to interview to establish identity (para. 180F prior to 1 October 1994 and para. 101 prior to 26 July 1993).
[6] Refused on the grounds that the applicant had arrived from a safe third country.
[7] Figures for 1991 and earlier years are maxima which may overstate. They are not directly comparable with figures for later years.
[8] Cost of asylum determination staff per initial asylum decision.
[9] Number of initial asylum decisions by the number of determination staff days worked.

Dr. Spink: To ask the Secretary of State for the Home Department if he will make it his policy to ensure that all people who request asylum upon arriving on the Eurostar train at Waterloo station are returned immediately. [29628]

Mr. Nicholas Baker: All such asylum applications are referred to the asylum division. In accordance with paragraph 345 of the Immigration Rules, claims may be refused without substantive consideration where there is a safe third country to which the applicant may be sent.

Taxi Drivers

Mr. Hinchliffe: To ask the Secretary of State for the Home Department if he will exempt taxi drivers from the Rehabilitation of Offenders Act 1974. [27954]

Mr. Maclean *[holding answer 13 June 1995]:* We have no plans to do so.

Firearms Fees

Mr. Churchill: To ask the Secretary of State for the Home Department what has been the increase in firearms fees in each of the past five years in both cash and percentage terms; what is the justification for such levels of

increase; and if he will use his powers under section 55 of the Firearms Act 1968 to require chief officers of police forces to adopt models of best practice in the management of their firearms departments. [29741]

Mr. Maclean *[holding answer 20 June 1995]:* The Government increased some of the fees that are payable under the firearms acts with effect from 1 January 1995. The cash and percentage increases are set out in the table. The previous change to those fees took effect on 1 June 1990.

The fee levels are designed to reflect the cost to the police service of operating the firearms licensing system. They take account of the best practice guidelines for administering the system, which the Home Office issued to chief officers in 1991 and of a subsequent costing exercise undertaken by independent consultants.

In calculating costs, we have assumed that police forces are already well on the way to operating best practice and will continue to make efficiency savings during the five-year period over which costs have been calculated. In the case of shotgun fees, the cost of additional checks made as a result of the Firearms (Amendment) Act 1988 is reflected for the first time. In particular, on first application, the police will normally make a home visit to make sure that the requirement for safekeeping at all times will be satisfied.

Without those increases, there would be a shortfall in income of some £8 million over the next five years to meet the police costs, a shortfall that would have to be met at the expense of some other police activity.

My right hon. and learned Friend does not propose to use section 55 of the Firearms Act 1968 to require chief officers of police to adopt the best practice guidelines.

	1990 fee £	*1995 fee* £	*Cash increase* £	*Percentage increase*
Firearm certificate				
Issue	46	56	10	22
Renewal	46	46	—	—
Variation	26	26	—	—
Replacement	9	9	—	—
Shotgun certificate				
Issue	17	43	26	153
Renewal	11	18	7	64
Coterminous with firearm certificate	5	5	—	—
Replacement	8	8	—	—
Firearms dealers certificate				
Issue	94	118	24	26
Renewal	50	50	—	—
Register for game, fair, etc	12	12	—	—
Visitors firearm permit				
Individual	12	12	—	—
Group	60	60	—	—
Home office approval of rifle and pistol clubs				
Issue and renewal	33	84	51	154
Museum firearms licence				
Issue and renewal	[1]200	[1]200	—	—

[1] Maximum.

Fire Service

Mr. George Howarth: To ask the Secretary of State for the Home Department what representations he has received concerning making motorists pay for rescue operations completed by the fire service. [29952]

Mr. Nicholas Baker: We have received no such representations.

Prisoners (HIV and AIDS)

Mr. Cohen: To ask the Secretary of State for the Home Department how many prisons have ceased to apply the policy of viral infectivity restrictions among prisoners with HIV or AIDS; if he will now rescind this policy; and if he will make a statement. [29718]

Mr. Michael Forsyth: Responsibility for that matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Retail Staff

Mr. Ian McCartney: To ask the Secretary of State for the Home Department what guidance has been given by his Department to retail staff on reducing risk of assault by customers. [29199]

Mr. Maclean: The Retail Action Group, a sub-group of the National Board of Crime Prevention, is working to produce a series of crime prevention booklets for retailers: advice on the prevention of violence to retail staff is currently being prepared and will be published shortly. Booklets on the prevention of burglary and of robbery were launched in January, and advice on the prevention of customer theft, external fraud and staff dishonesty is also planned.

The Home Department was represented on the Health and Safety Executive committee which in March 1995 published guidance giving practical information on how employers can prevent violence to retail staff in the workplace. The Home Department was also represented on the steering committee of the "Theftstop Initiative", which recently launched a training video on the prevention of shop theft. As research indicates that almost half the incidents of violence to retail staff occur when staff intervene to prevent theft, it is essential that staff are trained in preventive action that will not put them at risk.

Mr. Ian McCartney: To ask the Secretary of State for the Home Department what assessment he has made of the dangers posed to retail staff by the introduction of the national lottery as a result of the increased amounts of money changing hands; and what representations he has received on the subject. [29200]

Mr. Maclean: Prior to the launch of the lottery, Camelot, in consultation with the Home Office and the Association of Chief Police Officers, put together and

distributed advice to retailers on health and safety issues, including robbery. Lottery-related crime, including crime affecting retailers, is being monitored. My right hon. and learned Friend has received representations on the subject of violence against retailers from 13 Members of Parliament since the lottery was launched.

Mr. Ian McCartney: To ask the Secretary of State for the Home Department how many retail staff were *(a)* killed, *(b)* seriously injured as a result of attacks from customers and *(c)* physically assaulted by customers in each of the last five years. [29198]

Mr. Maclean: The official information available centrally does not enable a distinction of victims by occupation to be made. However, information on violence against staff in the financial years 1992–93 and 1993–94 is contained in the British Retail Consortium publications "Retail Crime Costs: 1992–93 survey" and "Retail Crime Costs: 1993–94 survey", copies of which are held in the Library.

Scotland Yard

Mrs Anne Campbell: To ask the Secretary of State for the Home Department what measures he is putting in place to prevent further theft from Scotland Yard. [29069]

Mr. Maclean: Following the discovery in July 1994 of a serious fraud by a member of the Metropolitan police civilian staff, the receiver for the Metropolitan police district, with our agreement, appointed Mr. Wilfred Hyde, a former senior official in the Home Office, to undertake an independent review of financial procedures relating to confidentially funded police operations.

The review found no evidence of any further fraud or weaknesses parallel to those in the particular arrangements that led to the fraud. Mr. Hyde made a number of recommendations for improving the systems of financial control for confidentially funded operations, which have been accepted in full and are being implemented.

We stand ready to consider any recommendations that the Public Accounts Committee may make following its hearing on 14 June of this and related matters.

Life Sentence Prisoners

Mr. Watson: To ask the Secretary of State for the Home Department when he expects to announce the outcome of his review of the sentences on Abdul Qayyum Raja and Mohammed Riaz. [29193]

Mr. Michael Forsyth: Written representations have recently been received on behalf of both those mandatory life sentence prisoners. I expect to receive further representation shortly. Thereafter, the reconsideration of the period to be served for retribution and deterrence in each case—the tariff—will be completed as soon as possible.

Criminal Injuries Compensation Board

Mr. Mullin: To ask the Secretary of State for the Home Department what is the present waiting time for cases to be heard by the Criminal Injuries Compensation Board; and if he will make a statement. [28983]

Mr. Maclean: The board advises that information on the present waiting time for cases to be heard is not available. However, some information about the time taken to reach decisions on cases and the time taken to resolve hearings applications is given at paragraphs 3.12 and 4.14 of the board's 30th annual report, Cm 2849, copies of which are held in the Library.

PRIME MINISTER

Privatisation

Mr. McNamara: To ask the Prime Minister if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29413]

The Prime Minister: For this purpose, my Department is part of the Cabinet Office. I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Secretary, Office of Public Service and Science on 20 June, *Official Report*, column *220*.

Mr. McNamara: To ask the Chancellor of the Duchy of Lancaster if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29422]

Mr. Horam: Those parts of the work of the Cabinet Office—OPSS—its agencies, HMSO and COI which have been contracted-out without an in-house bid are as follows:

Central OPSS
Consortium Reports
Publishing and print Procurement Service
CCTA
GTN (Long-Distance)
Chessington
UNISON (Phase 1)
CS College
Prospectus Distribution
RAS
Catering Services
Cleaning Services
IT Hardware Maintenance
IT Software Support Services
HMSO
Print Order Processing System
Software Development: Business Supplies
Software Development: Finance
COI
Videotext Unit

The Cabinet Office, its agencies, HMSO and COI have contracted-out activities without inviting in-house bids where it has been judged that the private sector is clearly better equipped to deliver a specific service, has a better

understanding of market needs, or the capacity to invest in new technology. Other decisions to contract-out services without inviting in-house bids have been taken where an activity is relatively small and peripheral to the Department's functions.

There are no current plans to contract-out any activities within the Cabinet Office, its agencies, HMSO and COI without inviting an in-house bid.

Scott Inquiry

Mr. Llew Smith: To ask the Prime Minister, pursuant to his answer to the hon. Member for Wallsend (Mr. Byers), 12 June, *Official Report*, column *373*, if he will set out the reason for declining to give details of the dates of letters sent from his office to the Scott inquiry. [29158]

The Prime Minister: The Government do not propose to disclose details of confidential exchanges with the Scott inquiry.

Former Prisoners of War

Mr. Flynn: To ask the Prime Minister what plans he has to approach the Japanese Government to secure new compensation for British prisoners of war held by the Japanese. [29303]

The Prime Minister: We are precluded on legal grounds from raising the question of compensation formally with the Japanese Government. I have drawn their attention to the strong feelings which the situation of the former prisoners arouses in the UK. My right hon. Friend the Foreign Secretary most recently discussed the matter with his Japanese counterpart at the G7 summit in Halifax on 16 June.

Ministerial Speeches

Mr. Battle: To ask the Prime Minister what is his estimate of the total annual cost to public funds of publishing every Minister's speeches. [29866]

The Prime Minister: It is usual practice for ministerial speeches made on official occasions to be published and distributed to the press by the relevant departmental press office. The cost is not separately identified in the form requested and could be obtained only at disproportionate cost.

WALES

Privatisation

Mr. McNamara: To ask the Secretary of State for Wales if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise that was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29430]

Mr. Redwood: My Department has strategically contracted out architects and surveyors services, an activity identified as peripheral to its core functions but one which the private sector specialises in and is well equipped to deliver.

The Department and its agency, CADW, have not yet identified any other existing activities as appropriate for contracting out without an in-house bid.

Age Discrimination

Mr. Alan Williams: To ask the Secretary of State for Wales what progress has been made in the "Too Old, Who Says?" campaign in Wales; and if he will make a statement. [29511]

Mr. Richards: The campaign is being taken forward by the Employment Department. I refer the hon. Member to the reply given to the hon. Member for Eastbourne (Mr. Waterson) on 13 June 1995, *Official Report*, column *443*, by my hon. Friend the Minister of State, Department of Employment. To compete successfully, employers in Wales must be ready to take full advantage of the skills, reliability, experience and commitment that older people have to offer. It is in employers' best interest to treat people on their merits, regardless of their age.

Pupil Numbers

Mr. Win Griffiths: To ask the Secretary of State for Wales how many *(a)* primary and *(b)* secondary school pupils there were in each local education authority in *(a)* 1990 and *(b)* 1994. [29323]

Mr. Richards: The information requested is shown in the following tables:

Full-time equivalent pupil numbers at January each year in:

	1990		*1994*	
	LEA maintained schools	*Grant maintained schools*	*LEA maintained schools*	*Grant maintained schools*
(a) Primary schools				
Clwyd	37,208	—	37,957	450
Dyfed	31,853	—	31,567	—
Gwent	41,499	—	43,576	216
Gwynedd	19,868	—	19,426	254
Mid Glamorgan	54,892	—	56,814	—
Powys	10,361	—	10,661	27
South Glamorgan	35,599	—	39,472	—
West Glamorgan	34,463	—	35,242	—
Wales	265,743	—	274,715	947
(b) Secondary schools				
Clwyd	26,487	—	23,195	3,558
Dyfed	23,182	—	24,571	—
Gwent	28,222	—	28,517	1,485
Gwynedd	15,849	—	15,318	—
Mid Glamorgan	36,161	—	38,590	—
Powys	7,814	—	7,927	—
South Glamorgan	25,743	—	24,867	2,497
West Glamorgan	22,565	—	22,909	967
Wales	185,723	—	185,894	8,507

Source: Schools census.

A-level Results

Mr. Llwyd: To ask the Secretary of State for Wales what was the average A-level point score of students embarking on first degrees at Welsh higher education institutions in *(a)* 1990–91, *(b)* 1991–92, *(c)* 1992–93 and *(d)* 1993–94; and if he will make a statement. [29045]

Mr. Richards: Information is not readily available for the university of Wales or the Open university. Information on the average A-level point score of students on the first year of the first degree course at Welsh higher education institutions other than the university of Wales is shown in the following table:

First-year first degree students whose qualification on entry was "A" level at Welsh higher education institutions[1]

	1990–91	*1991–92*	*1992–93*	[2]*1993–94*
Total first year students	3,535	4,537	6,297	6,506
Number of students with A-level on entry	2,222	2,614	3,420	3,245
Average A-level score[3]	10.3	10.5	10.4	11.0

[1] At November, excluding university of Wales and Open university.
[2] Data provisional pending publication.
[3] Average score for those with A-level on entry.

Small and Medium-Sized Businesses

Ms Primarolo: To ask the Secretary of State for Wales (1) what is his Department's definition of a small business and a medium-sized business; [29574]

(2) in which sectors of the economy *(a)* small businesses and *(b)* medium-sized businesses are predominantly to be found. [29577]

Mr. Gwilym Jones: There is a wide range of definitions of small and medium-sized businesses used in practice, each valid in its own context. For example, the annual small firms merit award for research competition is aimed at businesses with up to 50 employees, whereas eligibility for the small firms loan guarantee scheme is determined by both turnover and employee numbers, the thresholds for which vary from sector to sector. Data on the number of VAT-based enterprises in Wales by industry and turnover sizeband are published in table 3E of Business Monitor PA1003 which is published annually by the Central Statistical Office. Copies are available in the Library of the House.

Ms Primarolo: To ask the Secretary of State for Wales (1) how many people were employed by *(a)* small businesses and *(b)* medium-sized businesses in each of the last 10 years; and if he will break these figures down by gender; [29576]

(2) how many *(a)* small businesses and *(b)* medium-sized businesses were started up in each of the last 10 years; and if he will break these figures down by gender of the entrepreneur. [29575]

Mr. Gwilym Jones: There is no single official definition of a small or medium-sized business. However, data are available for Wales for 1984, 1987, 1989 and 1991 on the number of persons employed in census of employment data units, which roughly correspond to workplaces, broken down by size of employment. While comprehensive information on the number of business start-ups in Wales is not available, a good guide to trends in business start-ups is given by the number of new registrations for VAT. Data are available on the number of VAT registrations in Wales, for each year 1980 to 1993. The vast majority of VAT registrations are for small firms. All these data can be obtained from the NOMIS database through the Library of the House. Information by gender is not available.

Women in Business

Ms Primarolo: To ask the Secretary of State for Wales, what initiatives his Department has to assist and encourage women who want to start their own businesses; and how the success of any initiative is monitored and assessed. [29573]

Mr. Richards: The business start-up scheme, operated through the training and enterprise councils, is available to all unemployed people wishing to start their own business. The scheme is monitored by the Welsh Office on a quarterly basis.

In addition, all TECs have equal opportunities policies supported by specific projects where appropriate. They are monitored by the TECs and through the annual Welsh Office/TEC business planning process.

Multiple Births

Mr. Wigley: To ask the Secretary of State for Wales how many sets of *(a)* twins, *(b)* triplets, *(c)* quadruplets, *(d)* quintuplets and *(e)* sextuplets were born in Wales in each year from 1990 to 1994; what was the total number of maternities in Wales in each year; and how many multiple births of each type in each year were conceived as a result of (i) in-vitro fertilisation, (ii) gamete intrafallopian transfer and (iii) other forms of assisted conception; and if he will make a statement. [29531]

Mr. Richards: The information requested on multiple and total maternities registered in England and Wales, for residents of Wales is as follows:

	1990	*1991*	*1992*	*1993*	*1994*
Twins	397	416	423	399	431
Triplets	11	6	8	8	11
Quadruplets	1	0	0	1	0
Quintuplets	0	1	0	0	0
Sextuplets	0	0	0	0	0
All maternities	38,624	37,824	37,237	36,375	35,122

Figures relating to multiple births following assisted conception are available only for the United Kingdom as a whole and are contained in the Human Fertilisation and Embryology Authority annual reports, copies of which are available in the Library of the House.

OVERSEAS DEVELOPMENT ADMINISTRATION

Indonesian Police

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 5 May, *Official Report*, column *337*, if he will name the Indonesian police officer trained by his Department who is serving with the Brigade Mobile. [28907]

Mr. Baldry *[holding answer 15 June 1995]:* Mr. Medhy Chumaedi.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what scholarships, awards or other forms of training paid for by his Department have been received by Gorrys Mere of the Indonesian national police; and when, for how long and at what cost they were provided. [28905]

Mr. Baldry *[holding answer 15 June 1995]:* We have no record of having paid for any training for Lieutenant Colonel Gorrys Mere.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what formal training the British consultants working in the Indonesian national police under the police management training project have had in human rights law; and to what extent the advice and training provided by the consultants involves specific advice and training in human rights law. [28901]

Mr. Baldry *[holding answer 15 June 1995]:* The consultants have had no formal training in human rights law and they have not provided any specific advice under the project on it.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs under what scheme scholarship awards for Indonesian police officers are funded; what is the nature of the training provided by the scholarships; who provides the training; and to what extent the training involves formal instruction in human rights law. [28903]

Mr. Baldry *[holding answer 15 June 1995]:* Scholarship awards are funded under the technical co-operation programme and the Chevening scholarship scheme. The training provided includes courses on personnel management, business administration, training management, organisation development, leadership, training for trainers, and attachments to UK police forces. The training has been provided by British universities, RIPA International and Surrey and Gloucestershire constabulary. It does not include formal instruction in human rights law.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs under what scheme study tours for Indonesian police officers are funded; what is the nature of the study involved; and to what extent the study involves the formal instruction in human rights law. [28902]

Mr. Baldry *[holding answer 15 June 1995]:* Study tours for Indonesian police officers are funded from the technical co-operation programme. They develop the trainees' diagnostic skills to analyse management and organisation problems. The study tours do not include formal instruction in human rights law.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date the Government agreed to fund the police management training project in Indonesia; and on what date the project commenced. [28904]

Mr. Baldry *[holding answer 15 June 1995]:* We approved the national police management training project on 22 March 1990 and it began on 16 June 1990. Earlier support for the training of police tutors began in 1983.

Children's Centre, Sri Lanka

Mr. Mandelson: To ask the Secretary of State for Foreign and Commonwealth Affairs what British financial or other support is provided to the International Childcare Trust training and children's centre at Makandura Gonawila in Sri Lanka. [29243]

Mr. Baldry: Since 1993 we have provided £10,000 for the completion of an irrigation well and installation of an irrigation system, and £68,000 towards two shanty development programmes.

Mr. Mandelson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Government of Sri Lanka to prevent the eviction of the International Childcare Trust training and children's centre from its property at Makandura, Gonawila, Sri Lanka. [29244]

Mr. Baldry: The British high commissioner in Colombo wrote to the additional secretary of the district where Makandura is situated on 2 June 1995 expressing concern about the request to vacate the property. The matter has also been brought to the attention of the President of Sri Lanka and is now in the hands of the permanent secretary to the Ministry of Health, Highways and Social Services.

Population Control Projects

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library copies of IPPF and UNFPA evaluation and review reports on their projects in China and Tibet sent to his Department. [28951]

Mr. Baldry *[holding answer 19 June 1995]:* The United Nations Population Fund and the International Planned Parenthood Federation undertake reviews and evaluations of their country programmes. These are internal documents which are not made publicly available.

Georgia

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has to extend the use of the know-how fund in Georgia. [29301]

Mr. Baldry: The size of the know-how fund programme for Georgia has recently been doubled. The fund will continue to provide rapid and flexible assistance to the reform process in Georgia. We have also provided emergency humanitarian assistance—£500,000 in 1994–95. This support is very much welcomed by Georgia.

East Timor

Mrs. Clwyd: To ask the Secretary of State for Foreign and commonwealth Affairs, pursuant to his answer of 6 June, *Official Report*, column *58*, how many of the lighthouses, lightbeacons and lightbouys supplied under the navigational aids project with Indonesia are operating in East Timor or in its territorial waters. [29456]

Mr. Baldry: None of the equipment supplied under the navigational aids project is located in East Timor or its waters.

Research and Development

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what the ODA spent on research and development in each year since 1987. [29863]

Mr. Baldry: Net ODA expenditure on research and development was as follows:

	£ million
1987–88	32.5
1988–89	34.2
1989–90	36.2
1990–91	47.1
1991–92	56.0
1992–93	86.7
1993–94	116.0
1994–95 (estimated outturn)	91.8

Slovakia

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what new proposals he has to extend the work of the know-how fund in Slovakia. [29298]

Mr. Baldry: Know-how fund assistance in Slovakia will continue to focus on financial services and banking; management and educational training; small and medium enterprise development; good governance and public administration.

An important element of our strategy is to extend the work of the know-how fund beyond Bratislava to the regions. The first phase of a three-year multi-sectoral regional capacity building project will begin in July 1995 and terms of reference for a rural tourism initiative in the Gemer region of eastern Slovakia are being drawn up. We continue to support the development of economic regeneration strategies through the local authorities technical links scheme and through an on-going project aimed at local government reform. Know-how fund assistance will also begin to reflect Slovakia's wish to join the European Union.

EMPLOYMENT

Minimum Wage

Mr. Gordon Prentice: To ask the Secretary of State of State for Employment, pursuant to his answer of 23 May to the hon. Member for Ealing, North (Mr. Greenway), *Official Report*, column 563, how many people in full-time employment in the United Kingdom earn less than the minimum hourly wage rates in *(a)* Portugal, *(b)* Greece and *(c)* Spain. [26980]

Mr. Oppenheim: Of a sample of 102,700 full-time employees in the 1994 new earnings survey, 53 in the sample said that they earned less than £1.30 per hour, Portugal; 184 earned less than £1.70 per hour, Greece; and 233 earned less than £1.80 per hour, Spain.

Restart Interviews

Mr. Frank Field: To ask the Secretary of State for Employment (1) if he will list the numbers leaving restart interviews, as an actual number and as a percentage of total leavers, for each year of its operation stipulating those who went into work, those who went into further employment schemes and those who become unemployed, and, of these, if he will list the type and level of qualification each leaver obtained, including those who failed to obtain any qualification at all; [27509]

(2) if he will list the numbers attending and leaving restart interviews, for each year of their operation. [27519]

Miss Widdecombe: Responsibility for the subject of the questions has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from M. E. G. Fogden to Mr. Frank Field, dated 21 June 1995:

The Secretary of State has asked me to reply to your questions about the number of people attending Restart Interviews for each year of operation and the numbers who went into employment schemes.

I have set out the information you have requested in the attached tables. Restart interviews do not lead directly to qualifications, although they do lead to opportunities such as Training for Work which provide qualifications. Nor do they have "leavers" in the way that our programmes do.

It may also be helpful if I explain the scope and purpose of the Restart interviews which are offered at regular six monthly intervals as part of a comprehensive advisory and information service aimed at helping people back into work. These interviews provide clients with the opportunity to discuss with an Employment Service (ES) Client Adviser, the steps they are taking to find work, how to access the employment and training opportunities that are available to them, and the course of action which, if followed, will offer the best prospects of returning to work.

I should emphasise that the figures quoted in the tables represent only the immediate result of Restart interviews. However, the real measure of the effectiveness of these interviews lies in their longer term effects. Many people subsequently take up a job or a place on an employment or training programme as a result of the guidance given to them at their interview. Independent researchers who have studied the Restart Interview programme have concluded that this indirect effect is extremely significant. For example, a study published by the Policy Studies Institute in August 1992, "The Restart Effect", found that the difference made by Restart in influencing the time people took to leave unemployment was about the same as the difference between being qualified or not qualified, fit or in poor health, in a favourable or unfavourable labour market.

I hope this is helpful.

1988–89

	Total	*As percentage of total interviews*
Total restart interviews	2,053,580	—
Job placings	12,367	0.6
Programmes starts[1]	270,381	13.1

[1] Jobclub. Enterprise Allowance Scheme.
Employment Training.
Job Training Scheme.
Community Programme.
Voluntary Project Programme.

1989–90

	Total	As percentage of total interviews
Total restart interviews	2,032,633	—
Job placings	18,439	0.9
Programmes starts[1]	261,347	12.9

[1] Jobclub. Enterprise Allowance Scheme.
Restart Course.
Employment Training.

1990–91

	Total	As percentage of total interviews
Total restart interviews	1,888,378	—
Job placings	19,066	1.0
Programmes starts[1]	192,763	10.2

[1] Jobclub. Enterprise Allowance Scheme.
Restart Course.
Employment Training.

1991–92

	Total	As percentage of total interviews
Total restart interviews	2,495,940	—
Job placings	21,185	0.8
Programmes starts[1]	343,004	13.7

[1] Jobclub. Enterprise Allowance Scheme.
Restart Course.
Employment Training.
Job Review Workshop.
Employment Action.
Job Interview Guarantee.

1992–93

	Total	As percentage of total interviews
Total restart interviews	2,818,281	—
Job placings	33,272	1.2
Programmes starts[1]	397,035	14.1

[1] Jobclub. Enterprise Allowance Scheme.
Restart Course.
Employment Training.
Job Review Workshop.
Employment Action.
Job Interview Guarantee.
Job Search Seminar.

1993–94

	Total	As percentage of total interviews
Total restart interviews	3,324,141	—
Job placings	35,884	1.1
Programmes starts[1]	731,840	22.0

[1] Jobclub. Restart Course.
Training for Work.
Learning for Work.
Jobplan.
Job Review Workshop.
Job Search Seminar.
Community Action.
Job Interview Guarantee.
Business Start-Up.

1994–95

	Total	As percentage of total interviews
Total restart interviews	3,758,593	—
Job placings	49,493	1.3
Programmes starts[1]	901,832	24.0

[1] Jobclub. Business Start-Up.
Restart Course.
Training for Work.
Community Action.
Learning For Work.
Job Interview Guarantee.
Work Trial.
Job Search Seminar.
Jobplan.
Job Review Workshop.
Workwise.

Travel-to-work Areas

Sir David Madel: To ask the Secretary of State for Employment what is the latest position about changes in the boundaries of travel-to-work areas; and if he will make a statement. [28854]

Mr. Portillo *[holding answer 15 June 1995]:* I do not intend to make changes to the boundaries of travel-to-work areas.

Occupational Disease

Mr. Ian McCartney: To ask the Secretary of State for Employment what assessment he has made of the article on diagnosing and managing occupational disease, a copy of which has been sent to him, with special reference to the employment medical advisory service. [29185]

Mr. Oppenheim: The Health and Safety Executive is conducting a prior options feasibility study of the employment medical advisory service. Such studies consider how best value for money can be obtained from available resources. The results of the EMAS study, on which the article speculates, have yet to be finalised. The HSE gives high priority to occupational health, and EMAS staff continue to be available to provide advice to family practitioners.

Health and Safety Executive

Mr. Ian McCartney: To ask the Secretary of State for Employment if he will make a statement on how the Government are ensuring that ILO convention No. 81 (1947) is applied consistently in the Health and Safety Executive's market-testing and contracting-out programme. [29227]

Mr. Oppenheim: ILO convention No. 81 (1947) concerns the provision of labour inspection in industrial and commercial workplaces. The Government have decided that the Health and Safety Executive's inspection and enforcement functions will not be subjected to market testing or contracting out and therefore the convention is not relevant.

Mr. Ian McCartney: To ask the Secretary of State for Employment how much money has been spent to date onundertaking the current review of the Health and Safety Executive's field operations division; and what he expects the final cost will be. [29215]

Mr. Oppenheim: To date, the cost of the Health and Safety Executive's field operations division management arrangements feasibility study is estimated at £30,000 plus the time spent on staff consultation, which cannot readily be measured.

Mr. Ian McCartney: To ask the Secretary of State for Employment what is the average frequency of visits by Health and Safety Executive inspectors to *(a)* high-risk premises and *(b)* low-risk premises. [29221]

Mr. Oppenheim: The Health and Safety Executive does not specifically identify high-risk and low-risk premises, nor does it base its inspection programme on frequency. Although years elapsed since the previous inspection are one consideration in determining inspection priorities, more account is taken of the degree of hazard and risk posed to employees and the public.

Mr. Ian McCartney: To ask the Secretary of State for Employment how many premises will be transferred from the Health and Safety Executive's SHIELD computer system to the new FOCUS system. [29213]

Mr. Oppenheim: Approximately 445,000 premises' records were transferred from SHIELD to FOCUS. Each record represented one employer working at or from one fixed workplace. In the transfer process, those were split into separate employer and location records. At the start of FOCUS, there were approximately 343,000 employers registered, identified as working at approximately 420,000 locations.

Mr. Ian McCartney: To ask the Secretary of State for Employment how much it will cost to equip and train field inspectors, and other staff, at the Health and Safety Executive's Cardiff office to use portable computers; and from what budget these costs are to be met. [29217]

Mr. Oppenheim: The hardware and software cost of providing staff in Cardiff with portable computers is £163,000 excluding VAT, met from a central Health and Safety Executive information technology budget. The cost of training those staff to use portable computers is £13,400—there is no VAT on this service—met from a training budget held by the HSE's field operations division.

Mr. Ian McCartney: To ask the Secretary of State for Employment what was the total loss of experience in staffing years to Health and Safety Executive *(a)* factory inspectors in area offices, *(b)* agricultural inspectors in area offices, *(c)* doctors in area offices and *(d)* nurses in area offices as a result of the recent early retirement scheme. [29208]

Mr. Oppenheim: Total loss of experience in staffing years is shown in the table:

Total loss of experience in HSE Area Offices as a result of<pathe recent Early Retirement Scheme

Grade	*Total staffing years*
(a) Factory inspectors	476
(b) Agricultural inspectors	55
(c) Doctors	119
(d) Nurses	41
Total	691

Mr. Ian McCartney: To ask the Secretary of State for Employment if he will place in the Library *(a)* the Health and Safety Executive's management arrangements feasibility study report and its implementation plan and *(b)* the Health and Safety Executive's employment medical advisory service feasibility study. [29224]

Mr. Oppenheim: No. The documents represent internal management advice to the Health and Safety Executive and commission and will not be placed in the Library.

Mr. Ian McCartney: To ask the Secretary of State for Employment what exceptions exist to the Health and Safety Executive's policy that all workplaces should be visited by an inspector over a period of time; and what policy changes are planned. [29220]

Mr. Oppenheim: Since 1977 preventive inspections by the Health and Safety Executive's field operations division have been prioritised on the basis of an inspection rating system. The inspection rating system is currently being refined. The refined system will come into use shortly.

Mr. Ian McCartney: To ask the Secretary of State for Employment how many premises were registered on the health and Safety Executive's SHIELD computer system in each area office on *(a)* April 1992, *(b)* 1 April 1993 and *(c)* 1 April 1994. [29212]

Mr. Oppenheim: The number of premises registered on SHIELD in each area office on the specified dates is not readily available and can be obtained only at disproportionate cost.

Mr. Ian McCartney: To ask the Secretary of State for Employment which industrial or work sectors will not be visited on a preventive inspection basis by a Health and Safety Executive inspector after 1 August. [29216]

Mr. Oppenheim: No industrial or work sectors are excluded from preventive inspection. The Health and Safety Executive's field operations division aims to ensure that contact with duty holders is proportionate to the hazard and risk at any organisation, and focuses its inspection effort on higher-risk premises. Low-hazard, low-risk premises are contacted in the main by other non-inspection techniques, but inspectors retain discretion to inspect where necessary, and investigate accidents and complaints in accordance with HSE policy.

Mr. Ian McCartney: To ask the Secretary of State for Employment what was the percentage reduction in the Health and Safety Executive staffing levels of *(a)* factory inspectors in area offices, *(b)* agricultural inspectors in area offices, *(c)* doctors in area offices, *(d)* nurses in area offices, and *(e)* specialist staff in policy divisions as a result of the recent early retirement scheme. [29222]

Mr. Oppenheim: The percentage reduction of staffing levels as a result of the recent early retirement scheme is shown in the table:

Grade	*Reduction in staffing levels as percentage of staff employed in the grade*
(a) Factory inspectors	4.1
(b) Agricultural inspectors	1.9
(c) Doctors	22.2
(d) Nurses	11.5
(e) Specialist staff in policy divisions	6.9

Workplace Accidents

Mr. McFall: To ask the Secretary of State for Employment if he will make a statement on the statutory obligations on employers to report accidents and injuries involving their employees to his Department; and what plans he has to change these arrangements. [29074]

Mr. Oppenheim: The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985—RIDDOR—require employers to notify the enforcing authority, for the purposes of the Health and Safety at Work, etc. Act 1974, in the event of an accident at work to any employee resulting in a fatality or major injury forthwith. Accidents at work to employees resulting in an absence of more than three days must be reported within seven days. Separate reporting arrangements currently apply offshore and on the railways.

The Health and Safety Commission published a consultative document last year containing proposals to update the regulations, incorporating all onshore and offshore reporting requirements. New regulations should be laid later this year.

Civil Servants

Mr. Milburn: To ask the Secretary of State for Employment, pursuant to his answer of 2 May, *Official Report*, column *145*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29292]

Miss Widdecombe *[holding answer 19 June 1995]:* Inefficiency is a ground for dismissal rather than early retirement. In some circumstances, usually where the inefficiency is deemed not to be the fault of the individual, a lump sum payment of up to two years' salary may be made. Where compensation is agreed and the person dismissed is over age 55, that may be forgone in favour of immediate payment of the accrued superannuation benefits that would otherwise be preserved for payment at retiring age.

Information is readily available for only the last four financial years, during which there have been 172 departures on inefficiency grounds from the Department. Details of the individual payments made could be obtained only at disproportionate cost, but the number of dismissals on inefficiency showing whether or not compensation was paid is given in the table:

Financial year	*With compensation*	*No compensation*	*Total*
1991–92	10	19	29
1992–93	21	31	52
1993–94	9	39	48
1994–95	9	34	43
Total	49	123	172

Mr. Sheerman: To ask the Secretary of State for Employment what percentage of his Department's civil servants are now based in central London. [29648]

Miss Widdecombe: Ten per cent. of staff in the Employment Department group are based in central London.

Food Manufacturing

Mr. Cummings: To ask the Secretary of State for Employment how many people were employed in the food manufacturing industry in each region in each of the last five years. [29356]

Mr. Oppenheim: The available information is shown in the table:

Employees in food manufacturing in Great Britain (Not seasonally adjusted)

Thousands

Region	*September 1991*	*September 1993*	*September 1994*	*March 1995*
Rest of South East	44	39	40	42
Greater London	30	28	28	26
East Anglia	31	32	33	31
South West	33	28	30	28
West Midlands	38	27	27	28
East Midlands	46	46	46	46
Yorkshire and Humberside	66	63	59	56
North West	60	60	60	55

Employees in food manufacturing in Great Britain (Not seasonally adjusted)

Thousands

Region	*September 1991*	*September 1993*	*September 1994*	*March 1995*
North	23	n/a	n/a	n/a
Wales	20	n/a	n/a	n/a
Scotland	46	46	44	42

Notes:
1. Figures are not given for the North region or for Wales as sample size is too small for reliable estimates.
2. Food manufacture is defined by the groups 411–423 of the Standard Industrial Classification 1980 (SIC 80).
Source:
September 1991: Census of Employment.
September 1993, September 1994 and March 1995: Workforce in Employment series.

Privatisation

Mr. McNamara: To ask the Secretary of State for Employment if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29429]

Miss Widdecombe: Under the Government's "Competing for Quality" programme for 1992–94, the following activities within the Employment Department group were contracted out without an in-house bid:

Employment department
The Field System
Training and Enterprise Council National Providers Unit

Employment service
Travel services
Forms supply/distribution
Employment rehabilitation courses
Financial management training
Field staff training (First aid)
Building maintenance and new works

Health and safety executive
Graphics services
Estates management
Distribution of publications
Field support (Norwich)

For 1994–95, the following activities are due to be contracted out without an in-house bid:

Employment department
Staff development (support services)

Employment service
Warehousing

Health and safety executive
Scientific management and on-site sampling and analysis
Analysis of chemical substances
Accident coding
Staff training
Advice helpline
Dosimetry services

The decision to contract out without an in-house bid was taken in each case in the light of a range of considerations. Information about the extent to which the availability of in-house expertise was a relevant factor in each case could be provided only at disproportionate cost.

Jobseeker's Allowance

Mr. Rooney: To ask the Secretary of State for Employment if unemployed persons receiving benefit who join non-schedule 2 further education courses not funded by the Further Education Funding Council will be allowed to participate for up to 21 hours per week in such courses without prejudice to benefit entitlement when the jobseeker's allowance is introduced. [29478]

Miss Widdecombe *[holding answer 19 June 1995:]:* As now, people studying full time will not be able to claim jobseeker's allowance. Those studying part time will, however, be able to claim JSA, provided they remain available for and actively seeking employment. For courses funded by the Further Education Funding Council, where there is no longer a clear distinction between full and part-time courses, the threshold below which courses will be considered to be part time will be 16 guided learning hours per week. The rules for courses that are not funded by the Further Education Funding Council, including non-scheduled 2 courses, will remain unchanged.

Mr. Simpson: To ask the Secretary of State for Employment what is the estimated reduction of unemployment figures *(a)* immediately following the introduction of the jobseeker's allowance, *(b)* six months following the introduction of the jobseeker's allowance and *(c)* one year following the introduction of the jobseeker's allowance. [29920]

Miss Widdecombe: I refer the hon. Member to the reply given to the hon. Member for Peckham (Ms Harman) on 8 December 1994, *Official Report*, column *342*. It is too early to say exactly when any effect of the jobseeker's allowance on the claimant count will become apparent.

Mr. Jim Cunningham: To ask the Secretary of State for Employment what representations he has received about his staff implementing aspects of the jobseeker's allowance's procedure in advance of its implementation. [29715]

Miss Widdecombe: None. However, my right hon. Friend the Secretary of State has been asked a number of questions by the hon. Member for Bradford, North (Mr. Rooney) relating to whether various provisions of the jobseeker's allowance might be introduced in advance

of the date of implementation. I refer the hon. Member to my reply to the hon. Member for Bradford, North on 6 June, *Official Report*, column *102*.

Mr. Jim Cunningham: To ask the Secretary of State for Employment if he will make a statement about the training process for staff in respect of the planned jobseekers allowance; and how long the training will take. [29716]

Miss Widdecombe: A variety of modular training courses, based on a detailed analysis of training needs, is being developed for staff who are to deliver jobseeker's allowance, depending on the duties they are to perform. We recently commissioned an external review of the arrangements being made to implement JSA. In the light of the findings of that review, and the decision to defer the implementation of JSA, the timing, length and content of the training proposed are now being reviewed, to ensure that it is adequate, appropriate and effectively targeted. All the training needed to ensure that JSA is delivered effectively will, however, take place before October 1996.

Mr. Simpson: To ask the Secretary of State for Employment what estimated reduction he has made of the unemployment figures following the introduction of the jobseeker's allowance *(a)* nationally and *(b)* in Nottinghamshire. [29919]

Miss Widdecombe: I refer the hon. Member to the reply given to hon. Member for Peckham (Ms Harman) on 8 December 1994, *Official Report*, column *342*. No estimates have been made below national level.

Mr. Jim Cunningham: To ask the Secretary of State for Employment what estimate he has made of the cost of installing the new computer system for the jobseeker's allowance. [29728]

Miss Widdecome: A jobseeker's allowance payments system is being developed to pay jobseeker's allowance, by girocheque or automated credit transfer, at an implementation cost of around £40 million to March 1997. Further releases of software to enhance the system are already planned for 1997–98 at a cost of around £11 million.

In addition, the delivery of JSA will be supported by a labour market system. The Employment Service has been developing the LMS for some time to replace the existing computer systems in ES jobcentres, which support vacancy filling and advisory work. The implementation cost of the LMS is around £70 million.

European Commission Expert Group

Mr. Battle: To ask the President of the Board of Trade who on behalf of the United Kingdom Government attended the European Commission's expert group on the social aspects of the information society meeting held on Thursday 18 May; and if he will make a statement. [29862]

Miss Widdecombe: I have been asked to reply.

The members of the Commission's "High Level Group of Experts on the Social and Societal Aspects of the Information Society" were selected and appointed by the European Commission itself and are not in any sense representatives of member state Governments.

Training and Enterprise Councils

Mr. Milburn: To ask the Secretary of State for Employment what procedures exist to register conflicts of interest declared by training and enterprise council board directors; and how many such matters have been notified to his Department. [29667]

Mr. Paice *[holding answer 20 June 1995]:* The Department's contract with training and enterprise councils requires that a register of declared interests of both TEC directors and employees is maintained, detailing the nature and extent of such interest. The register is available for inspection by representatives of the Department at any reasonable time. Formal notification to the Department is not required.

Inward Investment

Mr. Rowe: To ask the Secretary of State for Employment how many jobs have been created in the United Kingdom by *(a)* direct investment from within the EU and *(b)* direct investment from elsewhere and how many secondary to *(a)* and *(b)*. [29007]

Mr. Eggar: I have been asked to reply.

Between 1979–80 and 1993–94, the last year for which figures are available, inward investment projects from within the EU, notified to the Invest in Britain Bureau, were expected to create nearly 51,000 new jobs and safeguard over 130,000 existing jobs. Over the same period, projects from outside the EU were expected to create over 229,000 jobs and safeguard nearly 228,000 existing jobs. No estimate has been made of the number of secondary jobs associated with those projects, although benefits to other UK-based companies will occur through the supplier chain. A study published in 1991, based on a sample of inward investors, estimated that those investors had bought over 50 per cent. of their capital equipment within the UK.

Those figures are based on information provided by companies themselves at the time of the decision to invest and take no account of subsequent developments. Companies are under no obligation to notify investment decisions to the Department and the figures are therefore based only on projects that have come to the attention of the Department's Invest in Britain Bureau.

DEFENCE

Scott Inquiry

Mr. Llew Smith: To ask the Secretary of State for Defence if he has been requested by Lord Justice Scott to provide information on the role played by the Saudi Monetary Agency in funding the export of British military equipment. [28997]

Mr. Freeman: Requests for information from Sir Richard Scott's inquiry are a matter for the inquiry and my Department.

Rapier Missiles

Mr. Thurnham: To ask the Secretary of State for Defence what plans he has to bring forward the follow-on contract for Rapier mark 2 missiles. [28888]

Mr. Freeman: None. The follow-on missile buy is based on a detailed analysis of Her Majesty's Government's Rapier missile requirements, which on present analysis will not be required for delivery before 1999. As missiles have a finite shelf life, buying them before they are required significantly reduces their value for money.

Mr. Thurnham: To ask the Secretary of State for Defence, when he expects the contract for Rapier 200 tranche 1A missiles to be placed. [28886]

Mr. Freeman: I hope to be able to announce a decision shortly on an order for Rapier field standard C ground and support equipment and spares. The order will not include missiles.

Brent Spar

Mr. Harvey: To ask the Secretary of State for Defence which Government Department has commissioned HMS Alderney to follow the Shell flotilla towing the Brent Spar oil platform. [29183]

Mr. Soames: A Royal Navy ship has been deployed to the area of the Brent Spar flotilla by my Department in response to a request from the Department of Trade and Industry, reflecting a Government decision that the Royal Navy should monitor developments with the disposal operation.

Mr. Harvey: To ask the Secretary of State for Defence if a financial contribution is being made by Shell towards the current voyage of HMS Alderney. [29184]

Mr. Soames: No.

Upholder Class Submarines

Mr. McFall: To ask the Secretary of State for Defence if he will make a statement on his discussions with the Canadian authorities concerning the leasing of Upholder class submarines to Canada in exchange for free British armed forces access to training areas in Canada. [29093]

Mr. Freeman: Since the Ministry of Defence's decision in 1993, announced in Cm 2270, to withdraw the four Upholder class submarines from RN service, the Defence Export Services Organisation has offered the submarines for sale or lease to friendly or allied countries. DESO is currently in discussion with the Canadian Government and a number of options regarding price, the methods of payment and means of transfer are being considered, but no decisions have been taken.

Defence Research Agency

Mr. Byers: To ask the Secretary of State for Defence, pursuant to his answer of 9 June, *Official Report*, column *337*, how many contracts have been awarded to the SEMA Group plc, since July 1991 by the Defence Research Agency; and what is their total estimated value. [29747]

Mr. Freeman: Since July 1991 a total of 14 contracts have been placed with SEMA Group. Those fall into three broad categories; nine contracts in support of DRA technical work with a value of £317,000; four contracts in support of developing and maintaining the DRA commercial accounting systems with a value of £4.9 million and one enabling agreement with SEMA, against which eight orders have been placed with an approximate value of £216,000.

Staff

Mr. McAllion: To ask the Secretary of State for Defence how many staff were employed as non-industrial grades and how may staff were employed as retired officer grades for each year since 1979. [28793]

Mr. Freeman: The information is as follows:

Year	*Non-industrial grades 1 April*	*Retired officer grades 1 April*
1979	114,758.0	1,922.0
1980	112,637.0	1,923.0
1981	107,675.0	1,923.0
1982	102,638.0	1,871.5
1983	100,490.0	1,846.5
1984	98,029.0	1,819.5
1985	94,943.0	1,793.5
1986	93,822.5	1,769.0
1987	93,289.5	1,687.5
1988	88,626.5	1,693.5
1989	88,709.5	1,685.5
1990	89,866.0	1,677.5
1991	90,332.5	1,718.0
1992	90,682.0	1,768.0
1993	87,884.5	1,784.0
1994	82,761.0	1,839.0
1995	79,806.0	1,882.0

From 1979 to 1994 part-timers are counted as half. However, from 1995 part-timers have been counted on the basis of the hours that they have worked.

Mr. McAllion: To ask the Secretary of State for Defence what is the breakdown of *(a)* non-industrial staff and *(b)* retired officer staff by gender and by ethnic origin. [28790]

Mr. Freeman: The number of non-industrial staff and retired officers employed by my Department and its agencies, broken down by gender and ethnic origin, is shown in the table:

	Civilian staff as at 1 April 1995[1]			*Respondents to ethnic origin survey*[2]				
	Total	*Male*	*Female*	*Total*	*White*	*Black*	*Asian*	*Other ethnic origin*
Total Non-Industrial Staff	81,041	51,939	29,102	69,965	68,504	590	682	189
Retired Officers	1,883	1,872	11	1,696	1,692	<5	<5	<5

[1] Figures on headcount basis, counting part-timers as one.

[2] On grounds of personal confidentiality, where the number of staff in any one ethnic minority category is less than five, the actual number is not disclosed.

Mr. McAllion: To ask the Secretary of State for Defence how many staff were employed as retired officers in the Army, Royal Navy and Royal Air Force and central areas for each of the years since 1985. [28792]

Mr. Freeman: The information requested is available only from April 1992 onwards, and is as follows:

Number of retired officers by board

	Number: full time equivalent[1]			
	1 April 1992	*1 April 1993*	*1 April 1994*	*1 April 1995*
Army	1,146.5	1,151.5	1,153.5	1,185
Navy	178.5	194.5	202.5	209
RAF	289.0	284.0	293.0	300
Centre and PE	154.0	154.0	190.0	189
Total	1,768.0	1,784.0	1,839.0	1,882

[1] Full-time equivalents counts part-timers as a half up to 1 April 1994 and as the proportion of conditioned hours worked from 1 April 1995. Figures for 1995 have been rounded independently and therefore the total may not equal the sum of the parts.

NORTHERN IRELAND

Private Clegg

Dr. Spink: To ask the Secretary of State for Northern Ireland what representations he has received about the continued imprisonment of Private Clegg; and if he will make a statement. [28630]

Sir John Wheeler: Since January more than 4,800 letters and eight petitions have been received about Private Clegg's imprisonment. Replies have been sent to most correspondents.

Illegal Waste Dumping

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what representations he has received about illegal dumping near the River Enler at Newtownards road, Comber; what areas in this location are designated as *(a)* areas of outstanding beauty and *(b)* sites of special scientific interest; and what action he has (i) taken against dumping (ii) proposes to take, if dumping has ceased at this location; what volume of waste material remains on the site; and if he will make a statement. [28613]

Mr. Moss: The site is located within the Strangford lough area of outstanding natural beauty and part of it is also situated in the Strangford lough area of special scientific interest. Following representations from residents of the Ballydrain road, the Department of the Environment initiated enforcement action to have illegal dumping stopped and the materials removed from the site. No action was taken on foot of the enforcement notice and summons action has been instigated. The Department's objective is to secure the removal of all the material and to have the site satisfactorily restored. It is not possible to give a precise figure as to the volume of waste remaining on the site.

Prisoners (HIV and AIDS)

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland (1) how many cases of HIV and AIDS have been reported in prisons in Northern Ireland for each year since 1986; [28975]

(2) how many prisoners have been infected with HIV while in prison in Northern Ireland; [28974]

(3) how many inmates are currently HIV positive or have AIDS in prisons in Northern Ireland. [28976]

Sir John Wheeler: Responsibility for the subject of the question has been delegated to the Northern Ireland Prison Service under its chief executive, Mr. Alan Shannon. I have asked him to arrange for a reply to be given.

Letter from B. R. D. White to Rev. Martin Smyth, dated 20 June 1995:

In the absence of the Chief Executive, the Secretary of State for Northern Ireland has asked me to reply to the three Parliamentary Questions you have tabled relating to the number of reported cases of AIDS and HIV in Northern Ireland Prisons.

There have been no known cases of prisoners with AIDS reported in Northern Ireland since 1986. In the same period only one prisoner has identified himself as HIV positive. HIV antibody tests are treated in medical confidence and information is not centrally available to determine if there are further HIV positive prisoners in the prison system. Records are kept by the Department of Health and Social Services based on test results notified by test facilities but these are included in statistics for Heath Board Regions and do not specify positive tests among prisoners in individual establishments.

There is no medical evidence to suggest that any prisoners have been infected with HIV whilst in prison in Northern Ireland.

There are no known cases of AIDS among the current prison population in Northern Ireland and at present only one prisoner is reported to be HIV positive.

I hope that this information is helpful.

Market Testing

Mr. Spellar: To ask the Secretary of State for Northern Ireland if he will make a statement regarding market testing of the legal directorate of the Northern Ireland Central Services Agency for Health and Social Services. [29775]

Mr. Moss *[holding answer 20 June 1995]:* As part of the Government's commitment to this programme, set out in "Competing for Quality", DHSS officials are working closely with officers in the health and personal social services to market test services provided by the legal directorate of the Central Services Agency for Health and Social Services.

Employment Statistics

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many persons in Northern Ireland are employed by *(a)* United States firms, *(b)* Great Britain owned-firms, *(c)* European-owned firms, *(d)* far eastern-owned firms and *(e)* Irish Republic-owned firms; and, in each case, what percentage of the total work force this represents. [29040]

Mr. Ancram: Employment figures for all externally owned companies operating in Northern Ireland are not readily available. The Central Statistics Office in London will be able to provide disaggregated figures on externally owned companies across all sectors of industry and commerce in Northern Ireland and my noble Friend the Minister with responsibility for the economy will write to the hon. Member shortly about this matter.

However, the following information on companies in the manufacturing and internationally tradeable services sectors has been drawn from the Industrial Development Board's client company data:

Number of employees in IDB client companies

	Number
USA	9,077
Great Britain	18,301
Europe	3,715
Far East	2,757
Republic of Ireland	3,504
Total	37,354

Education Expenditure

Mr. Llwyd: To ask the Secretary of State for Northern Ireland what proportion of identifiable Government expenditure on education in Northern Ireland, including mandatory loans and awards to students, is devoted to *(a)* primary education, *(b)* secondary education, *(c)* further education and *(d)* higher education; and if he will make a statement. [29044]

Mr. Ancram: The information for 1993–94 is as follows:

	Per cent.
Primary education	24.0
Secondary education	31.1
Further education	9.0
Higher education	17.8

Small and Medium-sized Businesses

Ms Primarolo: To ask the Secretary of State for Northern Ireland in which sectors of the economy *(a)* small businesses and *(b)* medium-sized businesses are predominantly to be found. [29581]

Mr. Ancram: An analysis of the numbers of Northern Ireland businesses by size of turnover, for all economic sectors is published in the Central Statistical Office Business Monitor publication PA 1003, table 3E, copies of which are available in the Library.

Ms Primarolo: To ask the Secretary of State for Northern Ireland how many people were employed in *(a)* small businesses and *(b)* medium-sized businesses in each of the last 10 years; and if he will break these figures down by gender. [29580]

Mr. Ancram: Details of the numbers employed by employment size band are available for manufacturing industries from the Central Statistical Office Business Monitor PA 1003, table 10, for the years 1985 to 1994 inclusive. Similar figures are not available for other sectors, or by gender.

Multiple Births

Mr. Wigley: To ask the Secretary of State for Northern Ireland how many sets of *(a)* twins, *(b)* triplets, *(c)* quadruplets, *(d)* quintuplets and *(e)* sextuplets were born in Northern Ireland in each year from 1990 to 1994; what was the total number of maternities in Northern Ireland in each year; and how many multiple births of each type in each year were conceived as a result of (1) in-vitro fertilisation, (ii) gamete intra-fallopian transfer and (iii) other forms of assisted conception; and if he will make a statement. [29530]

Mr. Moss: The information requested is set out in the table:

Type	*1990*	*1991*	*1992*	*1993*	*[1]1994*
Sets of					
(a) twins	267	315	258	280	302
(b) triplets	5	6	8	9	6
(c) quadruplets	—	—	—	—	—
(d) quintuplets	—	1	—	—	—
(e) sextuplets	—	—	—	—	—
Maternities	26,338	26,058	25,425	24,741	23,821
(i) IVF[2]					
(i) twins	12	11	n/k	n/k	n/k
(ii) triplets	2	11	n/k	n/k	n/k
(ii) GIFT[3]					

[1] Provisional.
[2] These figures are the result of IVF by year of conception.
[3] GIFT was available in Northern Ireland only in 1986 and 1987.

Dispensing of Medicines

Mr. Mallon: To ask the Secretary of State for Northern Ireland when the Southern health and social services board received a request from Dr. Mary Allen to be allowed to dispense in her Cullyhanna medical practice. [29607]

Mr. Moss: A request was received in November 1994.

The general principle under the legislation governing dispensing arrangements is that doctors should prescribe and pharmacists dispense. Exceptionally, if a health and social services board is satisfied that patients are experiencing serious difficulty in obtaining their medicines from a pharmacist, it may require the doctor to dispense for those patients. This action is taken only if alternative arrangements cannot be made with pharmacists.

Mr. Mallon: To ask the Secretary of State for Northern Ireland (1) what are the current dispensing arrangements for the Cullyhanna area; and what assessment of the dispensing

requirements of the residents of the Cullyhanna area has been made by *(a)* the Southern health and social services board, *(b)* the Central Services Agency and *(c)* the Department of Health and Social Services; [29608]

(2) what steps are being taken to ensure that the dispensing requirements of the residents of Cullyhanna area are being fully satisfied. [29610]

Mr. Moss: Patients in the Cullyhanna area are served by pharmacies in Newtownhamilton and Crossmaglen. The Southern health and social services board is currently reviewing the dispensing arrangements and needs in the Cullyhanna area and this will include the possibility of a delivery service being provided by pharmacists. Neither the Central Services Agency nor the Department of Health and Social Services has been involved, as this is primarily a matter for the board.

Mr. Mallon: To ask the Secretary of State for Northern Ireland what proposals have been received, and on what dates, for the provision of dispensing facilities for the residents of the Cullyhanna area, by *(a)* the Southern health and social services board, *(b)* the Central Services Agency and *(c)* the Department of Health and Social Services. [29609]

Mr. Moss: Dr. Mary Allen contacted the Southern health and social services board in November 1994 requesting the right to dispense for her patients in Cullyhanna. At the same time, the Cullyhanna community committee wrote to the board indicating that some residents in Cullyhanna were experiencing difficulty in obtaining medication. Neither the Central Services Agency nor the Department of Health and Social Services has received any proposals.

Mr. Mallon: To ask the Secretary of State for Northern Ireland what steps the Southern Health and Social Services Board has taken to ensure that a speedy decision is made in relation to the dispensing requirements of the residents of the Cullyhanna area. [29611]

Mr. Moss: The Southern health and social services board asked Dr. Allen to provide a list of her patients who were having serious difficulty in obtaining medicines. The board has received that list and will be contacting these patients and considering whether their difficulties can be resolved by the provision of an improved community pharmacy service. If such a service cannot be provided, the board may require Dr. Allen to dispense.

EU Peace and Reconciliation Funding

Mr. Mallon: To ask the Secretary of State for Northern Ireland what measures will be introduced under the European Union's fund for peace and reconciliation to promote *(a)* employment, *(b)* urban and rural regeneration, *(c)* cross-border developments, *(d)* social inclusion and *(e)* industrial development and productive investment. [29612]

Sir John Wheeler: The guidelines for the European Union's initiative for peace and reconciliation allow for an extensive range of measures under the five priorities of social inclusion, employment, urban and rural regeneration, cross-border developments and industrial development/productive investment. The programme submitted makes provision for such actions. However, as the details are still the subject of negotiation between the relevant member states and the European Commission, it is premature to give a definitive list of the measures which will be funded.

Mr. Mallon: To ask the Secretary of State for Northern Ireland what procedures are in place for monitoring the operation of the European Union's fund for peace and reconciliation. [29613]

Sir John Wheeler: A programme under the European Union's peace and reconciliation initiative has recently been submitted to the European Commission and is presently being negotiated. Monitoring arrangements consistent with stipulations in the guidelines will be put in place following agreement on the programme between the relevant member states and the European Commission.

Mr. Mallon: To ask the Secretary of State for Northern Ireland what body or organisation will be charged with the task of dispensing the European Union's fund for peace and reconciliation; how applications will be assessed; and if there will be a right of appeal for unsuccessful applicants. [29614]

Sir John Wheeler: The draft programme under the peace and reconciliation initiative which has been submitted to the European Commission envisages that a range of organisations will be used to dispense the available funds. The details of these arrangements are currently being discussed with the Commission and will be publicised when the programme is agreed. Applications for assistance from the initiative will be assessed against criteria to be published in the programme. Decisions on grant applications to EU programmes are normally considered to be final, but unsuccessful applicants will be given an explanation for refusal and may wish to amend and resubmit their proposals accordingly.

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will make a statement about the specific funding programmes which will be supported by the European Union's fund for peace and reconciliation. [29699]

Sir John Wheeler: The guidelines for the European Union's peace and reconciliation initiative stipulate that the following priorities might be funded—employment, social inclusion, cross-border developments, urban and rural regeneration and industrial development/productive investment. The specific funding programmes will reflect these priorities.

Mr. Mallon: To ask the Secretary of State for Northern Ireland when applications will be invited for programmes supported by the European Union's fund for peace and reconciliation; how these programmes will be advertised; how long each funding programme will remain open for applications; and what support will be made available to advise and support applicants through the application procedures. [29615]

Sir John Wheeler: Applications will be invited for projects under the European Union's peace and reconciliation initiative as soon as the programme is agreed between the member states concerned and the European Commission. Appropriate steps will be taken by the member states, the European Commission and, if necessary, other funding bodies under the programme to

publicise the measures to be funded. The length of time allowed under individual measures for applications to be received will be a matter for specific funding bodies but may depend, inter alia, on the resources available and the demand for particular measures. The programme envisages that technical assistance will be made available to assist with the implementation of the programme; the exact details are being negotiated between the member states concerned and the European Union.

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will make a statement about the application process for individuals and organisations wishing to apply to the European Union's fund for peace and reconciliation, including details of application forms, closing dates for individual programmes and addresses of the appropriate department or dispensing body. [29698]

Sir John Wheeler: The programme under the European Union's peace and reconciliation initiative is currently being negotiated between the member states concerned and the European Commission. The details of the application process can be settled only when all the management arrangements have been agreed. The application procedure will be fully publicised when the programme is agreed.

"Accountability through Partnership"

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will place in the Library the submissions made in response to his document "Accountability through Partnership". [29976]

Mr. Ancram: No responses to the consultative document on educational administration issued in 1993 were submitted in confidence.

Education and Library Boards

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will state the populations represented by his proposed education and library boards and, in each case, the number of people represented by each member of each board. [29977]

Mr. Ancram: Based on the 1993 mid-year estimates, the population of the four areas proposed would be as follows:

	Population
North Eastern	375,500
Western	267,600
Southern	385,100
Greater Belfast	603,600

The members of education and library boards are appointed to reflect a range of interests in education, not as representatives of particular populations.

Military Complaints Report

Mr. Streeter: To ask the Secretary of State for Northern Ireland when he intends to lay before Parliament Mr. David Hewitt's second annual report as independent assessor of military complaints procedures in Northern Ireland. [30621]

Sir Patrick Mayhew: I have today arranged for the second annual report of the independent assessor of military complaints procedures in Northern Ireland to be laid before each House of Parliament. I welcome this report which clearly demonstrates the thoroughness with which the assessor has approached his task. I note with satisfaction that the General Officer Commanding has been able to accept all five of the report's recommendations. This fully justifies the assessor's comment that

"the Army continues to be seriously committed to proper investigation of genuine complaints as part of its overall strategy, which increasingly understands the value of public acceptability and fostering good community relations."

The Army's presence on the streets of Northern Ireland is, of course, diminishing. But while there still remains a need for the Army to patrol in support of the Royal Ulster Constabulary there will still clearly be a need for the post of independent assessor. I look forward to the day when there will be no further need for it.

Contracting Out

Ms Hodge: To ask the Secretary of State for Northern Ireland for each piece of work subject to a bidding process under the auspices of *(a)* his Department and *(b)* agencies for which his office is responsible (i) where work was contracted out, who were the successful bidders and (ii) which contracts were won by in-house bidders in (1) 1993–94, (2) 1994–95 and (3) 1995–95. [25655]

Sir John Wheeler: The information is as follows:

1993–94

Northern Ireland Office

Prison Messes Catering Facilities won by Quadrant.

Hillsborough Castle Grounds Maintenance won by Business Management NI.

Stormont Castle Courier Service won by Group 4.

Air Charter won by Eurojet Aviation Ltd. and Magec Aviation Ltd.

Official Cars won by Government Car Service.

Department Finance and Personnel

Valcom Computer System in the Valuation and Land Office (now the Valuation and Lands Agency) won by the in-house team.

Contract	
Department of Environment	
Roads Service	
Bridge Inspections	In-house team
Material Testing Laboratories	In-house team
Surface Dressing (part)	In-house team
Surface Dressing (part)	J. McQuillan Contracts Ltd. and R. J. Maxwell and Son Ltd.
Public Record Office of Northern Ireland	
Catering Service	Quadrant Catering

Contract	*Location*	
Water Executive		
Sewer Maintenance 1	Lisburn	Clearway Disposals
	Antrim	Precision Cleaning
	Armagh	Clearway Disposals

Contract	Location	
Road Reinstatement	Armagh	Collen Brothers
	Coleraine	R. J. Maxwell
	Ards/Bangor	D. Minnis
	Omagh	R. J. Maxwell
	Antrim	R. J. Maxwell
	Craigavon	Collen Brothers
	Lisburn	R. J. Maxwell
Sludge Tankering 4B	Coleraine	McKitterick Contractors
	Enniskillen	Road Safety Contractors
	Londonderry	Road Safety Contractors
	Lisburn	McKitterick Contractors
Sludge Tankering 4A	Ballymena	McKitterick Contractors
	Armagh	Curran Waste
Septic Tank Contract 1	Larne	Road Safety Contractors
	Downpatrick	McKitterick Contractors
	Lisburn	McKitterick Contractors
	Londonderry	Road Safety Contractors
	Enniskillen	Road Safety Contractors
	Newry	McKitterick Contractors
	Dungannon	Road Safety Contractors
Sewer Maintenance 2	Lisburn	T. G. Megarry
Sewer Maintenance	Belfast	In-house team
	Coleraine	In-house team
	Craigavon	In-house team
	Londonderry	In-house team
	Omagh	In-house team
Road Reinstatement	Londonderry	In-house team
Sludge Tankering 4B	Downpatrick	In-house team
	Lisburn	In-house team
	Ballymena	In-house team
	Newry	In-house team
	Armagh	In-house team
Sludge Tankering 4A	Newry	In-house team
	Antrim	In-house team
Sludge Contract 1	Antrim	In-house team
	Ballymena	In-house team
Sewer Maintenance 2	Antrim	In-house team
	Craigavon	In-house team
	Coleraine	In-house team
	Armagh	In-house team
	Belfast	In-house team
	Omagh	In-house team
	Londonderry	In-house team
Grounds Maintenance	Coleraine	In-house team
	Armagh	In-house team
	Downpatrick	In-house team
	Omagh	In-house team

Department of Health and Social Services

ICI Mainframe Computer Services won by CFM Group Ltd.

Contract	
Child Support Agency	
Facilities Management	Grafton Support Services
Typing	Grafton Support Services
Telephonists	Grafton Support Services
Receptionists	Grafton Support Services
Cleaning	Maybin Cleaning Services
Security	Mallusk Security Services
Post-Opening	Initial Cleaning Services
Messengerial	Initial Cleaning Services
Porterage	Initial Cleaning Services
Handyman	Initial Cleaning Services
Catering	Catering Guild

1994–95

Department of Economic Development

Messenger Service contract won by the In-house Team.

Northern Ireland Office

Hillsborough Castle Estate Management won by Povall Worthington.

Hillsborough Castle Facilities Management won by Symonds Facilities Management.

Key Persons Protection Scheme won by Department of Environment, Works Service.

Air Charter won by Eurojet Aviation Ltd. and Magee Aviation Ltd.

Officials Cars won by Government Car Service.

Office cleaning won by Office Cleaning Services Ltd.

Department of Environment

Roads Services General Road Maintenance activities won by a large number of measured term contractors.

Child Support Agency

In addition to the services contracted out in 1993–94 the following services have been contracted out:

Reprographics won by Grafton Support Services.

Stationery Store won by Grafton Support Services.

Off-Site File Store won CFM (NI).

Compensation Agency

Prior Options Study won by Capita Management Consultants.

1995–96

Northern Ireland Office

Civilian search arrangements won by Symonds Facilities Management.

Security Guard Post won by Mallusk Security Services.

Air Charter won by Eurojet Aviation Ltd. and Magee Aviation Ltd.

Official cars won by Government Car Service.

Office cleaning won by Office Cleaning Services Ltd.

Child Support Agency

It is proposed that the services contracted out in 1993–94 and 1994–95 will continue to be contracted out in 1995–96.

Driver and Vehicle Licensing Agency

Local office functions won by the In-house Team.

Rate Collection Agency

Computer printing and output handling won by CFM Northern Ireland.

FOREIGN AND COMMONWEALTH AFFAIRS

Indonesia

Mr. Galbraith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of human rights in Indonesia. [29317]

Mr. Goodlad: We follow closely the human rights situation in Indonesia. We discuss it regularly with the Indonesian Government. Depsite a number of recent setbacks, there have been some improvements over recent

years. But more needs to be done. With our European Union partners we shall continue to press for further progress.

European Parliament

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs what changes have been proposed to the intergovernmental conference by officials, academics or other bodies into the terms of the current consolidated treaty on European Union concerning the powers and duties of the European Parliament in respect of their functions of appropriation, surveillance and audit of expenditure, examination of public accounts, and discharge of the budget of the European Community. [29339]

Mr. David Davis: Several bodies have proposed changes to the powers and duties of the European Parliament. The European Parliament's own proposals have been tabled for scrutiny—EP:A4–0102/95. The European Parliament needs to do more to monitor EC spending, tackle fraud and waste. We have yet to hear a convincing case that the European Parliament needs additional powers which were gained for this purpose. Some new powers which were gained at Maastricht and which could be useful in this connection have yet to be used, for example, temporary committees of inquiry.

Malaysia

Miss Lestor: To ask the Secretary of States for Foreign and Commonwealth Affairs if he will list the Government Ministers who accompanied the then Secretary of State for Defence when he visited Malaysia on 31 March 1989; and if he will list the Ministers who visited Malaysia in the first six months of 1989. [29341]

Mr. Goodlad: No Ministers accompanied the then Secretary of State for Defence on his visit to Malaysia.

In addition to the Secretary of State for Defence, the following Minister visited Malaysia in the first half of 1989:

Mr. Robert Atkins—Parliamentary Under-Secretary of State for Industry.

Privatisation

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29415]

Mr. Goodlad: Since April 1992, no parts of the FCO diplomatic wing or its agency, Wilton Park, have been privatised without an in-house bid.

Two contracts have been let by the Overseas Development Administration without an in-house bid: travel unit messagerial service and daytime security guarding of the London premises. In both cases, a strategic decision was taken to contract out because outside contractors are better equipped to deliver the services.

The following services have already been identified as possible candidates for privatisation:

FCO

Travel accounts unit

Pensions

ODA

Natural Resources Institute

A strategic decision has been taken not to include an in-house bid in the privatisation of the FCO's travel accounts unit, based on the relatively small size of the operation. In-house bids have not been ruled out in the other cases.

Nigeria

Mr. Keith Hill: To ask the Secretary of State for Foreign and Commonwealth Affairs what types of lethal military equipment the United Kingdom has supplied to Nigeria's United Nations contingents, to which contingents, and when. [29845]

Mr. David Davis: Although the measures adopted by the EU in December 1993 leave open the possibility of exporting to Nigeria equipment for peacekeeping use, it has been the practice of successive Governments not to reveal details of export licences or applications for licences unless the requirements of confidentiality are outweighed by the public interest.

Eastern Europe (Investment)

Ms Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 12 June, *Official Report*, column *376*, what steps would be necessary to obtain the information sought on investment in eastern Europe. [29476]

Mr. Douglas Hogg: It would have been necessary, through our embassies, to approach the authorities in Germany, France, Italy and the Netherlands and/or the authorities in the six recipient countries.

Further research here has revealed a recent OECD publication containing some of the figures requested. I can now provide figures on German, French and Italian investment into the six countries, as shown in the tables.

The publication does not provide figures on UK, Dutch or EU investment into the countries concerned.

Too much significance should not be read into the figures given the problems of data capture, defining investment and determining national origin.

A: Figures in national currencies
Stock of direct investment end year

			Million FF		
France	*1988*	*1989*	*1990*	*1991*	*1992*
Bulgaria	—	37	98	70	—
CSFR	—	22	33	5	—
Hungary	—	3	4	4	—
Poland	—	92	171	877	—
Romania	—	40	65	64	—

			Million DM		
Germany	*1988*	*1989*	*1990*	*1991*	*1992*
Bulgaria	—	—	—	—	—
CSFR	—	—	—	537	1,355
Hungary	39	73	266	489	1,158
Poland	16	10	26	86	286
Romania	—	—	—	16	27

			Billion Lira		
Italy	*1988*	*1989*	*1990*	*1991*	*1992*
Bulgaria	—	—	—	1	2
CSFR	—	—	—	4	45
Hungary	—	—	—	44	69
Poland	—	—	—	6	31
Romania	—	—	—	3	4

Source: OECD International Direct Investment Statistics Yearbook 1994.

B: Exchange rates used to produce table C from table A
National currency/$ average exchange rates

	1988	*1989*	*1990*	*1991*	*1992*
France	0.165044	0.172771	0.19497	0.19305	0.181604
Germany	0.561703	0.588998	0.669344	0.659631	0.619579
Italy	—	—	—	0.000869	0.000587

Source: IMF IFS Yearbook 1994.

C: Figures in US dollars

			Million US$		
France	*1988*	*1989*	*1990*	*1991*	*1992*
Bulgaria	—	343.6	388.0	384.4	—
CSFR	—	6.4	19.1	13.5	—
Hungary	—	3.8	6.4	1.0	—
Poland	—	0.5	0.8	0.8	—
Romania	—	15.9	33.3	169.3	—

			Million US$		
Germany	*1988*	*1989*	*1990*	*1991*	*1992*
Bulgaria	—	—	—	—	—
CSFR	—	—	—	103.7	246.1
Hungary	6.4	12.6	51.9	94.4	210.3
Poland	2.6	1.7	5.1	16.6	51.9
Romania	—	—	—	3.1	4.9

			Million US$		
Italy	*1988*	*1989*	*1990*	*1991*	*1992*
Bulgaria	—	—	—	0.9	1.2
CSFR	—	—	—	3.5	26.4
Hungary	—	—	—	38.2	40.5
Poland	—	—	—	5.2	18.2
Romania	—	—	—	2.6	2.3

Ms Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 12 June, *Official Report*, column *376*, what estimates he has made of the costs which would have been incurred in providing a full answer. [29475]

Mr. Douglas Hogg: I refer the hon. Member to my earlier reply. The cost in time and resources needed to pursue the inquiries would clearly have been in excess of £450 and no more accurate estimates were made.

Ms Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs what contacts he has had with the embassy of the Federal Republic of Germany to discuss levels of German and EU investment into the countries of Hungary, the Czech Republic, Slovakia, Rumania and Bulgaria. [29363]

Mr. David Davis: I refer the hon. Member to the reply given by the Minister of State, my right hon. and learned Friend the Member for Grantham (Mr. Hogg), today. The Department is in close contact with the embassy of the Federal Republic of Germany on a wide variety of matters, but we have not recently discussed German and EU investment levels in the countries mentioned.

Foreign Affairs Council

Sir Malcolm Thornton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the Foreign Affairs Council on 12 June. [30412]

Mr. David Davis: The A points listed in document 775/95, a copy of which has been placed in the Library of the House, were adopted unanimously.

The Commission was mandated to conclude the negotiations with Israel on a new agreement and report to the Committee of Permanent Representatives, COREPER.

The Council approved the initialling of a Europe agreement with Slovenia.

On former Yugoslavia, the Council expressed appreciation for the contribution of Lord Owen and welcomed his successor, Mr. Bildt. Agreement was given to open negotiations with Croatia for a trade and co-operation agreement.

The presidency concluded that the situation in Chechnya did not yet allow the EU to proceed with signature of the interim agreement with Russia. But the Council agreed to keep the question under review, and to prepare to sign the agreement as soon as possible.

The presidency outlined subjects for discussion at the European Council at Cannes.

The Council agreed to the disbursement of the first tranche—200 million ecu—of a balance of payments loan to the Ukraine.

The Council agreed that negotiations should be opened for partnership and co-operation agreements with the countries of the Transcaucasus, and to open exploratory talks with Uzbekistan.

There was a further discussion of the European development fund. The subject was referred to COREPER for further work.

The Commission reported on the state of play in negotiations for agreements with Morocco and Egypt, and announced details of a new Mediterranean financial regulation. There was a brief exchange over lunch on the forthcoming Barcelona Euro-Med conference.

Negotiating directives for an EU/MERCOSUR framework agreement, plus an accompanying political declaration, were agreed.

Agreement was reached on negotiating directives for a long-term agreement with South Africa, subject to the solution of one outstanding problem by COREPER.

There was a discussion of free trade areas, and the subject was remitted to COREPER for further discussion.

The Council agreed that if Canada dropped its threatened retaliation over compensation for tariff increases resulting from EU enlargement, the Community would introduce tariff reductions on newsprint.

Sir Leon Brittan reported on subjects on the agenda of the World Trade Organisation. The Council took note without debate, and endorsed the procedural conclusions on trade and social standards agreed previously in COREPER.

The Council agreed, following a vote, the Commission's proposed negotiating directives for the revision of the protocols on textiles with the central and eastern European countries. Italy, Portugal and Greece opposed, and made minutes statements.

A copy of the Council's conclusions will be placed in the Library of this House as soon as it is received by the Foreign and Commonwealth Office.

Intergovernmental Conference, Luxembourg

Sir Malcolm Thornton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the meeting of the study group to prepare for the 1996 intergovernmental conference which took place in Luxembourg on 13 and 14 June. [30413]

Mr. David Davis: As the Foreign Secretary's representative, I attended the second meeting of the study group in Luxembourg on 13 and 14 June. The meeting concentrated on institutional arrangements in the European Community—the "first pillar". Members of the group agreed that there was no need to change the overall balance between the central EC institutions—the Council, the Commission and the European Parliament.

In my contribution I stressed the need to arrest centralising tendencies in Europe, and to banish the notion of a European Government in embryo. The European Parliament had acquired important new powers in recent years. The EP needed to demonstrate that it was using its existing powers responsibly, and to the full, for example to secure better value for money from Community programmes and to hold the Commission more closely to account.

I put the case for closer involvement of national Parliaments in the work of the EU, and suggested that we might examine, in particular, whether national Parliaments could play a more active role in the application of the principle of subsidiarity.

With respect to the Council, I repeated my opposition to any extension of majority voting, and I put the case for changes in the voting system to increase democratic legitimacy and to reduce the present bias against large member states.

I argued that with the accession of new member states including perhaps some very small ones there could be a case for re-examining the system of six-monthly rotating presidencies in the EC.

Turning to the Commission, I commended Mr. Santer's emphasis on the need to do "less but better". The Council should take a closer interest in the Commission's legislative programme to help to achieve this. I suggested that we might examine the possibility of requiring the Commission to withdraw proposals which had not been agreed within, say, three years—a "sunset clause".

North Atlantic Assembly

Sir Malcolm Thornton: To ask the Secretary of State for Foreign and Commonwealth Affairs what changes have been made in the composition of the United Kingdom parliamentary delegation to the North Atlantic Assembly.

Mr. David Davis: The hon. Member for Hampshire, East (Mr. Mates) has replaced the hon. Member for Harrogate (Mr. Banks) as a member of the delegation.

EDUCATION

Research

Mr. Llwyd: To ask the Secretary of State for Education what proportion of English higher education departments received a research rating of *(a)* three or above and *(b)* five during the recent research assessment exercise; and if she will make a statement. [29041]

Mr. Boswell: The higher education funding bodies are responsible for the conduct of the periodic research assessment exercise. Of the 2,127 submissions made by higher education departments in England to the 1992 research assessment exercise, 62 per cent. received a research rating of three or above; 14 per cent. of the departments received the top rating of five. The Government and the High Education Funding Council for England are committed to the principle of selectivity in the allocation of funding for research. The next research assessment exercise is to be undertaken in 1996.

University Degrees

Mr. Llwyd: To ask the Secretary of State for Education what was the proportion of students obtaining *(a)* first class and *(b)* upper second class degrees at (i) the university of Oxford, (i) the university of Cambridge, (iii) the university of London and (iv) higher education institutions in England in (1) 1991–92 and (2) 1992–93; and if she will make a statement. [29046]

Mr. Boswell: The proportion of first degree graduates obtaining first class honours [1] is as follows:

Percentage Achieving

	Academic year	
	1991–92	*1992–93*
University of Cambridge	24	24
University of London	10	10
University of Oxford	15	14
Other former UFC funded institutions	8	9
All former UFC funded institutions	10	10

[1] *Source:* USR Volume 1 "Students and Staff". Data on the number of graduates who obtain upper second class degrees are not published in volume 1 and are not readily available.

The proportion of graduates from former PCFC funded institutions in England who achieved a first class degree or upper second class degree is as follows:

Percentage achieving

	Academic year	
	1991–92	*1992–93*
First class honours	5	5
Upper second class honours	39	40

Source: Department for education examinations results and first destination survey.

Students

Mr. Llwyd: To ask the Secretary of State for Education what was the average mandatory loans and awards expenditure on each student from England and Wales in 1994–95; what proportion of the figure went on *(a)* student loans, *(b)* fee expenditure and *(c)* maintenance expenditure; what were the corresponding figures for those studying at the universities of (i) Oxford and (ii) Cambridge; and if she will make a statement. [29049]

Mr. Boswell: In the academic year 1993–94, the latest year for which data are available, the average expenditure per mandatory award holder in England and Wales was £3,790 of which 56 per cent. was on fees and 44 per cent. on maintenance.

The average loan to students, including those who do not qualify for mandatory awards, in England and Wales in the academic year 1993–94 was £740.

Separate data in respect of those studying at the universities of Oxford and Cambridge are not collected centrally.

Grant-maintained Schools

Mr. Andrew Smith: To ask the Secretary of State for Education, pursuant to her answer of 20 February, *Official Report*, column *52*, when the chairman of the Funding Agency for Schools will reply to the questions on balances and deficits of grant-maintained schools. [29978]

Mr. Robin Squire: I understand that the chief executive of the Funding Agency wrote to the hon. Member on 16 June.

Funding Agency for Schools

Mr. Andrew Smith: To ask the Secretary of State for Education if the remuneration of the chairman and senior staff of the Funding Agency for Schools includes any element of performance-related pay. [29984]

Mr. Robin Squire: The chairman receives a fee with no element of performance-related pay. The chief executive's contract entitles him to receive a non-pensionable cash bonus; the basis for the determination of the bonus is his personal responsibility plan, which is agreed each year with the chairman. The remuneration of other senior staff includes an element of performance-related pay, as is the case for most senior staff employed by non-departmental public bodies whose terms and conditions are analogous to those of the civil service. The pay and conditions of senior staff are overseen by the board's remuneration committee.

Good Shepherd School, Sefton

Mr. Benton: To ask the Secretary of State for Education if she will make a statement on the provision of speech therapists at the school of the Good Shepherd, Sefton. [29322]

Mr. Forth: Responsibility for the provision of speech and language services rests with the NHS. I understand that the Department of Health will be asking Sefton health authority to look into provision at the school.

Privatisation

Mr. McNamara: To ask the Secretary of State for Education if she will list those parts of her Department or departmental agencies which were privatised without an in-house bid; if she will indicate the expertise which was absent in her Department or departmental agencies which prevented an in-house bid taking place; which future parts of her Department or departmental agencies she intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29428]

Mr. Boswell: Since the start of the "Competing for Quality" programme in April 1992, my right hon. Friend has not contracted out any parts of the Department or its agencies without an in-house bid.

My right hon. Friend will be inviting expressions of interest for a contract to administer the teachers' superannuation scheme. We shall let a contract only if it would provide better value for money than keeping the administration of the scheme in the public sector. We shall not invite a bid from the Teachers Pensions Agency, which administers the scheme at present, because we are not conducting a market test. But it would be open to the management or staff of the TPA to seek to buy out the agency. Whether or not the administration is contractorised, the scheme itself will stay in the public sector, on its current statutory basis.

TRADE AND INDUSTRY

Insolvency Service

Mr. Hargreaves: To ask the President of the Board of Trade what targets he has set the Insolvency Service executive agency for 1995–96. [30596]

Mr. Heseltine: Against the Insolvency Service's business plan assumption of a further reduction in the number of compulsory insolvencies to 25,000 in 1995–96, I have set it the target of closing 35,000 cases. Taken together with the number closed in 1994–95, this will mean that nearly 90,000 case closures will have been completed by the service in two years. I also expect the service to continue to place increased emphasis on investigative work and hence exceed the number of disqualification proceedings commenced in 1994–95—930—itself an increase of 100 per cent. on 1993–94.

In addition, I have set the service the following quality of service targets for 1995–96:

—to report to creditors on assets and liabilities within eight weeks in at least 90 per cent. of all cases; and within 12 weeks in 98 per cent. of all cases;

—to hold the initial meeting of creditors within 12 weeks in at least 90 per cent. of all cases; and within four months in 98 per cent. of all cases;

—to submit reports within 10 months in at least 90 per cent. of bankruptcy cases and 80 per cent. of company liquidation cases where there is evidence of criminality;

—to submit disqualification reports within 15 months in at least 80 per cent. of cases where there is evidence of unfit conduct by directors;

—to check and action at least 95 per cent. of payment requisitions within five days or by the due date;

—to reduce by at least 10 per cent. the proportion of open cases that are more than 36 months old, so that there are no more than 1,900 such cases concerned at 31 March 1996.

The service is also required to reduce its unit cost of administering bankruptcy and compulsory liquidation cases by 3 per cent.

In addition, I expect the chief executive of the service to continue to reply within 10 working days to all letters from Members of Parliament delegated to him for reply and to produce audited commercial-style accounts for 1995–96.

I expect the service to complete its contracting-out exercise by 31 March 1996.

Teaching Company Schemes

Mr. Battle: To ask the President of the Board of Trade if he will list the teaching company schemes between academical institutions and industry and numbers participating sponsored by the research councils. [29859]

Mr. Ian Taylor: I am replying as my Department has the lead sponsor role for TCS on behalf of all Government Department and research council sponsors.

I have placed in the Library of the House a copy of the latest edition of the "TCS Quarterly Statistical Report", dated 31 March 1995, which includes brief details of all 518 TCS programmes current at that date. Pages 10 to 12 of the report list TCS programmes by academic institution, while pages 3 and 4 list the current TCS programmes by sponsor, including research council sponsors.

BMARC

Mr. Cousins: To ask the President of the Board of Trade whether BMARC received export credits support from the Export Credits Guarantee Department between 1984 and 1990. [29723]

Mr. Ian Taylor: Yes.

ECGD provided short-term insurance support to BMARC for export transactions to a variety of markets following the issue of a policy to the company in 1990.

In addition, ECGD guaranteed one medium-term transaction for BMARC in May 1988 involving a sale of ammunition valued at just under £1.6 million covered under a line of credit to the Jordan armed forces.

Renewable Energy

Mr. Jim Cunningham: To ask the President of the Board of Trade if the funds that had been earmarked for the now cancelled research into a wave power station will be transferred to research into other forms of alternative entry. [28063]

Mr. Page: The answer given by my right hon. Friend the Minister for Industry and Energy on 31 March 1994, *Official Report*, column *1009*, to my hon. Friend the member for Canterbury (Mr. Brazier) on the publication of energy paper 62, set out the Government's policy, strategy and forward programme for new and renewable energy, including closure of the wave programme. As set out in EP62, a copy of which is available in the Library of the House, the forward programme is expected to reduce in value over a 10-year time horizon as the technologies move towards the market and the DTI's task force role diminishes. Resources will be concentrated on key technologies with good prospects of commercial application in the coming decades—such as solar, energy from coppice and waste, wind and fuel cells. Expenditure estimates for the new and renewable energy programme, consistent with EP62, are published in the Department's annual report, a copy of which is also available in the Library of the House.

Irish Imports

Mr. Austin Mitchell: To ask the President of the Board of Trade what has been the change in the United Kingdom share of the Irish Republic's market for manufactures following the loss of trade preferences against imports from the EEC Six. [29438]

Mr. Needham: The United Kingdom share of Irish imports was 51 per cent. in 1972 and 36 per cent. in 1993, the latest year information on a consistent basis is available.

Imports of Manufactures

Mr. Austin Mitchell: To ask the President of the Board of Trade if he will provide a further breakdown of the figures contained in the tables in section D of the 1992 annual supplement to the monthly review of external trade statistics, to show for the EEC Six, the other eight EEC countries and the rest of the world the United Kingdom share in each case of their imports of manufactures. [29507]

Mr. Needham: The information requested is given in the table.

UK share of imports of manufactures[1]—1993

	Per cent.
Original EEC Six Members[2]	7.4
Additional EEC Eight Members[3]	8.5
Rest of the World[4]	n/a

Notes:

[1] Standard International Trade Classification 5 to 8.

[2] Comprises Belgium/Luxembourg, France, Germany, Italy and Netherlands.

[3] Comprises Austria, Denmark, Finland, Greece, Ireland, Portugal, Sweden and Switzerland.

[4] Data for the rest of the world are not readily available.

Source:

OECD Series C

Eurostat Intra and Extra EU Trade.

Mr. Austin Mitchell: To ask the President of the Board of Trade what was the United Kingdom percentage share of imports of manufactures by *(a)* Canada, Australia, New Zealand and South Africa combined, *(b)* Germany, *(c)* France and *(d)* Italy in (i) 1970, (ii) 1979, (iii) 1990 and (iv) 1994. [29437]

Mr. Needham: The following is the information:

UK share of imports of manufactures[1]

Per cent.

	1970	*1979*	*1990*	*1994*
Canada, Australia and New Zealand[2]	12.0	6.4	3.8	n/a
Germany	5.5	6.6	7.1	7.0
France	6.2	7.0	7.5	n/a
Italy	6.3	6.9	6.7	7.0

Note:
[1] Standard International Trade Classification 5 to 8.
[2] Data for South Africa are not readily available.
n/a = not available.
Source:
United Nations World Trade Annual OECD Series C.
Eurostat Intra and Extra EU Trade.

Mr. Austin Mitchell: To ask the President of the Board of Trade if he will provide a further breakdown of the figures contained in the tables in section D of the 1992 annual supplement to the monthly review of external trade statistics to show for the Irish Republic, the original signatories of the EFTA convention and Finland combined and *(a)* Germany, *(b)* France and *(c)* Italy the United Kingdom percentage share of the total imports of manufactures in (i) 1970, (ii) 1979, (iii) 1990 and (iv) 1994. [29508]

Mr. Needham: The information requested is given in the table.

UK share of imports of manufactures[1]

Per cent.

	1970	*1979*	*1990*	*1994*
Original EFTA Ireland and Finland[2]	15.5	12.6	8.7	n/a
Germany	5.5	6.6	7.1	7.0
France	6.2	7.0	7.5	n/a
Italy	6.3	6.9	6.7	7.0

Note:
[1] Standard International Trade Classification 5 to 8.
[2] Original EFTA comprises Austria, Iceland, Norway, Portugal, Sweden, Switzerland and Denmark.
n/a = not available.
Source:
United Nations World Trade Annual OECD Series C.
Eurostat Intra and Extra EU Trade.

No. 1 Victoria Street

Mr. Donohoe: To ask the President of the Board of Trade how much it has cost to renovate his Department's building at 1 Victoria street, London. [28945]

Mr. Heseltine *[holding answer 19 June 1995]:* The Department of Trade and Industry does not own 1 Victoria street. The building was vacated in 1991 after condition surveys had shown substantial deterioration of mechanical and electrical services. The landlord, Legal and General Property, subsequently agreed to commit £59 million—net of VAT—to bring the building up to modern standards, in exchange for a new 25-year lease on commercial terms. DTI will finance the balance of the project costs which are expected to be up to £2.4 million.

Manufacturing Industry

Mr. Austin Mitchell: To ask the President of the Board of Trade what assessment he has made of the effect of the Government's monetary and exchange rate policies since 1979 on the rate of return in manufacturing industry. [29441]

Mr. Needham: The net rate of return on capital employed by manufacturing companies rose from 3.3 per cent. in 1979 to 5.8 per cent. in 1993. This reflects an underlying improvement in the performance of manufacturing industry.

Business Initiatives (Women)

Ms Primarolo: To ask the President of the Board of Trade what initiatives his Department has to assist and encourage women who want to start their own business; and how the success of any initiative is monitored and assessed. [29567]

Mr. Page: The Department of Trade and Industry's initiatives for businesses are open to all regardless of gender. All DTI business services are accessible through business links.

Nuclear Accidents

Mr. Simpson: To ask the President of the Board of Trade what is the maximum amount of compensation the privatised nuclear utility will be liable for in the event of a nuclear accident; and if the utility will be required to be insured for that amount. [28598]

Mr. Eggar: I refer the hon. Member to the answer given by the then Under-Secretary of State for Industry and Energy to the hon. Member for Blaenau Gwent (Mr. Smith) on 10 January 1995, *Official Report*, columns *29–30*.

Patent Office

Mr. Touhig: To ask the President of the Board of Trade what further plans he has for full privatisation of all Patent Office functions. [28075]

Mr. Ian Taylor: The plans are as set in the answer given to my hon. Friend the Member for Windsor and Maidenhead (Mr. Trend) by my right hon. Friend the President of the Board of Trade on 14 December 1994, *Official Report*, columns *657–58*.

Telephone Numbers

Mr. Nigel Griffiths: To ask the President of the Board of Trade (1) if he will publish or place in the Library a list of towns or areas which are expected to run out of telephone numbers by *(a)* January 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000 if further action is not taken by the Office of Telecommunications; [29897]

(2) if he will hold an inquiry into Oftel's recent addition of "1" to all telephone numbers; [29893]

(3) what steps he took to secure an undertaking from Oftel that the addition of "1" to all telephone numbers in April would be the last major number change this century; [29895]

(4) what steps he took to ensure that the addition of "1" to all telephone numbers in April would meet the needs of all current and future telephone users; [29894]

(5) if he will estimate the cost to business and individuals of the addition of "1" to all telephone numbers in April; [29892]

(6) if he will ensure that the recommendations of Oftel's consultation into the requirement for new numbers in London, Cardiff, Belfast, Reading, Portsmouth and Southampton are the subject of independent scrutiny. [29896]

Mr. Ian Taylor: My Department welcomes the evidence of increased use of telephones and the demands for new applications of technology in telephony. The need to create new numbers reflects this.

Specific numbering issues are the responsibility of an independent regulator, the Director General of Telecommunications, and I have therefore asked him to write to the hon. Member about the matters he has raised.

TRANSPORT

River Thames

Mr. Forman: To ask the Secretary of State for Transport what assessment he has made of the potential of the River Thames for residents and tourists. [28061]

Mr. Norris: Both the River Tnames working group report and the Thames strategy report, the latter launched by my right hon. Friend the Secretary of State for the Environment, recognise the importance of the Thames as a leisure and amenities resource for residents and visitors alike. Both reports make recommendations for maximising transport and recreational use of the river. Work on implementing these recommendations is continuing.

Bull Bars

Mr. Flynn: To ask the Secretary of State for Transport what communication he has received from European Commissioner Kinnock on bull bars; and what is his response. [29304]

Mr. Norris: European Commissioner Kinnock wrote to me on 24 May and I replied on 8 June. I have placed a copy of the correspondence in the Library.

Coastguard

Ms Walley: To ask the Secretary of State for Transport at what time Falmouth received notification of distress signals issued by two British yachtsmen 110 nautical miles off La Corunna, Spain; when validation was confirmed by the coastguard station; when surface-to-air rescue was dispatched; and when it located the crew. [29332]

Mr. Norris: This is an operational matter for the Coastguard agency. I have asked the chief executive to write to the hon. Member.

Letter from C. J. Harris to Ms Joan Walley, dated 21 June 1995:

The Secretary of State for Transport has asked me to reply to your recent Parliamentary Question as the question deals with an operational matter, for which I have responsibility as Chief Executive.

At 0954 Universal Time Coordinated (UTC) on 5 June 1995 a 'detect only' signal was passed to the UK Mission Control Centre (UKMCC) and the Marine Rescue Coordination Centre (MRCC) Falmouth. This initial satellite 'hit' was "detect only"' that is, the data picked up by the satellite was insufficient to provide a position.

The beacon was registered to the trimaran SEVERALLES CHALLENGE which was known to be participating in the AZAB race (Azores and back race), which departed from Falmouth on 3 June 1995. MRCC attempted to contact the vessel via BT International Radio Station, Portishead while AZAB race control were contacted for the last known position of the vessel.

At 1053 UTC the UKMCC received positive information which indicated that the SEVERALLES CHALLENGE was positioned approximately 110 nautical miles off La Corunna, Spain. As the vessel was within the Spanish Search and Rescue Region the details were passed to MRCC Madrid.

A search and rescue helicopter was despatched from the Marine Rescue Sub Centre La Corunna at 1155 UTC and located SEVERALLES CHALLENGE at 1300 UTC.

Channel Tunnel

Mr. Austin Mitchell: To ask the Secretary of State for Transport what assessment he has made of *(a)* the balance of payments gains to the United Kingdom tourist industry and *(b)* the losses in holidays abroad following the construction of the channel tunnel. [29444]

Mr. Watts: None.

Births at Sea

Mr. Barry Field: To ask the Secretary of State for Transport how many ships masters have reported a birth aboard their vessel to a marine superintendent during the last 10 years. [29593]

Mr. Norris: This is an operational matter for the Marine Safety Agency. I have asked the chief executive to write to my hon. Friend.

Letter from R. M. Bradley to Mr. Barry Field, dated 21 June 1995:

The Secretary of State for Transport has asked me to reply to your question about reports of births on ships.

During the last ten years masters of ships have reported to Department of Transport marine superintendents that there have been twelve births at sea. All births were on UK registered ships. No reports were received of births of UK citizens on non-UK registered ships.

A1 Steering Group

Mr. Home Robertson: To ask the Secretary of State for Transport how many times the A1 steering group has met during the last two years; what were the dates of the meetings; what were the principal items on the agenda; and if he will make a statement on the future of the A1 steering group and his Department's representation on it. [27583]

Mr. Watts: I refer the hon. Member to the reply given to him on 14 June 1995 by the Under-Secretary of State for Scotland, the Minister with responsibility for roads in Scotland, my hon. Friend the Member for Edinburgh,

West (Lord James Douglas-Hamilton), *Official Report*, column *589*.

Fatal Accidents

Ms Walley: To ask the Secretary of State for Transport what is the current cost of a fatal accident used by his Department's Highways Agency in its cost-benefit analysis used for justifying new highway schemes; and how many fatalities involving HGVs there were in 1991–92, 1992–93, and 1993–94. [27874]

Mr. Watts: The latest estimate of the cost of a fatal accident is £913,140—in 1994 prices and values.

The number of fatalities in accidents involving heavy goods vehicles were:

1991–92: 759 (of which 359 were on trunk roads)

1992–93: 730 (of which 292 were on trunk roads)

1993–94: 677 (of which 307 were on trunk roads)

Estonia Accident

Mr. Flynn: To ask the Secretary of State for Transport what was the purpose of his visit to a roll-on roll-off ferry following the sinking of the Estonia; and what was the link between the exercise he witnessed and the disaster in the Baltic sea. [29299]

Dr. Mawhinney: As soon as preliminary investigations linked the cause of the Estonia accident to a failure of the bow door mechanism, I asked the Marine Safety Agency to carry out precautionary checks on the bow doors of all ro-ro ferries operating to and from United Kingdom ports. These inspections involved an examination of the bow door structure and locking system, a hose test to verify the watertight integrity of the doors and checks of surveillance equipment. Operational and reporting procedures were also examined.

I was informed regularly of the progress of the inspection campaign, and I visited a ro-ro ferry in Dover to witness the comprehensive tests that were being carried out by MSA surveyors.

Rail Privatisation

Mr. Speed: To ask the Secretary of State for Transport what has been the net profit or loss so far of the preparation for and implementation of rail privatisation. [29337]

Mr. Watts: The net benefit of privatisation will be assessable only after the privatisation process is complete. We fully expect the benefits to passengers, of introducing private sector management and of freeing the railway from the constraints of public sector ownership, to far exceed the costs of restructuring and privatisation.

SCOTLAND

Offshore Installations

Mr. Foulkes: To ask the Minister of Agriculture, Fisheries and Food what plans he has to meet the Scottish Fishermen's Federation to discuss the effect of the abandoning of offshore oil and gas installations on the fishing industry. [28988]

Sir Hector Monro: I have been asked to reply.

Scottish Office Agriculture and Fisheries Department officials have liaised closely with the Scottish Fishermen's Federation on abandonment policy prior to and since the federation submitted its view to the Government's Abandonment Policy Review Committee. I have no plans to meet the federation to discuss this matter.

Mr. Foulkes: To ask the Minister of Agriculture, Fisheries and Food what monitoring his Department intends to undertake on the effect on the Scottish fishing industry of the abandonment of offshore oil and gas installations. [28986]

Sir Hector Monro: I have been asked to reply.

The possible impact of abandoned offshore oil and gas installations on the marine environment or on the fishing industry is considered fully as part of the Government's assessment of each abandonment plan. That is described in the Government's Abandonment Policy Review Committee's recent "Guidance Notes for Industry". The monitoring requirements of each abandonment will be specified in the abandonment plan, as necessary.

Dounreay

Mrs. Fyfe: To ask the Secretary of State for Scotland if he will conduct an inquiry into the criticisms of the United Kingdom Atomic Energy Authority and Her Majesty's industrial pollution inspectorate made by the Committee on Medical Aspects of Radiation in the Environment in relation to their failure to conduct a full investigation of the release of particles at Dounreay; and if he will ensure that UKAEA provides COMARE with all the information in their possession, now and in the future, relevant to their investigation of the Dounreay foreshore. [29195]

Sir Hector Monro: No. Her Majesty's industrial pollution inspectorate has confirmed that it will make available to COMARE any information in its possession that is relevant to COMARE's inquiries. I understand that a similar assurance has been given by UKAEA.

College Lecturers

Mr. Malcolm Bruce: To ask the Secretary of State for Education what was the total cost of the 1991 Anderson committee of inquiry into training of college lecturers. [28932]

Lord James Douglas-Hamilton: This matter is the responsibility of my right hon. Friend the Secretary of State for Scotland. The review of the arrangements for the initial training of further education college lecturers in Scotland was undertaken during the period December 1991 to August 1993. The analysis was undertaken by a review committee, the membership of which was drawn from further and higher education and other interests. Direct costs of the exercise were confined to travelling and subsistence for members of the review committee; and the printing of the report. Total costs in the those respects amounted to approximately £5,500.

Highlands and Islands Airports Ltd.

Mr. Macdonald: To ask the Secretary of State for Scotland if he will name the consultants who are to conduct the review of private sector involvement in Highland and Islands Airports Ltd.; what is the cost of the exercise; what are their terms of reference; when the consultants are due to report; and if he will undertake to publish the final report. [29315]

Lord James Douglas-Hamilton: Proposals by a number of firms of consultants have been received and are currently being assessed. The successful candidate will be selected by the end of June and will report by mid-October. The study will cost around £60,000. No decision has been taken yet on whether the final report will be published.

The aim of the study will be to advise my right hon. Friend on how the private sector might be involved in all or part of the business of Highlands and Islands Airports Ltd., with the objective of ensuring the most cost-effective delivery of high-quality services to users, both passengers and air transport operators.

The terms of reference for the study make it clear that the airports are seen as essential for the social and economic well-being of the highlands and islands of Scotland and that it is essential that any arrangements should secure the long-term future of those services. The consultants will be asked to advise on a range of options, including: the sale of all or part of the business; franchising all or part of the business to the private sector; and other options for involving private sector finance and/or management skills.

Those options will be considered against a base case of no change in the present arrangements. No decision has been taken at this stage to privatise HIAL of any part of it.

Water Supply

Mr. Canavan: To ask the Secretary of State for Scotland if he will meet the chairmen of the water boards to discuss quality and reliability of water supply. [28060]

Mr. Kynoch: The Secretary of State intends to meet chairmen-designate of the new Scottish water authorities in July to discuss a range of issues of mutual interest.

Higher Education

Mr. Llwyd: To ask the Secretary of State for Scotland how many people from Scotland were studying at a higher education institution in the United Kingdom in *(a)* 1993–94 and *(b)* 1994–95; and if he will make a statement. [29042]

Lord James Douglas-Hamilton: The number of people from Scotland studying at higher education institutions in the United Kingdom, for the latest two years available, is set out in the table:

Number of people from Scotland in UK Higher Education Institutions

	Number
1992–93[1]	97,860
1993–94[2]	103,059

[1] Includes full-time university students only for HEIs in Wales and Northern Ireland.

[2] Includes university students only for HEIs in Wales and Northern Ireland.

Mr. Llwyd: To ask the Secretary of State for Scotland what proportion of Scottish higher education departments received a research rating of *(a)* 3 or above and *(b)* 5 during the recent research assessment exercise; and if he will make a statement. [29047]

Lord James Douglas-Hamilton: Of the total number of units of assessment for which submissions were made by Scottish higher education institutions, 63 per cent. received a rating of 3 or above and 9 per cent. received a rating of 5.

The 1992 research assessment exercise rated research by units of assessment which do not necessarily coincide with the internal structure of departments in the higher education institutions, and not all departments made submissions of research for assessment.

Mr. Llwyd: To ask the Secretary of State for Scotland what was the average loans and awards expenditure on each student from Scotland in 1994–95; what proportion of the figure went on *(a)* student loans, *(b)* fee expenditure and *(c)* maintenance expenditure; what were the corresponding figures for those studying at the universities of (i) Oxford and (ii) Cambridge; and if he will make a statement. [29048]

Lord James Douglas-Hamilton: In the academic year 1994–95 the average awards expenditure per student domiciled in Scotland is estimated to be £1,227 on fees and £1,560 on maintenance. The reduction in average fee payments by comparison with earlier years reflects a shift in the overall funding of tuition costs as between institutional grant in aid and individual tuition fees.

The average loan to students domiciled in Scotland, including those who do not qualify for an award, in the academic year 1993–94, the latest for which information is available, was £695.

Separate data in respect of those studying at the universities of Oxford and Cambridge are not available centrally.

Estate Ownership

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland if he will list the foreign-owned companies which currently own estates in Scotland; which are *(a)* wholly owned by foreign state Governments and *(b)* partly owned by foreign Governments; and if he will make a statement. [29745]

Lord James Douglas-Hamilton: No specific record is maintained for the purpose of identifying foreign companies, owned wholly or partly by foreign state Governments, which own land in Scotland.

Education (Government Expenditure)

Mr. Llwyd: To ask the Secretary of State for Scotland what proportion of identifiable Government expenditure on education in Scotland, including mandatory loans and awards to students, is devoted to *(a)* primary education, *(b)* secondary education, *(c)* further education and *(d)* higher education; and if he will make a statement. [29043]

Lord James Douglas-Hamilton: Identifiable Government expenditure on education in Scotland in 1993–94 was £3,644 million. That includes expenditure by the Secretary of State directly and by local authorities, and was divided as follows:

	Per cent.
Primary	30.0
Secondary	34.1
Further	7.7
Higher	22.8

The following points are relevant to interpretation of these figures:

1. The percentages do not total to 100 as other items of education expenditure—principally nursery and community education and the careers service—are excluded.

2. The figure of £3,758 million for identifiable Government expenditure on education in 1993–94 included in table 7.6A of Cm 2821—Public Expenditure: Statistical Supplement to the Financial Statement and Budget Report 1995–96—also includes expenditure on recreation and leisure, sport and Gaelic broadcasting.

3. Pupils began secondary education in Scotland at age 12.

4. Further education expenditure includes bursaries paid by local authorities.

5. Higher education expenditure includes the costs of grants—paid by the Student Awards Agency for Scotland—and of student loans received by all Scottish domiciled students undertaking higher education courses. It does not include expenditure on awards or loans for students who are domiciled elsewhere in the United Kingdom but are undertaking courses in Scotland.

6. Some higher education courses are provided at further education colleges; further education courses may also be provided at higher education institutions. The costs of these cannot readily be separately identified and are attributed to the sector of provision.

Small Businesses

Ms Primarolo: To ask the Secretary of State for Scotland in which sectors of the economy *(a)* small businesses and *(b)* medium-sized businesses are predominantly to be found. [29572]

Mr. Kynoch: Although there is no fixed definition of "small" or "medium-sized" businesses, VAT registration data are available by turnover size band and are often used as a basis for analysis. Sectoral data on the number of VAT-registered legal units, by turnover size band, are available for Scotland in table 3E of Business Monitor PA1003 "Size Analysis of UK Businesses" for various years. Copies are available in the Library.

Ms Primarolo: To ask the Secretary of State for Scotland how many people were employed by *(a)* small businesses and *(b)* medium-sized businesses in each of the last 10 years; and if he will break these figures down by gender. [29571]

Mr. Kynoch: There is no single official definition of small or medium-sized business. However, data for Scotland on the number of persons employed in census of employment data units, which roughly correspond to workplaces, broken down by employee size band are available for 1984, 1987, 1989 and 1991. Those data can be obtained from the NOMIS database, which can be accessed by the staff of the Library of the House. Information by gender is not available.

Ms Primarolo: To ask the Secretary of State for Scotland what is his Department's definition of a small business and a medium-sized business. [29569]

Mr. Kynoch: There is no single "official" definition of what constitutes a small or medium-sized business. A range of definitions is used, each valid in its own context. For example, the SMART competition is aimed at businesses with up to 50 employees with an annual turnover not exceeding 5 million ecu or a balance sheet total not exceeding 2 million ecu, whereas the SPUR scheme if open to businesses with no more than 250 employers and an annual turnover not exceeding 20 million ecu or a balance sheet total not exceeding 10 million ecu.

Ms Primarolo: To ask the Secretary of State for Scotland how many *(a)* small businesses and *(b)* medium-sized businesses were started up in each of the last 10 years; and if he will break these figures down by gender of the entrepreneur. [29570]

Mr. Kynoch: Although there is no fixed definition of "small" or "medium-sized" businesses the vast majority of new business start-ups will, by any definition, be small. The best guide to trends in the number of start-ups in Scotland is given by registrations for VAT. Copies of "VAT registrations and deregistrations, county and district analyses 1980–91" and "VAT registrations and deregistrations, county and district analyses 1992–93" are in the Library. Information is not available on gender of the entrepreneur.

Swedish Land

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland how much land in Sweden is owned by the Scottish Office. [29744]

Lord James Douglas-Hamilton: None.

Woodland Grants

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland (1) if he will list the foreign-owned companies which have been paid Government grants to plant trees on estates in Scotland in the past five years; and how much each has been paid in Government grants for this purpose; [29742]

(2) if he will list the foreign-owned companies in receipt of Government grants for planting trees on estates in Scotland in 1995–96; and how much has been paid out to each company; [29746]

(3) how much his Department has allocated to pay out to foreign-owned companies to plant trees on estates in Scotland in 1995–96; and how much is allocated to be spent on foreign-owned companies planting trees on Scottish estates in *(a)* 1996–97 and *(b)* 1997–98. [29743]

Sir Hector Monro: We do not record the nationality of the owners of companies which have received, or will receive, grants under the woodland grant scheme.

M80

Mr. Norman Hogg: To ask the Secretary of State for Scotland what is the present position concerning the proposed construction of the M80 motorway between Stepps and Haggs; and if he will make a statement. [29749]

Lord James Douglas-Hamilton: In response to an earlier question I had indicated that a decision on the proposed route for the M80 would be taken soon. Because of the scale and complexity of this scheme, its substantial cost and the need to minimise its impact on the environment, further studies have been commissioned. Those are nearing completion.

Written Answers to Questions

Thursday 22 June 1995

DUCHY OF LANCASTER

Research Centres

Mr. Battle: To ask the Chancellor of the Duchy of Lancaster when the interdisciplinary research centres were last reviewed; and if he will make a statement. [29860]

Mr. Horam: A list of the interdisciplinary research centres is as shown, indicating when they were last reviewed. Reviews are conducted by the funding research councils, as part of each council's normal funding review programme and according to each council's normal monitoring and evaluation review processes.

Interdisciplinary Research Centres (IRCs) and Their Last Review

Funding body	*Title*	*Location*	*Last review date*
BBSRC	BBSRC IRC for Biochemical Engineering	UCL	March 1995
BBSRC	Centre for Genome Research	Edinburgh	October 1993
BBSRC	Oxford Centre for Molecular Sciences (Joint EPSRC/MRC)	Oxford	October 1992
BBSRC	Sussex Centre for Neuroscience	Sussex	July 1993
MRC	Research Centre in Brain and Behaviour	Oxford	—
MRC	Laboratory for Molecular Cell Biology	UCL	—
MRC	Centre for Mechanisms of Human Toxicity	Leicester	—
MRC	Cambridge Centre for Protein Engineering	Cambridge	May 1994
MRC	Institute of Molecular Medicine	Oxford	—
MRC	IRC in Brain Repair	Cambridge	—
NERC	Centre for Population Biology	Imperial	April 1993
EPSRC	Optoelectronics	Southampton	April 1994
EPSRC	Semi-conductor Materials	Imperial/UCL/ Oxford/Sheffield	April 1994
EPSRC	Superconductivity	Cambridge	April 1995
EPSRC	Materials for High Performance Applications	Birmingham/Swansea	April 1994
EPSRC	Surface Science	Liverpool/Manchester	April 1993
EPSRC	Process Systems Engineering	Imperial/UCL	August 1993
EPSRC	Polymer Science and Technology	Leeds/Bradford /Durham	March 1994
ESRC	Research Centre on Micro Social Change in Britain	Essex	May 1993
ESRC	Human Communication Research Centre	Edinburgh/Glasgow	May 1993
ESRC	Centre for Economic Performance	LSE	February 1995

Mr. Battle: To ask the Chancellor of the Duchy of Lancaster if he will list the interdisciplinary research centres in order of date of establishment; and what plans he has to review or extend them. [29861]

Mr. Horam: The interdisciplinary research centres are as listed, in order of date of establishment, showing next planned review dates. These reviews, which are part of the research councils' normal evaluation and review processes, include consideration for extending funding.

Interdisciplinary Research Centres (IRCs) and their Next Planned Review Dates

Funding body	*Title*	*Date of establishment*	*Next planned review date*
EPSRC	Superconductivity	1987	—
EPSRC	Surface Science	1988	in progress
BBSRC	Oxford Centre for Molecular Sciences (Joint EPSRC/MRC)	1988	1996–97
EPSRC	Semi-conductor Materials	1988	October 1995
EPSRC	Polymer Science and Technology	1989	1996
ESRC	Human Communication Research Centre	1989	September 1997
ESRC	Research Centre on Micro Social Change in Britain	1989	September 1997
EPSRC	Optoelectronics	1989	1996
EPSRC	Process Systems Engineering	1989	December 1995
EPSRC	Materials for High Performance Applications	1989	1996
NERC	Centre for Population Biology	1989	April 1998
MRC	Institute of Molecular Medicine	1989	October 1995
BBSRC	Centre for Genome Research	1990	1997
ESRC	Centre for Economic Performance	1990	September 1998
MRC	Cambridge Centre for Protein Engineering	1990	1998–99
BBSRC	Sussex Centre for Neuroscience	1991	1997
EPSRC	Biomedical Materials	1991	1996
MRC	Research Centre in Brain and Behaviour	1991	March 1996
BBSRC	BBSRC IRC for Biochemical Engineering	1991	1999
MRC	IRC in Brain Repair	1992	1996–97
MRC	Laboratory for Molecular Cell Biology	1993	1995–96
MRC	Centre for Mechanisms of Human Toxicity	1993	1997–98

FOREIGN AND COMMONWEALTH AFFAIRS

Yugoslavia

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to resist the intervention of the European Union directly or indirectly in the military situation in the former Yugoslavia. [29946]

Mr. Douglas Hogg: The EU has no military role in the former Yugoslavia. Forces from EU member states are there under UN and not EU mandates.

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence he has to what proportion of atrocities in former Yugoslavia have been committed by each party. [29947]

Mr. Hogg: It is generally regarded, by the UN and other humanitarian organisations, that the Serbs have committed most of the atrocities. However, all parties have been responsible for acts of this kind. We

condemn all human rights abuses and atrocities committed in the course of the conflict.

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs to what extent his policy in the former Yugoslavia has been influenced by religious considerations. [29951]

Mr. Hogg: Not at all.

Obscene Publications

Mrs. Ann Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs if the United Kingdom is meeting its obligations under the agreement and convention for the suppression of the circulation of obscene publications; and what steps he is taking to ensure future compliance. [30020]

Mr. Baldry: The 1910 agreement requires contracting states to designate an authority to co-ordinate information and communicate it, where appropriate, to the authorities in other countries. In the United Kingdom, the Home Secretary is the designated authority.

The 1923 convention encourages signatories to introduce domestic and import legislation to curb the trade in obscene publications. The UK meets its main obligations under the convention through the provisions of the Obscene Publications Acts 1959 and 1964 and the Customs Consolidation Act 1876.

Child Abduction

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the work of his Department in the field of child abduction over the past year; and what work is planned in the year ahead. [30389]

Mr. Baldry: We provide support to families in 75 cases worldwide. We initiated an EU demarche urging a range of countries to sign up to the Hague and European conventions. We raised child abduction at the 50th session of the UN Commission on Human Rights and in an EU presidency statement to the Commission on Human Rights. We maintained our funding and commitment to Reunite, the national council for abducted children. We held two meetings with the all-party parliamentary group. We work closely with the Lord Chancellor's Department.

In the year ahead we shall continue to press foreign Governments to sign the conventions and to support the families of abducted children.

Nuclear Tests (France)

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what efforts he is making *(a)* through the EU and *(b)* unilaterally to persuade the French Government not to test nuclear weapons in the Pacific; what representations he has received from (i) New Zealand, (ii) Australia, (iii) other Commonwealth countries o this issue; and if he will make a statement. [30175]

Mr. David Davis: We have received representations from a number of Commonwealth Governments, including those of Australia and New Zealand, expressing concern over the French decision to suspend their moratorium on nuclear testing. We understand that concern, but do not believe that a strictly limited programme of tests need affect the prospects for the early conclusion of a comprehensive test ban treaty, which remains our and the international community's main priority.

Anti-personnel Land Mines

Mr. Luff: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to introduce controls on the production, stockpiling and transfer of anti-personnel mines apart from the recent extension of the moratorium on the export of anti-personnel land mines from the Untied Kingdom. [31032]

Mr. David Davis: We have been working with the Untied States for some time on ideas for regulating the production, stockpiling and transfer of anti-personnel land mines. I am pleased to announce that we and the United States have reached agreement on proposals for a land mine control programme. These will be discussed at an international meeting in Budapest, Hungary, on 29 and 30 June at which a number of European countries and others from key regions will be represented. Our aim is to reduce the dangers to civilians from anti-personnel land mines, by seeking international agreement to effective controls.

I shall place a summary of the proposed programme in the Library of the House.

Gibraltar

Mr. Booth: To ask the Secretary of State for Foreign and Commonwealth Affairs what provision has been made to make payments to certain beneficiaries of the Gibraltar social insurance fund. [31078]

Mr. Baldry: Pending agreement with the Government of Gibraltar on distribution of the assets of the fund, provision has been made for further interim payments to the value of £2 million in the current financial year, following the full draw-down of payments made available to the fund in 1989. Provision for these payments has been made within class II, vote 5.

LORD CHANCELLOR'S DEPARTMENT

Child Abduction

Sir John Stanley: To ask the Parliamentary Secretary, Lord Chancellor's Department whether he will make it his policy that the passports of wards of court and other children at risk of child abduction be endorsed with details of relevant court orders. [30393]

Mr. John M. Taylor: Consideration is currently being given by the Lord Chancellor's Department and the Home Office to the question of the endorsement of the passports of children at risk of child abduction. It is not possible at this stage to indicate the likely outcome of this process.

Sir John Stanley: To ask the Parliamentary Secretary, Lord Chancellor's Department what has been the work of his Department in the field of child abduction over the past year; and what work is anticipated in the year ahead. [30387]

Mr. Taylor: The child abduction unit within my Department carries out work relating to the Hague

convention on child abduction and the European custody convention. In 1994 the unit dealt with 323 new cases, an increase of 18 per cent. on those received in 1993. A further rise in work load is anticipated in the year ahead.

District Judges

Mr. Alton: To ask the Parliamentary Secretary, Lord Chancellor's Department how many days each of the full-time Liverpool district judges, formerly registrars, have been absent in each of the last 10 years for which the information is available. [28925]

Mr. John M. Taylor: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. David Alton, dated 22 June 1995:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about the number of days each Liverpool district judge has been absent.

I should explain that each district judge is expected to sit between 215 and 220 days each year. This includes sitting at a court centre and other official business, such as training and conferences. The table provided in PQ 95/605 shows that in 1993 and 1994 the full-time district judges at Liverpool exceeded the number of days they are expected to sit each year. In these circumstances, it is therefore inappropriate to refer to absences.

Mr. Alton: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) what procedure should be followed by persons who wish the Lord Chancellor to be apprised of matters which are or may be relevant to the exercise of his powers to remove from office or otherwise discipline district judges; [28943]

(2) what powers the Lord Chancellor has to remove district judges from office or otherwise discipline them. [28940]

Mr. Taylor: Under the provisions of the County Courts Act 1984 the Lord Chancellor has power to remove a district judge from office on account of misbehaviour or on account of the district judge's inability to perform the duties of his or her office. The Lord Chancellor is unable to comment on, or intervene in, judicial decisions or the conduct of legal proceedings by a judge. The appropriate recourse in relation to such matters is through the appellate process provided by statute. Persons wishing to make a complaint about the conduct of any member of the judiciary should write to the Lord Chancellor.

Mr. Alton: To ask the Parliamentary Secretary, Lord Chancellor's Department which full-time Liverpool district judges, formerly registrars, have sat in the Liverpool district of the High Court and Liverpool county court in each of the last 10 years for which information is available. [28934]

Mr. Taylor: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. David Alton, dated 22 June 1995:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to the above Question about the district judges at Liverpool.

The full-time district judges who have sat at Liverpool in the past ten years are as follows:

1985

Morris-Jones
Berkson
Wilkinson
Harrison
Harris
Richardson'

1986

Morris-Jones
Berkson
Wilkinson
Gee
Harris
Richardson'
Wolfson'

1987

Morris-Jones
Berkson
Wilkinson
Gee
Harris
McCullagh
Richardson'
Wolfson'

1988

Morris-Jones
Berkson
Wilkinson
Gee
Harris
McCullagh
Richardson'
Wolfson'

1989

Grundy
Berkson
Wilkinson
Gee
Harris
McCullagh
Travers
Richardson'
Wolfson'

1990

Grundy
Berkson
Wilkinson
Gee
Harris
McCullagh

Travers
Richardson[1]
Wolfson[1]

1991

Grundy
Berkson
Wilkinson
Gee
Harris
Wolfson
Knopf
Richardson[1]
McCullagh[1]
Travers[1]
Bennett[1]

1992

Grundy
Berkson
Wilkinson
Gee
Harris
Wolfson
Knopf
Richardson[1]
McCullagh[1]
Travers[1]
Bennett[1]

1993

Grundy
Berkson
Wilkinson
Gee
Harris
Wolfson
Knopf
Richardson[1]
McCullagh[1]
Travers[1]
Bennett[1]
Johnson[1]

1994

Grundy
Berkson
Wilkinson
Gee
Harris
Wolfson
Knopf
McCullagh[1]
Travers[1]
Bennett[1]
Johnson[1]
Frost[1]

1995

Grundy
Berkson
Wilkinson
Gee
Harris
Wolfson
Knopf
McCullagh[1]
Travers[1]
Bennett[1]
Johnson[1]
Frost[1]

[1]Sitting part-time at Liverpool and part-time at other court centres on the Liverpool Group.

Mr. Alton: To ask the Parliamentary Secretary, Lord Chancellor's Department how much remuneration has been paid to each full-time Liverpool district judge, formerly registrar,in each of the last 10 years for which information is available. [28935]

Mr. Taylor: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. David Alton dated 22 June 1995:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to the above Question about how much remuneration has been paid to the Liverpool district judges.

As you will appreciate specific details about individual judge's salaries are confidential. However I am able to provide you with a list of pay scales for district judges from 1 November 1984 to 1 April 1995. These are as follows:

	£
1 November 1984	28,500
1 July 1985	29,925
1 March 1986	30,500
1 July 1986	31,850
1 April 1987	33,204
1 October 1987	33,500
1 April 1988	34,840
1 October 1988	37,500
1 April 1989	39,400
1 April 1990	41,750
1 January 1991	43,450
1 April 1991	46,700
1 August 1991	48,200
1 December 1991	49,100
1 April 1992	52,520
1 April 1993	54,035
1 April 1994	56,974
1 April 1995	59,327

Mr. Alton: To ask the Parliamentary Secretary, Lord Chancellor's Department how much time each full-time Liverpool district judge, formerly registrar, has spent *(a)* sitting, *(b)* on other business and *(c)* in total in his capacity as a district judge in each of the last 10 years for which information is available. [28936]

Mr. Taylor: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. David Alton, dated 22 June 1995:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about how much time the Liverpool district judges have spent sitting and on other business in the past ten years.

I should explain that information is available only for the past three years. The following tables show for each year since 1993 the number of days each full-time district judge at Liverpool has spent sitting and on other official business, such as training and conferences. You have also asked for the annual total amount of time each district judge has spent in his official capacity. This figure, which also includes annual leave and sick leave, is given in the final column of each table.

1993

Name	*Sitting*	*Other business*	*Total*
Grundy	178.5	51	249.5
Berkson	192.5	45	248.5
Wilkinson	179.5	47	248.5
Gee	219	13	249.5
Harris	213.5	8.5	248.5
Wolfson	207.5	6	248.5
Knopf	207.5	21	249.5
Richardson[1]	21	0	21
McCullagh[1]	87.5	9	100.5
Travers[1]	44	2	48
Bennett[1]	7	0	7
Johnson[1]	37	1	39

[1] Figures refer to part-time sittings at Liverpool. These full-time district judges also sit at other court centres in the Liverpool Group.

1994

Name	*Sitting*	*Other business*	*Total*
Grundy	168.5	49	249.5
Berkson	183.5	40	249.5
Wilkinson	175.5	27.5	243
Gee	213.5	9	255.5
Harris	209.5	13	251.5
Wolfson	191.5	6	248.5
Knopf	227.5	11	260.5
McCullagh[1]	84.5	5	99.5
Travers[1]	42	0	46
Bennett[1]	44	3	49
Johnson[1]	164	6.5	198.5
Frost[1]	50	0	58

[1] Figures refer to part-time sittings at Liverpool. These full-time district judges also sit at other court centres in the Liverpool Group.

1995 (up to end May)

Name	*Sitting*	*Other business*	*Total*
Grundy	68	9	79
Berkson	79.5	10	101.5
Wilkinson	73.5	13	101.5
Gee	91	3	101.5
Harris	86.5	3	101.5
Wolfson	82.5	3	101.5
Knopf	86.5	3.5	106

1995 (up to end May)

Name	*Sitting*	*Other business*	*Total*
McCullagh[1]	32.5	4.5	40.5
Travers[1]	16.5	0	18
Bennet[1]	16.5	0	20
Johnson[1]	74.5	3.5	82.5
Frost[1]	34	1	42

[1] Figures refer to part-time sittings at Liverpool. These full-time district judges also sit at other court centres in the Liverpool Group.

Mr. Alton: To ask the Parliamentary Secretary, Lord Chancellor's Department what public expense other than in terms of remuneration has been incurred in respect of maintaining the full-time district judges at Liverpool including the costs or relative proportion thereof *(a)* buildings, *(b)* equipment, *(c)* support staff, *(d)* pensions and national insurance and *(e)* other expenses in each of the last 10 years for which information is available. [28937]

Mr. Taylor: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. David Alton, dated 22 June 1995:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about the cost of maintaining district judges at Liverpool.

I am sorry to have to tell you that this information is not available and could be obtained only at disproportionate cost.

Mr. Alton: To ask the Parliamentary Secretary, Lord Chancellor's Department how many complaints have been made about or against full-time Liverpool district judges, formerly registrars, to (i) the Lord Chancellor in person and (ii) the Lord Chancellor's Department in each of the last 10 years for which information is available. [28939]

Mr. Taylor: Records relating to complaints about the conduct of district judges have been kept only since 1992. They are broken down into the following categories: (i) complaints made to the Lord Chancellor via a Member of Parliament and (ii) complaints from all other sources. No complaints are recorded under the first category. Under the second, the figures are as follows:

1992: 2

1993: 1

1994: 5

1995 (part): 1

Mr. Alton: To ask the Parliamentary Secretary, Lord Chancellor's Department what documentation or other evidence must be produced by a district judge to the Lord Chancellor's Department to substantiate or justify his absence through illness. [28938]

Mr. Taylor: District judges are expected to notify the Department of any sickness absence within 24 hours of the first day of incapacity and to follow this up with a self-certificate for absences of seven days or less. A doctor's statement is required for absences exceeding seven days.

Civil Legal Aid

Mr. Etherington: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will give for each year since 1979–80 and by each legal aid group or area the total number of legal aid certificates for civil claims involving *(a)* personal injury claims and *(b)* mucous membrane disease. [28927]

Mr. John M. Taylor: The total number of certificates issued in respect of personal injury claims in each year since 1990–91, the first year for which these figures are available, is as follows:

1990–91: 61,351
1991–92: 82,102
1992–93: 92,071
1993–94: 81,550
1994–95: 87,809

It is not possible to break these figures down by legal aid area, nor is it possible to identify separately certificates issued in respect of mucous membrane disease.

Mr. Etherington: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will give for each year since 1979–80 and by each legal aid group or area the total number of appeals against the withdrawal of legal aid certificates for civil claims involving *(a)* personal injury claims and *(b)* mucous membrane disease. [28928]

Mr. Taylor: The information requested is not available.

Mr. Etherington: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the average cost of civil legal aid excluding matrimonial and family proceedings for personal injury claims and mucous membrane disease for each legal aid group or area. [28929]

Mr. Taylor: The average cost of civil legal aid bills in personal injury cases in 1994–95 by legal aid board area was:

	£
London	4,724.68
South Eastern	3,721.27
Southern	3,923.94
South Western	3,510.97
South Wales	1,971.24
West Midland	2,203.33
East Midland	2,660.46
Eastern	3,441.09
Northern	1,695.75
North Eastern	2,584.09
North Western	2,609.15
Chester and North Wales	2,473.23
Merseyside	1,744.52
All offices	2,712.71

The information requested in respect of mucous membrane disease is not separately identifiable on the legal aid board's computer systems and, therefore, it is not possible to provide separate figures for that category of case.

TREASURY

Rent-a-room Tax

Mr. Thurnham: To ask the Chancellor of the Exchequer what would be the cost to the Exchequer of extending the rent-a-room tax allowance to all tenanted property. [28883]

Sir George Young: The rent-a-room scheme was introduced in the Finance (No. 2) Act 1992. It applies to individual owner occupiers and tenants who let furnished accommodation in their only or main home.

Under this scheme gross annual rents from this sort of letting which do not exceed £3,250 per annum for one qualifying individual, or £1,625 per annum; for more than one, are exempt from tax altogether. Individuals who receive income which exceeds £3,250, or £1,625, in a year are able to choose between paying tax on it in the ordinary way—that is on the balance of gross receipts after actual expenses—or paying tax only on the amount by which their gross receipts exceed £3,250, or £1,625, without any relief for actual expenses.

The annual cost of extending the rent-a-room allowance to all individual landlords of tenanted property would be £250 million, without allowing for any behavioural effects which would increase the cost.

Visitor Accommodation (VAT)

Mr. Wigley: To ask the Chancellor of the Exchequer if he will publish a table showing the rate of VAT which is chargeable on visitor accommodation in each of the EU member states; and what is his estimate of the net loss to the Treasury if a level of eight per cent. VAT were applicable in the United Kingdom to such accommodation. [29925]

Mr. Heathcoat-Amory: The information requested is in the tables. No figures for VAT from hotels and holiday accommodation are available.

VAT on holiday accommodation in the EC

Country	*Rate Per cent.*
Austria	20
Belgium	[1]6, 20.5
Denmark	25
Finland	22
France[2]	5.5
Germany	15
Greece	8
Ireland	12.5
Italy	9,[3]19
Luxembourg	15
Netherlands	6
Portugal[4]	5, (4)
Spain	7
Sweden	12
United Kingdom	[5]17.5 (5)

Notes:

[1] 6 per cent. applies to hotels and camp sites.

[2] The following rates apply generally in Corsica: 0.9 per cent., 2.1 per cent., 8 per cent., and 13 per cent.

[3] The standard rate of 19 per cent. applies to luxury hotels.

[4] The rates in brackets apply in the autonomous regions of Madeira and the Azores Archipelagoes.

[5] The 5 per cent. in the UK applies to hotel accommodation in the Isle of Man as from 1 October 1994.

VAT on hotel accommodation in the EC

Country	*Rate Per cent.*
Austria	10
Belgium	6
Denmark	25
Finland	22
France[1]	5.5
Germany	15
Greece	8
Ireland	12.5
Italy	9, [3]19[2]
Luxembourg	15
Netherlands	6
Portugal[3]	5, (4)
Spain	7
Sweden	12
United Kingdom	[4]17.5, (5)

Notes:

[1] The following rates apply generally in Corsica 0.9 per cent., 2.1 per cent., 8 per cent. and 13 per cent.

[2] Standard rate of 19 per cent. applies to luxury hotels.

[3] The rates in brackets apply in Madeira and the Azores Archipelagoes.

[4] The 5 per cent. rate shown for UK applies to hotel accommodation in the Isle of Man as from 1 October 1994.

Company Cars

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what are the current tax reliefs and exemptions available for company cars; and what was the cost of such reliefs and exemptions in *(a)* 1994–95 and *(b)* 1995–96. [30095]

Sir George Young: The discounts, for business mileage and for older cars, from the tax charge on the benefit of private use of a company car are regarded as part of the charging structure, rather than as specific exemptions. The exemption for car accessories for the disabled, introduced in the Finance Act 1995, is expected to have negligible cost for 1995–96.

Business Ratepayers

Ms Coffey: To ask the Chancellor of the Exchequer how many appeals lodged by business ratepayers are still waiting to be dealt with for each district valuers office in England and Wales. [29903]

Mr. Nelson: The information is given in the following tables:

Number of rating appeals outstanding as at 31 May 1995
National summary

Region	*Total*
Central	72,674
East	56,734
London	65,565
North	53,724
South	43,612
West (western only)	22,640
Total England	314,949
Wales only	10,690
Total England and Wales	325,639

Number of rating appeals outstanding as at 31 May 1995
Central Region

Local office	Total
Birmingham	6,476
Bolton	3,010
Burnley	3,500
Chester	2,178
Coventry	3,117
Crewe	3,631
Kidderminster	3,355
Lancaster	4,314
Lichfield	2,686
Liverpool	3,950
Manchester	4,053
Preston	1,962
Rochdale	2,869
Salford	4,423
Sandwell	1,852
Shrewsbury	2,132
Stockport	5,107
Stoke	3,125
Warrington	3,626
Warwick	2,306
Wolverhampton	1,921
Worcester	3,081
Regional total	72,674

Number of rating appeals outstanding as at 31 May 1995
East Region

Local Office	Total
Bedford	2,716
Cambridge	2,403
Chelmsford	5,514
Colchester	4,922
Derby	4,014
Grimsby	2,575
Ipswich	2,887
Leicester	3,777
Lincoln	2,536
Loughborough	2,479
Mansfield	3,147
Northampton	2,466
Norwich	3,425
Nottingham	3,526
Peterborough	3,861
St. Albans	3,732
Stevenage	2,754
Regional total	56,734

Number of rating appeals outstanding as at 31 May 1995
London Region

Local office	Total
Barking	2,177
Bromley	3,298
Camden	2,654
City	7,484
Ealing	2,839
Enfield	6,104
Greenwich	3,114
Harrow	6,069
Islington	6,293
Kensington	3,264
Lambeth	3,972
Redbridge	2,593
Tower Hamlets	3,533
Westminster	6,295

Number of rating appeals outstanding as at 31 May 1995
London Region

Local office	Total
Wimbledon	4,561
LSU	1,315
Regional total	65,565

Number of rating appeals outstanding as at 31 May 1995
North Region

Local office	Total
Alnwick	1,624
Bradford	3,216
Carlisle	1,733
Doncaster	5,237
Durham	4,265
Halifax	5,589
Harrogate	2,521
Hull	3,485
Leeds	4,239
Middlesbrough	3,505
Newcastle	4,059
Sheffield	5,006
Sunderland	4,005
Ulverston	2,183
York	3,057
Regional total	53,724

Number of rating appeals outstanding as at 31 May 1995
South Region

Local office	Total
Aylesbury	3,117
Basingstoke	1,622
Bournemouth	1,807
Brighton	2,676
Chatham	3,045
Dorchester	1,637
Eastbourne	2,014
Folkestone	1,474
Guildford	2,579
Oxford	2,506
Portsmouth	2,350
Portsmouth (IOW)	585
Reading	3,653
Reigate	4,469
Southampton	2,953
Swindon	1,605
Turnbridge Wells	3,648
Worthing	1,872
Regional total	43,612

Number of Rating Appeals Outstanding as at 31 May 1995
Wales and West Region

Local office	Total
Bangor	1,089
Barnstaple	1,376
Bath	1,902
Bristol	3,086
Cardiff	2,454
Carmarthen	1,848
Exeter	2,337
Gloucester	2,539
Merthyr Tydfil	871
Newport	1,233
Plymouth	2,463

Number of Rating Appeals Outstanding as at 31 May 1995
Wales and West Region

Local office	*Total*
St. Austell	6,071
Swansea	1,795
Taunton	2,866
Wrexham	1,400
Regional total	33,330

Arms Exports

Mr. Hain: To ask the Chancellor of the Exchequer how many Customs and Excise staff were responsible for processing arms exports for each year since 1979. [29333]

Mr. Heathcoat-Amory *[holding answer 19 June 1995]:* Customs' control of arms exports is integrated into general export procedures. It is not possible separately to identify numbers of staff engaged in processing any particular type of export consignments.

HOUSE OF COMMONS

Recycling

Mr. Sheerman: To ask the Chairman of the Administration Committee what steps are being taken to increase the amount of recycling of all types of waste product by the Houses of Parliament.

Mr. Michael J. Martin: The policy of the two Houses is to recycle all waste matter which can reasonably be segregated and recycled. The process is audited to ensure compliance with the Palace's waste collection contract. Waste which is unsuitable for recycling is taken to an authorised landfill site for disposal. Further segregation before collection is precluded by space and staffing constraints.

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 22 June. [28550]

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 22 June. [28549]

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Singapore

Mr. Cousins: To ask the Prime Minister on what occasions since 1984 the Government have made representations to the Government of Singapore about the activities of a company called Charter Industries of Singapore. [29726]

The Prime Minister: Chartered Industries of Singapore are part of the Government-owned Singapore technologies group. The British high commission, in the course of its export promotion activities, has regular discussions with the Singapore Ministry of Defence, which may include reference to Chartered Industries of Singapore.

HEALTH

Asthma

Mr. William O'Brien: To ask the Secretary of State for Health how many deaths of children aged under 17 years were caused by asthma in each of the past five years. [29091]

Mr. Sackville: The following is the information deaths coded to Asthma (International Classification of Diseases, 9th Revision, code 493) as underlying cause to children aged between 28 days[1] and up to 16 years of age, England and Wales 1989–1993.

Numbers

Year	*Males*	*Females*	*Total*
1989	21	11	32
1990	30	12	42
1991	26	14	40
1992	15	9	24
1993	11	11	22

[1] For deaths at ages less than 28 days it is not possible to derive an underlying cause of death. However between 1989–93 there were no deaths under 28 days of age with an infant mention of Asthma.

Special Transitional Grant

Mr. Hinchliffe: To ask the Secretary of State for Health, pursuant to her answer of 13 June, *Official Report*, column *429*, if she will list those authorities that were unable to spend 85 per cent. of their special transitional grant for 1993–94 in the independent sector. [29551]

Mr. Bowis: We are not yet able to give a complete list of those authorities which have failed to satisfy the 85 per cent. condition on the special transitional grant for 1993–94. This depends on the resolution of reports raised on the audited returns of a number of local authorities by district auditors. Inquiries are being pursued with the district auditors and the local authorities as appropriate.

Bristol Royal Infirmary

Mr. Harvey: To ask the Secretary of State for Health if she will *(a)* publish, or *(b)* place in the Library the submissions made in early 1992 by Dr. Bolsin expressing concerns about arterial switch operations on paediatric patients at the Bristol Royal infirmary. [29515]

Mr. Sackville: The Department did not receive a submission from Dr. Bolsin in 1992.

Mr. Harvey: To ask the Secretary of State for Health what conclusions were drawn by officials from her Department who visited the Bristol Royal infirmary in July 1994 and considered the performance of arterial switch operations on paediatric patients at that hospital. [29517]

Mr. Sackville: An official visited Bristol Royal infirmary in July 1994 but this was on a matter unconnected with arterial switch operations.

Mr. Harvey: To ask the Secretary of State for Health if she will *(a)* publish or *(b)* place in the Library the report submitted earlier this year by Marc R. De Leval and Stuart Hunter regarding the performance of arterial switch operations on paediatric patients at the Bristol Royal infirmary. [29516]

Mr. Sackville: The report was commissioned by Dr. John Roylance, chief executive of United Bristol hospitals trust. Inquiries regarding the report should be directed to Dr. Roylance.

Mr. Harvey: To ask the Secretary of State for Health what sources informed her Department's decision to instruct the discontinuation in January of the performance of arterial switch operations on paediatric patients at the Bristol Royal infirmary. [29518]

Mr. Sackville: The Department did not instruct the trust to discontinue arterial switch operations.

In-House Bids

Mr. McNamara: To ask the Secretary of State for Health if she will list those parts of her Department or departmental agencies which were privatised without an in-house bid; if she will indicate the expertise which was absent in her Department or departmental agencies which prevented an in-house bid from taking place; which future parts of her Department or departmental agencies she intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29427]

Mr. Sackville: During the period 1 April 1992 to 31 March 1995, the Department contracted out four activities without in-house bids: the welfare food scheme; the provision of office services at Quarry house, Leeds; security services at Richmond house; and building management for part of the London estate. In the case of the latter, the private sector was better equipped to deliver the service and to advise on the new technology that was required. The decision to contract out the other three activities was taken for management and operational reasons.

Contracting out is under consideration in a number of other areas but we have no firm plans as yet.

Residential Care

Mr. Wicks: To ask the Secretary of State for Health how many people were in residential and nursing homes in November 1994 whose care was being purchased by the local authority social services department following an assessment of their needs for care. [29345]

Mr. Bowis: The information available centrally relates to the position as at 31 March 1994 and was published in statistical bulletin 1994/13 "Personal Social Services: Residential Accommodation in England 1994", copies of which are available in the Library.

Mr. Whittingdale: To ask the Secretary of State for Health what is the total number of people receiving care in *(a)* nursing homes and *(b)* residential homes; and how many are being financed by (i) the local health authority, (ii) benefits, (iii) community care payments by local authorities and (iv) their own resources. [29714]

Mr. Bowis: The available information is summarised in the table. No information is routinely available on numbers of people financed by their own resources or by the local health authority.

Residential and nursing care in England, 1993–94

Numbers in thousands

Type of home	*People receiving care*	*Residents in receipt of income support*[2,4]	*Residents supported by local authorities*[3,4]
Nursing care	144[1]	79	25
Residential care	291[3]	111	121

[1] Number of occupied beds at the date of inspection in nursing homes registered under Section 23 of the registered Homes Act 1984.

Source: Department of Health statistical return KO36.

[2] Residents may also receive other benefits apart from Income Support, eg., state pension.

Source of data: Department of Social Security Income Support Statistics Quarterly Enquiry, May 1994.

[3] As at 31 March 1994.

Source: Department of Health statistical returns RAC5 and SR1.

[4] Sources of financial support are not mutually exclusive. Residents may receive financial support from a number of different sources, including both income support and local authority support, as well as using their own resources.

Hospital Discharge

Mr. Whittingdale: To ask the Secretary of State for Health what estimate she has made of the number of beds blocked as a result of hospitals being unable to discharge patients due to the lack of appropriate arrangements being made by social services departments for their care in the community. [29711]

Mr. Bowis: The information is not available in the form requested. The results of a survey of hospital discharge were published in "Community Care Monitoring Report 1994" copies of which are available in the Library.

Dental Services

Mr. Sheerman: To ask the Secretary of State for Health how many patients have been treated by dentists *(a)* within the national health service and *(b)* privately each year since 1979. [29641]

Mr. Malone: National health service dental treatment may be provided by the general dental service, the community dental service or the hospital dental service. Information on the general dental service and the community dental service is shown in table 1. For the general dental service, information is available centrally only about the number of courses of treatment administered to patients, rather than the number of patients treated. Since October 1990, the majority of treatments for children have been carried out under a capitation scheme. Therefore, since 1989–90 the number of courses of treatment recorded for children represents only a partial picture of the number of children receiving treatment.

For the hospital dental service, the information available is for episodes completed and first referrals, rather than the number of patients treated. The information is shown in table 2.

Information on private treatments is not available centrally.

Table 1
The General and Community Dental Services
General Dental Services (GDS):
Number of courses of treatment for adults and children;
Community Dental Services (CDS):
Number of patients treated—1979 to 1994–95 England

Year	GDS Adults	CDS Children	All patients
1979	17,351,250	9,813,360	1,359,000
1980	18,599,830	10,013,790	1,381,000
1981	18,975,130	10,060,060	1,357,000
1982	19,724,540	10,201,760	1,345,000
1983	20,316,210	10,189,260	1,224,477
1984	20,864,560	10,106,270	1,226,328
1985	21,338,100	10,048,010	1,212,738
1986–87	21,961,680	10,141,430	1,193,528
1987–88	22,394,600	10,024,360	1,155,856
1988–89	24,026,520	10,231,320	1,072,247
1989–90	22,809,160	[1]9,936,960	993,533
1990–91	22,558,739	[1]7,987,146	924,455
1991–92	24,273,099	[1]3,098,815	941,831
1992–93	25,141,300	[1]2,805,865	943,389
1993–94	24,847,648	[1]2,863,912	908,820
1994–95	24,913,096	[1]3,053,036	n/a

[1] Excludes GDS courses of treatment for children paid for under the capitation scheme. GDS courses of treatment are recorded in the year in which they were completed.

Note:

Figures for the CDS for years 1979 to 1982 are quoted to the nearest thousand.

Table 2
The Hospital Dental Service
Episodes in dental specialties in NHS hospitals
England, 1979 to 1993–94

Year	Ordinary admissions	Day cases	New referrals to out-patients
1979	69,497	22,980	534,642
1980	78,502	25,070	551,663
1981	82,046	26,164	562,352
1982	75,694	24,078	580,454
1983	88,301	27,628	591,421
1984	90,915	30,849	616,644
1985	91,509	33,812	614,962
1986	93,225	37,563	594,575
1987–88	101,995	n/a	536,340
1988–89	99,702	41,481	518,709
1989–90	99,509	48,740	548,663
1990–91	96,668	56,596	527,708
1991–92	96,341	81,954	552,194
1992–93	92,449	92,333	585,240
1993–94	85,577	102,590	579,888

Notes:

1. Dental specialties included: Oral surgery, Restorative dentistry, Paediatric dentistry from 1984, Orthodontics, GP Dentistry to 1981, Dental medicine specialties from 1990–91. Specialties before 1982 may not be directly comparable with specialties from 1982.
2. Ordinary admissions are counted on completion of the episodes. Completion represents Discharges and Deaths to 1987–88, Finished Consultant Episodes from 1988–89.

Source:

Department of Health returns SH3, KP70, KH09.

Milk Consumption

Mr. Barry Field: To ask the Secretary of State for Health what studies have been carried out by her Department on the effect on the health of the population of the level of milk consumption. [29616]

Mr. Sackville: No studies have been carried out by the Department of Health on the effect of the level of milk consumption on the health of the population in general.

Community Care

Mr. Alan Howarth: To ask the Secretary of State for Health what is the value of the independent living transfer element of the community care transfer funding for 1996–97 and future years *(a)* in total and *(b)* for each local authority; how it will be identified; and what plans he has to make new arrangements relating to it. [29769]

Mr. Bowis: Final decisions on these matters have yet to be taken. I shall be consulting the local authority associations later this year.

Diet

Mr. Barry Field: To ask the Secretary of State for Health what advice she gives to the public on the importance of milk and cheese to a balanced diet. [29591]

Mr. Sackville: The Department of Health's nutrition task force, in conjunction with the Health Education Authority and the Ministry of Agriculture, Fisheries and Food, published the "National Food Guide, The Balance of Good Health", in July 1994. This shows that milk and dairy foods can make an important contribution to a balanced diet. It advises people to choose lower fat versions whenever they can. Copies of the "National Food Guide" will be placed in the Library.

Foetuses

Mr. Patten: To ask the Secretary of State for Health, pursuant to her answer of 21 April, *Official Report*, column *310*, what plans she has for new research following that completed for the Department in 1988 by Dr. Maria Fitzgerald into whether foetuses feel pain while being aborted. [30021]

Mr. Sackville: The Department recently asked Dr. Maria Fitzgerald to update her original report. A copy of her second report entitled "Foetal Pain: an update of current scientific knowledge" will be placed in the Library.

Consultants

Mrs. Beckett: To ask the Secretary of State for Health what was the number of consultants in whole-time equivalents in each of the last five years. [30425]

Mr. Malone: The information is shown in the table.

Hospital medical consultants:
Whole-time equivalents England at 30 September each year

Year	Consultants
1989	13,670
1990	14,190
1991	14,500
1992	14,850
1993	15,210

Note: All figures rounded to the nearest 10.

Mrs. Beckett: To ask the Secretary of State for Health what was the average number of hours worked by consultants in any available year in each of the last 10 years. [30427]

Mr. Malone: This information is not routinely collected by the Department. However, data are available from surveys carried out by the Office of Manpower Economics in 1989—the results were published in the 20th (1990) report of the Doctors and Dentists Review Body—and by the Monopolies and Mergers Commission, published in 1994.

The OME gave average weekly hours spent on all national health service activities including emergency recall in 1989 as:

Contract type	*Hours*
Whole time	49.4
Maximum part-time (MPT)	47.7
Other part-time	36.3
Honorary	54.4
Whole time and MPT	48.6

The MMC estimated that mean weekly hours spent by consultants on NHS and private practice work in 1992 were as follows:

Contract type	*NHS hours*	*Private practice hours*
Whole time	53	6
Maximum part-time	51	11
Less than maximum part-time	45	16

Consultants on whole-time and maximum part-time contracts are required to devote substantially the whole of their professional time to NHS work. Maximum part-time consultants forgo one eleventh of their salary in return for no limit on private practice earnings.

Mrs. Beckett: To ask the Secretary of State for Health what information she has on the proportion of time spent by consultants on administration in the last 10 years. [30252]

Mr. Malone: This information is not available centrally.

NHS Trusts

Mr. Redmond: To ask the Secretary of State for Health if candidates for management posts at national health service trusts are obliged to declare personal connections to trust chairmen; and if chairmen are required to make declarations in such circumstances. [28326]

Mr. Malone: All board members are required to subscribe to the code of conduct for national health service boards, which makes it clear that chairman and board members should act impartially and should not be influenced by social or business relationships when acting on behalf of the trust. When recruiting for management posts, trusts should take appropriate steps to ensure that potential conflicts of interest are identified and dealt with in line with the code.

Appetite Suppressants

Mr. Flynn: To ask the Secretary of State for Health what evidence she has of side effects and addiction caused by appetite suppressant drugs. [29307]

Mr. Sackville: There are currently five drug substances licensed for use as appetite suppressants—dexfenfluramine, diethylproprion, fenfluramine, mazindol, and phenteramine. All these medicines have a stimulatory effect on the nervous system and it is recognised that long-term use may lead to dependence. Appetite suppressants are only indicated for short-term use, limited to a maximum of three to six months. The numbers of adverse drug reactions reported through the yellow card scheme for these medicines are shown in the table. A report of a suspected adverse reaction does not necessarily mean that it was caused by the drug. The larger number of reactions with dexfenfluramine and fenfluramine reflects their wider usage and the five drugs cannot be compared directly using these figures.

Other than dependence, recognised adverse reactions to appetite suppressants include systematic and pulmonary hypertension, insomnia, agitation, depression, psychosis, diarrhoea, headache and rash. These effects are included in the product information on these medicines provided to doctors.

Adverse reactions reported to the Medicines Control Agency for appetite suppressants

Drug	*Total number of reactions*	*Number of reactions indication dependence*
Dexfenfluramine	1,518	12
Diethylpropion	350	35
Fenfluramine	1,071	30
Mazindol	410	0
Phenteramine	202	3

Backlog Maintenance

Ms Jowell: To ask the Secretary of State for Health what were the estimates of capital expenditure required for backlog maintenance for each region for each year since 1991; and what was the value of the actual backlog maintenance programme for each year since 1991 in each region. [29533]

Mr. Sackville: The available information is shown in the table.

Both capital and revenue expenditure may be used to meet backlog maintenance costs. Expenditure figures for this purpose are not separately identified.

The figures in the table indicate the estimated cost at the end of each financial year for clearing repairs and bringing the estate up to a satisfactory condition. From 1991–92 they include an additional element for meeting statutory and safety standards arising from the removal of Crown immunity to the national health service.

Backlog maintenance estimates by region
1990–91

£ thousands

Region	*1990–91*	*1991–92*	*1992–93*
Northern	97,109	138,672	142,129
Yorkshire	98,988	[1]—	125,987
Trent	102,170	120,375	119,383
East Anglia	66,156	[1]—	83,462
Oxford	81,961	[1]—	89,925
North West Thames	70,934	[1]—	84,049
North East Thames	300,500	329,303	331,467

Backlog maintenance estimates by region 1990–91

£ thousands

Region	*1990–91*	*1991–92*	*1992–93*
South East Thames	108,939	240,789	264,256
South West Thames	150,222	178,099	176,176
Wessex	107,539	86,088	111,461
South Western	112,878	153,415	123,605
West Midlands	280,554	320,737	307,229
Mersey	50,148	46,553	64,310
North Western	104,911	126,373	144,011

[1]—Incomplete information available.

Backlog maintenance estimates by region 1993–94

£ thousands

Region	*1993–94*
Northern and Yorkshire	321,103
Trent	132,983
Anglia and Oxford	243,135
North Thames	503,381
South Thames	378,527
South and West	230,419
West Midlands	382,500
North West	198,950

Capital Revenue Expenditure

Ms Jowell: To ask the Secretary of State for Health what were the outturn figures for each regional health authority of the capital and revenue expenditure for 1994–95; and what were the revenue and capital allocations for each region for 1994–95. [29534]

Mr. Sackville: The 1994–95 total revenue and capital cash limits for regions are shown in the table. The split between revenue and capital will not be known until figures for permitted virement between capital and revenue have been reported by regions. On the basis of total cash drawings, outturn for all regions is expected to equal cash limits. Final figures on attribution between revenue and capital cash limits and outturn will be available at the end of July.

£ thousands

RHA	*1994–95 cash limit capital and revenue*
Northern and Yorkshire	3,267,340
Trent	2,273,848
Anglia and Oxford	2,270,829
North Thames	3,779,078
South Thames	3,472,138
South and West	3,043,381
West Midlands	2,469,805
North West	3,296,326
Total	23,872,745

Notes:

1. Figures are provisional.
2. Analysis between revenue and capital will not be available until all authorities have completed their annual accounts for 1994–95.

Mental Health Act 1983

Ms Coffey: To ask the Secretary of State for Health how many people were admitted under the Mental Health Act 1983 as a percentage of total admissions for the last five years for which figures are available, broken down into health authorities. [29905]

Mr. Bowis: Information on the number of patients is not available centrally as some patients may be admitted more than once. Information on the number of formal admissions under the Mental Health Act 1983 and other legislation as a percentage of total admissions in the psychiatric specialities by region of treatment is shown in the table. Comparable data are not available for the special health authorities.

Formal admissions under the Mental Health Act 1983 and other legislation as a percentage of total admissions in the psychiatric specialties

	1988–89	*1989–90*	*1990–91*	*1991–92*	*1992–93*
England	7.3	7.3	7.9	8.7	8.1
Northern	4.8	5.2	5.4	6.2	6.0
Yorkshire	6.2	6.4	9.1	11.9	6.8
Trent	7.0	7.7	6.0	5.8	5.1
East Anglian	7.9	8.3	8.0	8.7	7.9
North West Thames	11.1	10.7	15.1	18.0	17.1
North East Thames	8.2	8.2	9.6	16.4	13.7
South East Thames	5.6	7.0	7.9	9.9	10.2
South West Thames	16.2	12.5	13.0	18.0	9.2
Wessex	5.7	5.4	4.8	4.0	5.2
Oxford	5.4	6.8	8.2	7.7	9.3
South Western	5.5	6.6	7.2	6.5	6.7
West Midlands	6.2	6.0	5.0	5.2	6.2
Mersey	7.0	6.1	8.0	6.8	7.0
North Western	7.9	7.5	7.3	7.0	6.2

Staff Grades and Associate Specialists

Mrs. Beckett: To ask the Secretary of State for Health what were the total numbers of staff grade and associate specialist grade doctors in each of the last five years; and what percentage in each of those years were women. [30251]

Mr. Malone: The information is shown in the table.

Hospital medical associate specialists and staff grades in England as at 30 September each year

Numbers

	1989	*1990*	*1991*	*1992*	*1993*
Associate specialists	790	880	880	900	970
Percentage who were women	41	38	38	36	35
Staff grades	30	270	490	740	1,110
Percentage who were women	24	31	31	27	38

Notes:

1. Data are rounded to the nearest 10.
2. Data relates to hospital medical staff.

Source:

Statistical Bulletin Hospital, Public Health Medicine and Community Health Service Medical and Dental Staff in England 1983 to 1993.

Bull Bars

Mrs Beckett: To ask the Secretary of State for Health if she will make a statement on the number of child and adult deaths caused each year by bull bars on vehicles. [30253]

Mr. Sackville: This information is not available centrally.

Assaults

Mrs Beckett: To ask the Secretary of State for Health if she will make a statement on trends in assaults in casualty departments in the last five years. [30295]

Mr. Sackville: Information on assaults in casualty departments is not available centrally.

Mrs. Beckett: To ask the Secretary of State for Health how many assaults have taken place on NHS premises in each of the last five years; and how many have taken place in casualty departments. [30296]

Mr. Sakville: This is a matter for local management and information is not available centrally.

Casualty Departments

Mrs. Beckett: To ask the Secretary of State for Health what percentage of casualty departments have a designated area for the assessment of patients with psychiatric problems and specialist personnel to do this assessment. [30294]

Mr. Sackville: The information is not available centrally.

Medical Students and Consultants

Mrs. Beckett: To ask the Secretary of State for Health what percentage of *(a)* medical students and *(b)* consultants were women in each of the last five years. [30250]

Mr. Malone: The table shows the percentage of women medical students and consultants in the years 1989 to 1993 in England. We do not yet have figures for women medical students and consultants for 1994.

Numbers	*1989*	*1990*	*1991*	*1992*	*1993*
Student	1,467	1,544	1,576	1,721	1,720
Per cent.	47	49	49	53	51
Consultant	2,256	2,418	2,540	2,688	2,837
Per cent.	15	16	16	17	17

Note:
The figures for medical students are taken for academic years starting in the year shown. Consultant figures are as at 30 September.

Junior Doctors' Hours

Mrs. Beckett: To ask the Secretary of State for Health what plans she has to issue guidance on the minimum amount of sleep a junior doctor should have in a 24-hour period and in one week. [30254]

Mr. Malone: None.

We continue to make significant progress through the new deal on junior doctors' hours, copies of which are available in the Library, to reduce both contracted and actual hours of work.

The priority new deal target this year is to see that no junior doctor works more than 56 hours a week on average during their contracted duty period. Ensuring that juniors benefit from adequate rest periods means that this target can more easily be met.

Childhood Psychosis (Schools)

Mrs. Golding: To ask the Secretary of State for Health what steps she is taking to ensure that local education authorities provide sufficient appropriate special school places for children who suffer from autism and other forms of early childhood psychosis. [29085]

Mr. Forth: I have been asked to reply.

The assessment of children with autism and early childhood psychosis and the identification of a suitable school for them is the responsibility of the local education authority in whose area they live. The appropriate school for such children will not always be a special school. It may be a mainstream school or in a specialist unit attached to a mainstream school.

Passive Smoking

Mr. Sheerman: To ask the Secretary of State for Health what steps she is taking to protect workers and customers in the tourism and leisure industry from the effects of passive smoking. [29647]

Mr. Oppenheim: I have been asked to reply.

The Government's view is that passive smoking can best be addressed by voluntary means. To this end, the Health and Safety Executive has issued guidance to employers calling on them to adopt smoking policies to protect workers from the effects of environmental tobacco smoke. The Department of the Environment has issued a code of practice for owners and managers of public places.

ENVIRONMENT

Offshore Installations

Mr. Foulkes: To ask the Secretary of State for the Environment what is his Department's policy on the abandonment of offshore oil and gas installations; how many representations he has received on the subject; and if he will make a statement. [28989]

Mr. Atkins: The Government's policy on the abandonment of offshore oil and gas installations is that the operators responsible should establish the best practicable environmental option in the light of a detailed case-by-case examination, thus complying with the United Kingdom's international commitments. My Department has received a few dozen representations, mainly about an individual case.

Nuclear Waste

Mr. Sheerman: To ask the Secretary of State for the Environment what steps he is taking to ensure that all nuclear waste imported into the United Kingdom for recycling is safely transported and stored. [29640]

Mr. Atkins: The transport of radioactive materials is a matter for my right hon. Friend the Secretary of State for Transport; the storage of radioactive materials on nuclear licensed sites is a matter for the Health and Safety Executive.

Sonic Repellents

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what measures exist to ensure that companies test sonic repellents to determine the physiological and wider effects of their devices on marine wildlife before they are put into commercial operation.

Mr. Atkins: I am not aware of any evidence to suggest that such devices in use represent a threat to marine wildlife. The Department, jointly, with the Ministry of Agriculture, Fisheries and Food, is sponsoring Loughborough university to carry out research into acoustic position fixing devices, and the use of passive deterrents, on fishing nets, aimed at reducing cetacean fatalities through bycatches.

Rents

Mr. Cunningham: To ask the Secretary of State for the Environment what studies he has commissioned or evaluated in respect of possible regulation of private rents. [29604]

Mr. Curry: None.

Mr. Cunningham: To ask the Secretary of State for the Environment what estimate his Department has of the average current market rent for *(a)* a bedsit, *(b)* a studio flat, *(c)* a two bedroom flat and *(d)* a four bedroom home in (i) the country as a whole and (ii) each region. [29605]

Mr. Curry: The most recent available information on estimated average market rents in England for 1993–94, is as follows:

	£ a week
Bedsit	40
Studio flat	67
Two bedroom flat	88

The estimates are from the survey of English housing 1993–94. Like all estimates from household surveys they are subject to sampling error. The sample is not large enough to provide a regional breakdown and the sample of four bedroom properties with market rents is too small to provide a reliable estimate for England.

Mr. Cunningham: To ask the Secretary of State for the Environment if he will list the bodies that have sent representations to him asking for private rent levels to be regulated. [29603]

Mr. Curry: None.

Architects (Registration) Acts

Mr. Maclennan: To ask the Secretary of State for the Environment when he will introduce legislation to amend the Architects (Registration) Acts 1931 to 1969; and if he will make a statement. [29970]

Mr. Robert B. Jones: The need for reform of this legislation is accepted. We are seeking an early legislative opportunity bearing in mind other pressures on the programme.

Local Government Finance

Mr. Pickthall: To ask the Secretary of State for the Environment if he will list by shire county the amounts of county fund revenue reserves each is budgeting to hold at the end of 1995–96 excluding estimated balances held by schools under local management of schools; and what percentage this represents of the budget requirements for 1995–96. [26855]

Mr. Robert B. Jones *[holding answer 6 June 1995]:* The following estimates of the level of reserves at 31 March 1996, excluding schools balances, are calculated from authorities' planned use of reserves in their budgets for 1995–96 as reported on their revenue account return. These reserves include amounts, which may be significant in some cases, which may be earmarked for specific purposes and thus not be available to the council for general use. Further information, including estimates of the split between earmarked and unallocated reserves at the beginning of 1995–96, is currently being collected by my Department via an ad-hoc survey of revenue reserves, but the following figures do not incorporate any amendments which may be made as a result of that survey.

Non-LMS budgeted level of reserves at 31 March 1996

	Reserves [1] £000s	*Percentage of budget requirement [2]*
Avon	6,367	1.1
Bedfordshire	6,303	1.8
Berkshire	8,999	2.0
Buckinghamshire	26,013	6.6
Cambridgeshire	29,000	7.6
Cheshire	21,574	3.7
Cleveland	3,940	1.0
Cornwall	13,573	4.8
Cumbria	9,683	3.2
Derbyshire	0	0.0
Devon	9,150	1.5
Dorset	8,112	2.3
Durham	7,141	2.0
East Sussex	15,521	3.7
Essex	33,750	3.7
Gloucestershire	979	0.3
Hampshire	15,930	1.8
Hereford and Worcester	5,571	1.5
Hertfordshire	27,187	4.5
Humberside	4,260	0.8
Isle of Wight U. A.	4,724	5.1
Kent	15,200	1.6
Lancashire	9,223	1.0
Leicestershire	7,660	1.4
Lincolnshire	15,947	4.6
Norfolk	6,945	1.6
Northamptonshire	11,226	3.2
Northumberland	4,325	2.2
North Yorkshire	9,777	2.5
Nottinghamshire	3,803	0.6
Oxfordshire	6,521	2.1
Shropshire	3,479	1.4
Somerset	20,620	7.8
Staffordshire	36,310	6.2
Suffolk	2,631	0.7
Surrey	46,217	8.5
Warwickshire	12,479	4.6
West Sussex	3,322	0.8
Wiltshire	4,117	1.3

[1] Revenue Account (RA96) return. Level of reserves at 31 March 1996 = Estimated general fund reserves at beginning of financial year 1995–96 (excluding schools) + Appropriations to/from financial reserves in respect of the repayment of internal charges for the use of assets + Other appropriations to/from financial reserves.

[2] Column 1 as a percentage of budget requirement, taken from the Revenue Account (RA96) return.

Council Tax

Mr. Foulkes: To ask the Secretary of State for the Environment what action he proposes following the High Court decision by Mr. Justice Ognall on the appeal by the Inland Revenue on the separate valuation for council tax purposes of annexes set aside in houses for elderly relatives; and if he will make a statement. [30022]

Mr. Curry: We will study the full text of the judgment as soon as it is available, in order to decide what action may be necessary. Our current understanding is that it affects only a small number of cases where there is an unresolved dispute as to whether a property contains one dwelling or more than one dwelling for council tax purposes.

The ruling, as we understand it pending full examination of the transcript, does not mean that thousands of families caring for elderly relatives are likely to face additional back dated council tax bills. The High Court has not said that either granny annexs generally or the particular granny annexs which were the subject of these cases are liable to separate council tax. They have merely said that the valuation tribunals concerned took irrelevant factors into account in taking their decisions. They have remitted the cases to the tribunals for reconsideration.

The Government do not believe, and the judgment does not appear to suggest, that families should be financially penalised for sharing their home with an elderly relative or relatives.

Local Government Commission

Sir John Hannam: To ask the Secretary of State for the Environment for which districts he will direct the Local Government Commission to carry out new reviews, and if he will make a statement. [30933]

Mr. Gummer: In my statements of 2 and 21 March I said that I would be directing a newly constituted commission to carry out new structure reviews of a small number of individual districts.

I named 20 districts which I had in mind to refer to the commission. I said that nine of these would definitely be referred; for the remaining 11 we would hold meetings with the district councils and their county councils before coming to a view. That programme of meetings is now complete. I have considered all the arguments and decided that all 20 districts should be referred to the Commission for new reviews. They are: Basildon, Blackburn, Blackpool, Broxtowe, Dartford, Exeter, Gedling, Gillingham, Gloucester, Gravesham, Halton, Huntingdonshire, Northampton, Norwich, Peterborough, Rochester upon Medway, Rushcliffe, Thurrock, Warrington, and the Wrekin.

I also said that, while I would consider requests from other districts to be reviewed, it was very unlikely that I should want to add significantly to the number of referrals to the commission. I have carefully considered all the requests which I have received, and in the light of those representations I have concluded that the district of Spelthorne in Surrey should be added to the list of reviews. Spelthorne is in many ways similar to the Berkshire districts which are to be given unitary status, and the proximity of Heathrow airport creates unusual and specific problems for the authority. Against that background I judge that the district's case for unitary status deserves to be considered.

We have concluded that in these cases the arguments are substantial enough to warrant further consideration. It will be for the commission to recommend whether or not it should have unitary status. It will then be for me to accept, modify or reject the proposals and Parliament ultimately to decide. I have not been convinced by the representations from other districts and have therefore concluded that no others should be referred to the commission for review.

The commission will be directed to carry out these reviews with effect from the beginning of July. All of them will be carried out under new guidance to the commission. We have consulted on a draft and I shall publish the final version in the next few days, in time for the commission to start work promptly.

I have also considered further the case of Rutland, in particular the implications for costs and service delivery, following my statement of 21 March. Rutland has a very clear sense of local identity and I am now satisfied that a unitary authority in Rutland would best reflect the identities and interests of the local community and secure effective and convenient local government. I have therefore decided to accept the commission's recommendation for Rutland to be given unitary status. We shall be consulting in due course on a draft order to give effect to that decision.

AGRICULTURE, FISHERIES AND FOOD

Offshore Installations

Mr. Foulkes: To ask the Minister of Agriculture, Fisheries and Food what estimate his Department has made of the effect on fishing opportunities of the abandonment of offshore oil and gas installations. [28985]

Mr. Jack: My Department is contributing to an interdepartmental review of offshore abandonment policy. The committee charged with this work has prepared a consultative document, "Guidance Notes for Industry", setting out the Government's policy and procedures on offshore abandonment and this has been sent to fishermen's organisations and other interested bodies to seek their views. Copies have been placed in the Library of the House.

Brent Spar

Ms Ruddock: To ask the Minister of Agriculture, Fisheries and Food what consideration he has given to a memorandum by W. McMinn of his Department's fisheries laboratory for Dr. John Campbell, dated 6 December 1993, dealing with the contents of the Brent Spar storage unit. [30245]

Mr. Jack: The memorandum prepared by fisheries scientists does not require further consideration in the context of deep sea disposal as the remarks made related to the removal of sludge and ballast water for disposal in coastal waters.

Veterinary Products

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what veterinary products containing organophosphorous compounds have been licensed for use in sheep dipping since 1972; and if he will give their proprietary name, the manufacturing company, the exact ingredients and the date of licence in each case. [29733]

Mrs. Browning *[holding answer 20 June 1995]:* According to our records, the information requested is as set out in the table:

Date licence issued	*Date licence expired*	*Product name*	*Alternative presentation*	*Manufacturing company (licence holder)*	*Active ingredient*
1 September 1972	—	Neocidol Winter Dip	Paracide Fly and Scab Dip (when sold by Battle Hayward and Bower)	CIBA Agriculture	Diazinon
1 September 1972	21 November 1989	Fisons Sheep Dip	None	Fisons Plc	Diazinon
1 September 1972	31 August 1989	Youngs Carbonphenothion Powder Fly Dip	None	Robert Young and Co. Ltd.	Carbophenothion
1 September 1972	31 August 1989	Youngs Sovereign Fluid Dip	None	Robert Young and Co. Ltd.	Carbophenothion
1 September 1972	31 August 1989	Youngs Jason Green Label Liquid Dip	None	Robert Young and Co. Ltd.	Carbophenothion
1 September 1972	8 October 1990	Youngs Mycotic Dip	None	Robert Young and Co. Ltd.	Iodofenphos
1 September 1972	30 June 1987	Battles Improved Fluid Dip	None	Battle Hayward and Bower Ltd.	Chlorfenvinphos
1 September 1972	31 August 1989	Youngs Defly Liquid Dip	None	Robert Young and Co. Ltd.	Carbophenothion
20 November 1972	20 November 1987	Youngs 200 Liquid Tick Dip	None	Robert Young and Co. Ltd.	Chlorpyrifos
20 February 1973	16 November 1987	Supona Sheep Dip	None	Shell Chemical UK Ltd.	Chlorfenvinphos
16 May 1973	21 November 1989	Youngs Killtick Liquid Tick Dip	None	Robert Young and Co. Ltd.	Chlorpyrifos
16 May 1973	16 May 1988	Youngs Powder Fly Dip	Youngs Summer Mycotic Dip	Robert Young and Co. Ltd.	Bromophos
13 February 1975	15 March 1991	Asuntol Sheep Dip	None	Bayer UK Ltd.	Coumaphos
24 October 1975	21 November 1989	Battles Op Fluid Dip	None	Battle Hayward and Bower Ltd.	Chlorfenvinphos
9 July 1976	9 July 1986	Youngs Dursban Winter Dip	None	Robert Young and Co. Ltd.	Chlorpyrifos
18 February 1977	21 November 1989	Youngs Iodophefos Scab Approved Winter Dip	None	Robert Young and Co. Ltd.	Iodofenphhos
24 January 1979	21 January 1989	Battle Improved Organophosphorus Fluid Dip	None	Battle Hayward and Bower Ltd.	Chlorfenvinphos
28 February 1979	31 March 1993	Osmonds Viper Dip	None	Osmond and Son (Dublin) Ltd.	Chlorfenvinphos
19 October 1979	21 November 1989	Viper Winter Dip	None	Ace Chemicals Ltd.	Chlorfenvinphos
1 September 1980	8 July 1989	Youngs Scab Approved Diazinon Winter Dip	None	Robert Young and Co. Ltd.	Diazinon
6 November 1980	6 November 1990	Youngs Summer Dip	None	Robert Young and Co. Ltd.	Propetamphos
6 November 1980	—	Youngs Biotic Sheep Dip	None	Robert Young and Co. Ltd.	Propetamphos
24 June 1981	21 November 1989	Farmers Fly and Tick Dip	Viper Supona Fly and Tick Dip	Ace Chemical Ltd.	Chlorfenvinphos
11 January 1984	17 September 1991	Prodip	None	Hoechst UK Ltd.	Propetamphos
11 January 1984	—	Ectomort Centenary	None	Robert Young and Co. Ltd.	Propetamphos
26 January 1984	30 November 1990	Ovidip R Scab Approved Sheep Dip	None	Merck Sharp and Dohme Ltd.	Propetamphos
6 April 1984	6 April 1989	Rodgers No.10 Neu Fly and Tick Dip	None	Dexstar Chemicals Ltd.	Chlorpyrifos
24 January 1985	15 April 1994	Coopers Powerpack Summer Dip	None	Coopers Animal Health Ltd.	Chlorfenvinphos and Diazinon
31 January 1985	23 August 1990	Coopers Summer Dip 400	None	Coopers Animal Health Ltd.	Chlorfenvinphos
6 February 1985	14 April 1993	Coopers Winter Dip 200	None	Coopers Animal Health Ltd.	Diazinon
12 April 1985	—	Coopers Powerpack Winter Dip	None	Mallinckrodt Veterinary Ltd.	Diazinon
13 August 1985	—	Paracide Plus	Summer Fly Dip	Battle Hayward and Bower Ltd.	Diazinon
30 September 1985	31 March 1993	Youngs Scab Approved Jason Winter Dip	Coopers Winter Dip (with Phenols) (when sold by Coopers Animal Health)Robert Young and Co. Ltd.Propetamphos		
12 March 1986	12 March 1991	Coopers Dismaster Dip Scab Approved	None	Coopers Animal Health Ltd.	Chlorfenvinphos Diazinon
2 July 1986	31 March 1993	Coopers Border Winter Dip Scab Approved	None	Coopers Animal Health Ltd.	Propteamphos

Date licence issued	Date licence expired	Product name	Alternative presentation	Manufacturing company (licence holder)	Active ingredient
1 October 1986	—	Osmonds Gold Fleece Sheep Dip	Golden Fleece Sheep Dip (when sold by Bimeda UK Ltd.) Deosan Diazinon Sheep Dip (when sold by Divesey Ltd.) Downland Scab Approved Fly Dip (when sold by Osmond and Son (Dublin) Ltd.)	Osmond and Son (Dublin) Ltd.	Diazinon
31 October 1988	1 April 1993	Osmonds Northern Fly Dip	None	Osmond and Son (Dublin) Ltd.	Chlorfenvinphos
24 February 1988	—	Diazadip All Seasons Sheep Dip	None	Bayer Plc	Diazinon
26 October 1988	—	Flyte 1250	Seraphos Scab Approved Sold by Crown Veterinary Pharmaceuticals Downland Seraphos Scab Approved (when sold by Downland Marketing Ltd.)Robert Young and Co. Ltd.Propetamphos		
29 April 1994	—	Coopers All Seasons Fly and Scab Dip	None	Mallinckrodt Veterinary Ltd.	Diazinon

NATIONAL HERITAGE

National Lottery

Mr. Hardy: To ask the Secretary of State for National Heritage (1) what is the average prize received by winners in *(a)* the national lottery and *(b)* the national lottery scratch card competition; [30028]

(2) on what date Camelot received income from the national lottery which completed recoupment of its initial investment; and on what date this had been expected when the contract was signed. [30027]

Mr. Dorrell: This is an operational matter for Camelot Group plc. I have therefore asked the director-general of the national lottery, who is responsible for regulating the operation of the Lottery, to write to the hon. Member, placing copies of his response in the Libraries of the House.

Advisory Council on Libraries

Mr. Berry: To ask the Secretary of State for National Heritage, what plans he has to revise the membership of the Advisory Council on Libraries following the local election results on 4 May. [30170]

Mr. Dorrell: None.

Film Industry

Mr. Barnes: To ask the Secretary of State for National Heritage what were the costs of the compilation, publication and distribution of his Department's publication on the British film industry. [29755]

Mr. Dorrell: The document was published as a Command Paper by HMSO, which has borne the printing and publishing costs with the aim of recovering these from sales revenue. My Department incurred additional production and distribution costs of approximately £14,150, including VAT.

Rugby

Mr. Lord: To ask the Secretary of State for National Heritage if he will make a statement on his Department's response to the third report of the National Heritage Select Committee's report on Rugby League and Rugby Union, HC (1994–95) 276. [29902]

Mr. Sproat: My Department responded to the National Heritage Select Committee's report on 31 May and I have today placed a copy of the response in the Library.

Library and Information Commission

Mr. Patrick Thompson: To ask the Secretary of State for National Heritage, pursuant to his answer of 31 January to the hon. Member for Bury St. Edmunds (Mr. Spring), *Official Report*, columns *617–18*, what appointments he has made to the new Library and Information Commission. [30934]

Mr. Dorrell: I am pleased to be able to announce the following appointments to the Library and Information Commission:

Douglas Adams—author

Mark Wood—Reuters

Dr. Sandra Ward—Glaxo

Sir Charles Chadwyck-Healey — chairman of Chadwyck-Healey Publishing

Rabbi Julia Neuberger—Camden and Islington community health service NHS trust

Professor Judith Elkin—head of University of Central England school of information studies

Councillor Eddy Arram—Croydon borough council

Dr. Brian Lang—chief executive, British Library

Derek Law—director of information services and systems, King's college London

Dr. George Chambers—formerly chairman of the Northern Ireland CBI

Dr. Robert McKee—director of libraries and arts, Solihull metropolitan borough council

Sir Peter Swinnerton-Dyer—chairman of the former LISC(E) and of the British Library's Advisory Committee on the research and development department.

I am confident that with the breadth and depth of experience this membership represents, the new commission is well equipped to deal with all the issues on which I originally anticipated it working.

Churchill Papers

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage if any person associated with the Winston Churchill memorial trust sought to interest him

or his predecessor in the possible purchase for the nation of the Churchill papers prior to the acquisition of the papers by the national heritage memorial fund. [29854]

Mr. Dorrell: Neither I nor my predecessor were ever approached with any specific proposal by the Churchill Archive settlement trust to purchase the papers direct.

Memorial Fund

Mr. Gordon Prentice: To ask the Secretary of State for national heritage what responsibility he has for ensuring that the national heritage memorial fund operates in such a way as to secure economy and value for money in relation to its acquisitions policy. [29654]

Mr. Dorrell: The primary responsibility for securing economy and value for money in the operations of the national heritage memorial fund lies with the trustees and the accounting officer of the fund. These responsibilities are established by way of a financial memorandum agreed between my Department and the fund and the directions I have issued to them in accordance with section 26(3) of the National Lottery etc. Act 1993 for securing the proper management and control of the money paid to them.

Mr. Prentice: To ask the Secretary of State for National Heritage if he will list the membership and terms of appointment of the national heritage memorial fund. [29656]

Mr. Dorrell: There are currently 14 trustees of the National Heritage memorial fund, each appointed for a term of three years from the dates indicated.

Trustee	*Appointment date*
Lord Rothschild (Chairman)	[1] 1 April 1995
Lord Crathorne	16 August 1992
Lord Macfarlane of Bearsden	[1] 18 September 1993
Professor Palmer Newbould	[1] 23 April 1994
Sir Martin Jacomb	[1] 29 July 1994
John Keegan Esq.	1 August 1994
Sir Martin Holdgate CB	25 April 1995
W. Lindsay Evans Esq.	[1] 23 April 1995
Cmdr Michael Saunders Watson DL	[1] 3 February 1993
Mrs. Catherine Porteous	[1] 6 February 1994
Sir Richard Carew Pole Bt DL	[1] 18 June 1994
Mrs. Caryl Hubbard CBE	1 August 1994
Sir Nicholas Goodison	[1] 16 August 1994
Mrs. Diane Nutting	[1] 20 November 1994

[1] Re-appointment.

Mr. Prentice: To ask the Secretary of State for National Heritage if he will make it his policy to require the national heritage memorial fund to take a second opinion on the valuation of acquisitions and for that valuation to be made available for public inspection. [29655]

Mr. Dorrell: The policy on the number of, and publicity relating to, valuations secured by the national heritage memorial fund is a matter for the trustees of the fund.

TRANSPORT

Rail Franchises

Ms Glenda Jackson: To ask the Secretary of State for Transport (1) what discussions he has had with the franchising director concerning the eligibility of Compagnie Generale Des Eaux to receive an invitation to tender for rail franchises, as defined by clause 26, subsection (3) of the Railways Act 1993; [30171]

(2) what guidance he has given to the franchising director regarding his duties as defined by clause 26, subsection (3) of the Railways Act 1993. [30172]

Mr. Watts: None.

Ms Jackson: To ask the Secretary of State for Transport as of 17 June how many companies, organisations or individuals have been refused an invitation to tender for private rail franchises for reasons of *(a)* an inappropriate financial position, *(b)* inappropriate managerial competence and *(c)* not being an appropriate person as defined by clause 26, subsection (3) of the Railways Act 1993. [30173]

Mr. Watts: This information is commercially confidential.

Rail Fares

Mr. Malcolm Bruce: To ask the Secretary of State for Transport what was the average change in rail fares between *(a)* 1965 and 1979 and *(b)* 1979 and 1995. [30248]

Mr. Watts: The information requested is not available for the period between 1965 and 1979. Based on a basket of over 2,000 fares, the average annual change in British Rail fares between 1971–72 and 1978–79 was 2.7 per cent. in real terms. Between 1978–79 and 1994–95, the average annual change was 1.9 per cent. in real terms.

"The Way Ahead"

Mr. Barnes: To ask the Secretary of State for Transport what were the costs of the compilation, publication and distribution of his Department's publication, "Transport: The Way Ahead". [29756]

Dr. Mawhinney: The costs of design, printing, compilation and distribution of "The Way Ahead" were £29,000.

Road Construction

Mr. Meacher: To ask the Secretary of State for Transport if he will list annual outturn and planned expenditure on new construction of roads in England, as defined in figure 22 of his Department's "Transport Report 1995", for the period 1979–80 to 1997–98 in *(a)* cash terms, *(b)* constant prices and *(c)* constant prices allowing for the introduction of value added tax on motorway and trunk road improvement contracts let after 1 April 1989. [29532]

Mr. Watts: The information requested regarding new construction outturn and expenditure in cash terms and constant prices is set out in the table.

The effect of VAT is more difficult to determine because:

complex transitional arrangements applied when VAT on construction contracts was introduced in 1989;

VAT does not apply uniformly to all costs; and

the Department's accounting records do not identify separately VAT that is not recoverable. To identify this would involve examining every contract and this could be done only at a disproportionate cost.

DoT expenditure on new construction of roads 1979–80 to 1988–89

	1979–80	*1980–81*	*1981–82*	*1982–83*	*1983–84*	*1984–85*	*1985–86*	*1986–87*	*1987–88*	*1988–89 Outturn*
Cash	338	404	446	524	511	564	568	548	607	707
Constant prices (1993–94)	829	838	845	925	863	907	866	810	853930	

DoT expenditure on new construction of roads 1989–90 to 1997–98

	1989–90 Outturn	*1990–91 Outturn*	*1991–92 Outturn*	*1992–93 Outturn*	*1993–94 Outturn*	*1994–95 Outturn*	*1995–96 plans*	*1996–97 plans*	*1997–98 plans*
Cash	912	1,269	1,276	1,309	1,344	1,314	1,090	1,027	980
Constant prices (1993–94)	1,122	1,445	1,367	1,349	1,344	1,288	1,035	951	888

The constant prices have been calculated on the latest available GDP deflator using 1993–94 as the baseline.

Contractors

Ms Glenda Jackson: To ask the Secretary of State for Transport if he will list those consultant, outside organisations and individuals employed by his Department in each year since 1990, the purposes of their employment and the total payments made to those contractors. [30177]

Mr. Norris: I will write to the hon. Member with details and place a copy of my letter in the Library.

Pollution Report

Mr. Wigley: To ask the Secretary of State for Transport when he expects the Government's response to the Royal Commission on environmental pollution report on transport to be published. [29491]

Mr. Norris: Decisions on the Government's response will be taken in the light of the national debate on transport policy initiated by the Secretary of State and outlined in "Transport: The Way ahead", published on 12 June.

Heathrow

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will make it his policy to resist any attempt by the European Commission to decide directly or indirectly how many aircraft may fly over west London on their way to Heathrow and at what times of day. [29446]

Mr. Norris: Yes.

Emergency Landings

Mr. Malcolm Bruce: To ask the Secretary of State for Transport if he will list by airport the number of emergency landings that have taken place in Scotland in the past five years. [30015]

Mr. Norris: This information is not held by the Department or by the Civil Aviation Authority.

Driving Tests (Impersonations)

Mr. Pawsey: To ask the Secretary of State for Transport how many driving tests took place in 1994–95; and what was the estimated number of impersonations that occurred. [30461]

Mr. Norris: The number of driving tests that took place in 1994–95 was 1,649,570. A total of 282 possible impersonations were queried. There were 33 convictions.

Departmental Scientists

Mr. Battle: To ask the Secretary of State for Transport how many scientists there are in his Department, listed by grade. [30218]

Mr. Norris: According to the Department's personnel information system, my Department, including executive agencies, had 338 staff in either a science grade or science discipline. A breakdown by grade is shown in the following table:

Grade title	*Staff*
Grade 4	1
Grade 5	4
Grade 6	17
Grade 7	65
Senior Professional and Technical Officer (London)	1
Senior Professional and Technology Officer	1
Senior Scientific Officer	73
Higher Executive Officer	1
Higher Scientific Officer	80
Higher scientific Officer (Development)	1
Professional and Technology Officer	1
Scientific Officer	67
Scientific Officer (London)	1
Assistant Scientific Officer	22
Sandwich Course Student	1
Technical Grade 1	1
Technical Grade 2	1
Total	338

Marchioness Disaster

Mr. Meacher: To ask the Secretary of State for Transport what considerations underlay the decision that there should be no public inquiry into the Marchioness disaster in the immediate aftermath of the disaster; and who was responsible for this decision. [29319]

Mr. Norris: The power to order a formal investigation into a maritime casualty rests with the Secretary of State for Transport. Following the loss of the Marchioness, Transport Ministers of the day decided that the use of the new powers available under the Merchant Shipping Act 1988 were the most appropriate way of establishing the cause of the tragedy and of identifying what lessons could be learnt to avoid a recurrence. The chief inspector of marine accidents ordered an investigation of the incident,

the results of which were published as a Marine Accident Investigation Branch report, on 15 August 1991. The report's findings were subsequently endorsed by an inquest jury.

EDUCATION

Drug Education Programmes

Mr. Flynn: To ask the Secretary of State for Education what drug education programmes in *(a)* the United Kingdom or *(b)* elsewhere have resulted in a reduction in drug use. [29308]

Mr. Forth: There is some evidence from outside the United Kingdom that information can play a vital part in reducing demand for drugs. For example, research undertaken by the United States' National Institute on Drug Abuse published in 1991 showed that

"information, presented in a realistic and credible fashion, plays a vital part in reducing the demand for a drug".

The Government are clear that education has a key part to play in preventing drug misuse amongst the young. The Office for Standards in Education will undertake a specific study of provision for drug education in schools during the academic year 1995–96 to establish evidence on best practice.

Directors of Education

Mr. Barry: To ask the Secretary of State for Education, pursuant to her answer of 17 May, *Official Report*, column *240*, how many directors of education there will be in Berkshire following the reorganisation of the county. [31074]

Mr. Forth: Director of education is a title that some authorities give to their chief advisers on educational issues: chief education officer is another. I therefore refer the hon. Member to the reply that my hon. Friend gave to him on 17 May, *Official Report*, column *240*.

Access Funds

Mr. Nigel Evans: To ask the Secretary of State what resources will be available for access funds for students in further and higher education institutions in England in 1995–96, and when he proposes to issue new guidance on the use of the funds.

Mr. Boswell: The Department is making available £27.733 million for access funds for students in further and higher education in England for 1995–96. This sum is being allocated between the two funding councils for England as follows:

	£ million
(i) Higher Education Funding Council for England	21.624
to be allocated as follows:	
Undergraduate fund	15.88
Postgraduate fund	5.40
Further Education fund	0.34
(ii) Further Education Funding Council for England	6.109
Total	27.733

The Department will be writing shortly to the two funding councils with guidance to be given to institutions about allocation and use of the funds for 1995–96.

Students

Mr. Sheerman: To ask the Secretary of State for Education what percentage of young people attending university come from homes in which parents earn less than the average industrial wage. [29639]

Mr. Boswell: This information is not held centrally.

ATTORNEY-GENERAL

Davie Inquiry

Mr. Malcolm Bruce: To ask the Attorney-General what was the total cost of the Davie inquiry of July 1994. [28933]

The Attorney-General: The direct costs attributable to the Davie inquiry totalled £18,335.

War Crimes Act

Mr. John Marshall: To ask the Attorney-General when he expects to announce decisions about prosecutions under the War Crimes Act 1991. [29259]

The Attorney-General: I refer the hon. Member to my reply to his earlier question on 22 May 1995, *Official Report*, column *451*.

SOCIAL SECURITY

Benefit Payment Card

Mr. Cohen: To ask the Secretary of State for Social Security if he will list the items of data to be held on the benefits card; and what is his estimate of the number of times per year the information on the card will be changed. [29762]

Mr. Arbuthnot: The design of the benefit payment card has not yet been decided.

It is not envisaged that the card itself will need to be changed other than by replacement due to damage, loss or expiry.

Home Visits

Mr. Miller: To ask the Secretary of State for Social Security, pursuant to his answer of 6 June, *Official Report*, column *114* what financial targets he has set for each benefit office to achieve as a result of home visits. [29908]

Mr. Roger Evans: No such targets are set.

Housing Benefit

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what funds are available for local authorities that consider the funding available under regulation 11 is insufficient to meet local needs. [29606]

Mr. Roger Evans: No additional funds are available. We believe the current funding arrangements for direct and indirect subsidy for local authorities' expenditure on cases exempt from rent restriction to be fair and reasonable. The arrangements ensure local authorities

have an incentive to make prudent decisions when considering rent restrictions.

Mr. Cunningham: To ask the Secretary of State for Social Security what advice he plans to issue to claimants and local authorities with special reference to Coventry city council in respect of private landlords charging rents above the current costs of a market rent in relation to the new housing benefit changes. [29598]

Mr. Evans: This Department will be publicising the proposed changes to the housing benefit scheme by means of a publicity campaign. The campaign will include a new leaflet aimed at the general public which will be available from post offices and local authorities. Local authorities have already received details of the proposals and will receive further detailed written guidance before the changes come into effect.

Child Support Agency

Sir Dudley Smith: To ask the Secretary of State for Social Security what consideration underlies the authority of the Child Support Agency to charge individuals an annual fee for the review of their cases when no review has been supplied; and if he will make a statement. [28281]

Mr. Burt: We accept that the Child Support Agency has not been able to provide an adequate level of service. Fees have, therefore, been suspended for two years until April 1997.

The assessment fee is not charged for specific actions on a child maintenance assessment; it covers the administration costs of servicing the assessment. For that reason we believe it right that those who use such a service should pay a fee rather than have the cost borne by taxpayers, as would have been the case if the courts and lawyers had been involved.

Income Support

Mr. Milburn: To ask the Secretary of State for Social Security how many people were claiming income support in Scotland, Wales and in each of the standard English regions; and how many partners and dependents they had in each of the last five years. [29328]

Mr. Roger Evans: The available information is set out in the tables:

Income support recipients by country: May 1990

Thousands

Country	*Number of claimants*	*Number of partners*	*Number of dependents*
England	3,451	577	1,793
Wales	248	44	133
Scotland	481	70	226
Total	4,180	691	2,151

Notes:

1. *Source*: Income Support Statistics Quarterly Enquiry May 1994, Income Support Statistics Annual Statistical Enquiry May 1990–May 1993.
2. Figures in the tables have ben rounded to the nearest thousand and as a result some of the figures may not tally.
3. Figures for the standard English regions are not available prior to May 1991.
4. Dependant include 16 to 18 year olds.

Income support recipients in England by standard statistical region: May 1991

English region	*Number of claimants (000s)*	*Number of partners (000s)*	*Number of dependents (000s)*
North	296	51	173
North West	632	99	358
Yorks and Humberside	421	74	252
East Midlands	278	52	151
West Midlands	431	81	256
East Anglia	126	23	55
South West	310	59	155
South East (ex London)	612	110	330
London (Inner and Outer)	637	99	380

Income Support recipients by country: May 1991

Country	*Number of claimants (000s)*	*Number of partners (000s)*	*Number of dependents (000s)*
England	3,743	647	2,110
Wales	257	46	138
Scotland	487	69	249
Total	4,487	763	2,497

Income support recipients in England by standard statistical region: May 1992

English region	*Number of claimants (000s)*	*Number of partners (000s)*	*Number of dependents (000s)*
North	318	55	183
North West	693	114	394
Yorks and Humberside	463	80	269
East Midlands	321	59	175
West Midlands	493	96	296
East Anglia	143	29	71
South West	353	67	185
South East (ex London)	706	138	402
London (Inner and Outer)	792	128	479

Income support recipients by country: May 1992

Country	*Number of claimants (000s)*	*Number of partners (000s)*	*Number of dependents (000s)*
England	4,282	766	2,454
Wales	287	52	157
Scotland	519	73	263
Total	5,088	891	2,874

Income support recipients in England by standard statistical region: May 1993

English region	*Number of claimants (000s)*	*Number of partners (000s)*	*Number of dependents (000s)*
North	349	63	192
North West	756	121	429
Yorks and Humberside	509	95	286
East Midlands	347	67	193
West Midlands	552	112	332
East Anglia	159	32	85
South West	404	78	207
South East (ex London)	810	161	470
London (Inner and Outer)	909	152	532

Income support recipients by country: May 1993

Country	Number of claimants (000s)	Number of partners (000s)	Number of dependents (000s)
England	4,795	882	2,725
Wales	305	56	173
Scotland	543	78	265
Total	5,643	1,016	3,163

Income support recipients in England by standard statistical region: May 1994

English region	Number of claimants (000s)	Number of partners (000s)	Number of dependents (000s)
North	353	63	195
North West	758	117	428
Yorks and Humberside	510	93	287
East Midlands	355	68	201
West Midlands	550	111	333
East Anglia	161	32	85
South West	399	73	204
South East (ex London)	801	152	462
London (Inner and Outer)	926	150	533

Income support recipients by country: May 1994

Country	Number of claimants (000s)	Number of partners (000s)	Number of dependents (000s)
England	4,812	858	2,748
Wales	312	56	175
Scotland	550	79	262
Total	5,675	992	3,185

Housing Benefit

Mr. Jim Cunningham: To ask the Secretary of State for Social Security if he will amend the proposed housing benefit changes to take into consideration the shortage of housing stock and reduced bargaining power of claimants in certain areas. [29599]

Mr. Evans: No. Where the tenant is unable to find alternative accommodation or negotiate a lower rent, the local authority will be able to use its discretion to pay above the restricted rent, or encourage the claimant to look for properties in adjoining localities. Furthermore, pre-tenancy determinations will help tenants to get a better indication of the likely rent that housing benefit will meet before they commit themselves to a tenancy.

Mr. Cunningham: To ask the Secretary of State for Social Security when he expects to make a decision to amend the housing benefit changes in respect of its effect on sheltered and supported housing. [29600]

Mr. Evans: My right hon. Friend the Secretary of State has recently received the report of the Social Security Advisory Committee following its public consultation on the proposed changes to housing benefit. We will consider carefully the position of sheltered and supported housing as part of our response to the report.

Mr. Cunningham: To ask the Secretary of State for Social Security if local authorities will be given the funding under the new housing benefit procedures to enable local authorities to use their discretion to respond to local needs to the same extent as currently occur under the regulation 11 payments. [29601]

Mr. Evans: The Government consider the level of funding for the new arrangements to be realistic. It will allow local authorities scope to help individual cases of exceptional hardship they consider to be most urgent. For claims made under the new arrangements, it is not expected that local authorities should continue to protect all those cases which would currently satisfy the criteria in regulations to have their rent met in full.

Mr. Cunningham: To ask the Secretary of State for Social Security what estimate he has made of administration costs resulting from the proposed housing benefit changes being implemented. [29602]

Mr. Evans: An estimate of the total administration costs has still to be completed.

TRADE AND INDUSTRY

Business Grants Advisory Group

Mr. Alton: To ask the President of the Board of Trade what representations he has received about the Liverpool-based Business Grants Advisory Group; what steps he will take, through business links and local authorities, to ensure that companies, and small business in particular, are aware that the information sold by the Business Grants Advisory Group is available free of charge from Government agencies; whether his Department will initiate inquires into this practice; and if he will make a statement. [29899]

Mr. Page: My right hon. Friend the President of the Board of Trade has received no representations about the Business Grants Advisory Group (Liverpool) Ltd.

The wide range of free or low-cost services to business offered by business links and local authorities is widely publicised, and includes advice on finding grants and soft funding. Private sector consultancies also offer this advice. The Department will always investigate well-founded complaints, but cannot interfere with legitimate business activity. Businesses are free to choose which advisory services they will use.

Government office for Merseyside has written to Liverpool city council and to all business links and chambers on Merseyside and in the north-west asking them to advise businesses of the availability of free advice on grants and funding through business links. The Association of British Chambers of Commerce has advised all chambers to remind their members that free advice in this field is readily available, and Merseyside chamber has done this.

Contractors

Mr. Battle: To ask the President of the Board of Trade how many Government-owned, contractor-managed, establishments are covered by his Department. [30212]

Mr. Heseltine: None.

Mr. Battle: To ask the President of the Board of Trade if he will list the contractors bidding for the scientific establishment which his Department has put out to tender. [30214]

Mr. Heseltine: Members of the two consortia currently bidding for the contract to provide research services to DTI at the National Physical Laboratory are:

(a) W. S. Atkins, SIRA and Scientific Generics

(b) Serco, AEA Technology and Loughborough University of Technology

Mr. Battle: To ask the President of the Board of Trade how long the management contracts are for Government-owned, contractor-managed establishments *(a)* in general and *(b)* for the National Physical Laboratory. [30213]

Mr. Heseltine: The duration of management contracts for Government-owned, contractor-operated establishments varies widely. The duration of the contract for provision of research services at the National Physical Laboratory is under discussion with the shortlisted bidders.

Mr. Battle: To ask the President of the Board of Trade how many contracts have been tendered for and won by *(a)* W. S. Atkins and *(b)* Serco since 1990. [30221]

Mr. Heseltine: My Department does not keep a central record of all contracts tendered for and awarded to individual companies. An exercise to establish how many contracts have been tendered for and won by W. S. Atkins and Serco since 1990 would incur disproportionate costs.

Military List

Mr. Cousins: To ask the President of the Board of Trade how many export licences were *(a)* applied for and *(b)* granted under the military list between 1986 and 1989. [29162]

Mr. Ian Taylor: The required information[1] is as follows:

	1986	*1987*	*1988*	*1989*
Applications received	16,847	17,590	15,697	14,601
Licences granted	[2]—	16,745	[3]16,005	13,584

Notes:

[1] The figures include all applications for licences for equipment classified under Group 1 of the Export of Goods (Control) Order. This includes all goods classified "ML", for 1989, it also includes goods classified "PL" in Group 1 of the Order.

[2] For 1986, separate figures were not kept for applications granted and refused. The provision of this information would incur disproportionate costs.

[3] The figures make it appear that more licences were issued in 1988 than the number of applications received. This is because the licensing process always carries over from year to the next. Hence some of the licences issued in one year will have been received in the previous year.

1. The corresponding figures for all export licences received (including those for the military goods listed above) for the period in question are:

1986: 89,705
1987: 97,842
1988: 92,280
1989: 75,952

Company Directors (Misconduct)

Mr. Harvey: To ask the President of the Board of Trade how many unfit conduct reports pursuant to the Company Directors Disqualification Act 1986 were submitted by official receivers and were rejected for not being evidentially strong enough in each of the last three years. [29187]

Mr. Jonathan Evans: The number of unfit conduct reports submitted by official receivers and not proceeded with were:

Financial year	*Total submitted without full report*	*Total submitted with full report*	*Total not proceeded with*
1992–93	2,536	121	32
1993–94	3,425	107	13
1994–95	2,281	244	26

The number of reports not proceeded with relates only to those submitted as a full report, some of which would have been submitted in the previous financial year. It also includes those where there were parallel criminal proceedings, the bankruptcy of the potential respondent or the discovery of evidence which would refute or mitigate the allegation of misconduct.

Mr. Harvey: To ask the President of the Board of Trade how many unfit conduct reports pursuant to the Company Directors Disqualification Act 1986 were submitted by insolvency practitioners and were rejected for not being evidentially strong enough in each of the last three years. [29188]

Mr. Evans: The number of unfit conduct reports submitted by insolvency practitioners and not proceeded with were:

Financial year	*Total submitted*	*Total not proceeded with*
1992–93	3,901	3,320
1993–94	3,727	3,604
1994–95	3,147	3,032

The number not proceeded with cannot be related to:

(i) those reports submitted in that year because in some 25 to 30 per cent. of cases decisions following investigation will be taken in the next accounting period, and

(ii) the number of reports accepted for further investigation, because some are not proceeded with subsequently because of parallel criminal proceedings, the bankruptcy of the potential respondent or the discovery of evidence which would refute or mitigate the allegation of misconduct.

Contracting Out

Mr. McNamara: To ask the President of the Board of Trade if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29418]

Mr. Heseltine: The following areas of work have been contracted out without an in-house bid under the "Competing for Quality" programme:

(i) *1992–93*
Press Notice Distribution
Offshore Focus Magazine
Gas and Oil Measurement Branch Security
Database Maintenance
Photographic Service (National Physical Laboratory)

(ii) *1993–94*

Stationary Supply

Translation

Various Support Services (Patent Office)

(iii) *1994–95*

Accounts Services Agency

Ships Radio Licensing (Radiocommunications Agency)

Decisions to contract out without an in-house bid have been taken where the private sector was clearly better-equipped to deliver a specific service, has had a better understanding of market needs, or has had the capacity to invest in new technology. Such decisions have also been taken when the activity has been relatively small and peripheral to my Department's core functions. In each case overall value for money has been assessed through comparing the quality and cost of bids against a benchmark of continuing in-house provision which includes planned efficiency and quality of service improvements. Information on an individual test basis can be provided only at disproportionate cost.

Work is under way to contract out the following in 1995–96 without an in-house bid:

Building Management Services

The National Physical Laboratory

Companies House:

London Office and Satellites

Edinburgh Office

Cardiff Office—range of activities

The Insolvency Service:

Official Receivers' Administrative Functions

Patent Office:

Various support services

Radiocommunications Agency:

Various support services

Of course, staff are always free to make bids on a staff buy-out basis alongside other bidders, taking the work into the private sector. For example, there was a management bid on this basis for the Accounts Services Agency.

Output and Employment

Mr. Austin Mitchell: To ask the President of the Board of Trade what is his estimate of the effect of membership of the EC on output and employment in *(a)* the United Kingdom cotton textile industry, *(b)* the United Kingdom bus and coach industry and *(c)* the United Kingdom pottery industry; and what has been the change since 1970 in the volume of United Kingdom output, imports from and exports to the EC Six, in import penetration from the EC, and in the numbers employed in the industry. [29440]

Mr. Ian Taylor: My Department has made no such estimate. Consistent information from 1970 is not readily available and can be compiled only at disproportionate cost.

Mr. Mitchell: To ask the President of the Board of Trade what assessment he has made of the effect EU membership has had on output and employment in *(a)* the United Kingdom wool industry, *(b)* the United Kingdom carpet industry, *(c)* the United Kingdom motor car industry and *(d)* the United Kingdom commercial vehicle industry; and if he will show in respect of each the change from 1970 in (i) the volume of United Kingdom output and (ii) imports from and exports to (1) the EC Six and (2) other EC countries, (3) import penetration from the EC and elsewhere and (4) the numbers employed in the industry. [29944]

Mr. Taylor: My Department has made no such estimate. Consistent information from 1970 is not readily available and can be compiled only at disproportionate cost.

Import Penetration

Mr. Austin Mitchell: To ask the President of the Board of Trade (1) what has been the percentage change in import penetration of the United Kingdom market for manufactures less food, drink and tobacco since 1971; and to what extent it is due to (i) the reduction in the tariff, (ii) the removal of tariff protection against EC countries and (iii) the monetary and exchange rate policies of successive United Kingdom Governments; [29979]

(2) if he will publish for each year since 1970 his estimate of import penetration of the United Kingdom market for manufactures less food, drink, tobacco, printing and publishing. [29980]

Mr. Ian Taylor: The import penetration levels requested can be calculated only at disproportionate cost. My Department has made no assessment of the specific factors listed. However, the rising share of imports in the United Kingdom market for manufactures reflects a number of influences, including the increasing specialisation of world trade.

Mr. Mitchell: To ask the President of the Board of Trade what steps he is taking to reduce the share of imports in the United Kingdom market for manufactures; and over what time scale. [29949]

Mr. Taylor: The best way United Kingdom businesses can increase market share at home is by continually improving their competitiveness. The competitiveness White Paper, "Forging Ahead" identifies areas where the Government have helped, for example, by stimulating enterprise and innovation and by encouraging best practice in quality, design and management. Discrimination against imports jeopardises the UK's export successes.

Brent Spar

Ms Ruddock: To ask the President of the Board of Trade (1) what analysis or assessment *(a)* his Department or *(b)* any other Government Department or agency has made of the contents of the Brent Spar storage unit; what was the result of that analysis or assessment; and if he will publish the results of those analyses or assessment; [30247]

(2) what inspections, analysis or assessment of the contents of the Brent Spar storage unit were made in the last 10 years by *(a)* his Department or *(b)* any other Government Department or agency; what were the results of these inspections, assessments or analyses; and if he will publish them in full. [30246]

Mr. Eggar: The Government accepted Shell's proposal that deep-sea disposal of the Brent Spar was the best

practicable environmental option. That judgment was reached after a comparative assessment of the options which took into account many factors including information on the contents of the installation. The abandonment programme contains a detailed inventory of the equipment and materials on board. Scottish Office officials who visited the Spar on 3 and 4 June verified that cleaning operations had been performed to the standard required.

Trading Standards Officers

Dr. Strang: To ask the President of the Board of Trade how many trading standard officers were employed *(a)* for each year since 1979 and *(b)* at the latest available date. [28586]

Mr. Jonathan Evans: Information provided to my Department by local weights and measures authorities in England, Wales and Scotland indicates that since 1987–88 the number of qualified trading standards officers has been as follows:

1987–88: 1,454
1988–89: 1,438
1989–90: 1,456
1990–91: 1,504
1991–92: 1,548
1992–93: 1,598
1993–94: 1,637

Figures for preceding years are not readily available.

Dr. Strang: To ask the President of the Board of Trade how many trainee trading standards officers there were *(a)* for each year since 1979 and *(b)* for the latest available date. [28587]

Mr. Evans: Information provided to my Department by the local government management board indicates that numbers of trainee trading standards officers registered in each year since 1987 were as follows:

Year	*Number*
1987	98
1988	105
1989	102
1990	90
1991	91
1992	74
1993	36
1994	32
1995	24

In addition, there were 24 graduates in the BSC honours consumer protection degree in 1994, of whom 15 are now in the process of becoming fully qualified trading standards officers.

Figures for the preceding years are not readily available.

Dr. Strang: To ask the President of the Board of Trade if he will make a statement about the change in numbers of trainee trading standards officers since the end of the incentive training scheme for trading standards officers. [28588]

Mr. Evans: The Government are committed to a trading standards service which functions effectively and efficiently. It is for individual local authorities to ensure that numbers of qualified staff are sufficient to provide adequate levels of service in their respective areas and to make budgetary decisions which will reflect that need.

In response to concerns about staffing levels my Department encouraged and supported the introduction of a grant scheme for trainee trading standards officers which began in 1987–88. The decision not to extend the term of this scheme beyond 1991 was taken by the local government management board on behalf of the local authority associations. Since that decision, total numbers of qualified staff have steadily increased from about 1,500 in 1990–91 to more than 1,630 in 1993–94.

Mines Rescue Service

Mr. Tipping: To ask the President of the Board of Trade if he will make a statement about the future of the mines rescue service following the abolition of British Coal. [29900]

Mr. Page: At my Department's request, British Coal has established a working group on mines rescue to act as a forum for the coal industry to develop its plans for the future ownership and management of the mines rescue service. The working group also contains representatives from Government.

Coal

Mr. Tipping: To ask the President of the Board of Trade if he will list the amount of subsidy paid in respect of deep mined coal as outlined in "Prospects for Coal", the number of tonnes this reflects, the number of individual contracts involved and outstanding bids waiting the approval of the European Commission. [29901]

Mr. Page: Since the coal subsidy was announced in March 1993, 10 offers have been made. To date, £12,776,193 has been paid in respect of almost 1 million tonnes of coal delivered since April 1993. One application, which was received just before the scheme ended on 31 March 1995, is currently being considered.

European Commission approval for payments in respect of production in 1993 was given in Commission decision C(94)883 of 29 March 1994. Approval for payments in respect of production the financial year 1994/95 was given in Commission decision C(94)1436 of 1 June 1994.

Businesses

Ms Primarolo: To ask the President of the Board of Trade what is his Department's definition of a small business and a medium-sized business. [29563]

Mr. Page *[holding answer 21 June 1995]:* There is no single, official definition of what constitutes a small firm. There is, however, a wide range of definitions used in practice, each valid in its own context.

Eligibility for the annual SMART competition—small firms merit award for research—is limited to firms with a maximum of 50 employees. Eligibility under the loan guarantee scheme, however, is determined by both turnover and employee numbers and these vary from sector to sector. Generally, eligibility is limited to firms with fewer than 200 employees, except in the construction

sector where the limit is 25. In the manufacturing sector the turnover ceiling is £3 million whereas in the service sector it is £500,000.

Ms Primarolo: To ask the President of the Board of Trade how many *(a)* small businesses and *(b)* medium-sized businesses were started up in each of the last 10 years; and if he will break these figures down by region and by gender of entrepreneur. [29564]

Mr. Page *[holding answer 21 June 1995]:* The number of businesses stated up in Great Britain is available from 1988 onwards and given in the table. Almost all business start-ups are small. Information on start-ups by gender is not available for each year in the table. Research carried out for Barclays bank suggests that of the businesses started up in 1994, nearly three out of 10 were started by women.

The best guide to trends in the number of businesses started up by region is given by registrations for VAT. Copies of "VAT Registrations and Deregistrations, County and District Analyses "1980–1991", and "VAT Registrations and Deregistrations, County and District Analyses 1992–1993" are in the Library of the House.

Number of business start-ups 1988–1994 in Great Britain

Year	*Starts (thousands)*
1988	422
1989	447
1990	444
1991	374
1992	364
1993	405
1994	446

Source: Barclays Economics Department.

Ms Primarolo: To ask the President of the Board of Trade how many people were employed by *(a)* small businesses and *(b)* medium-sized businesses in each of the last 10 years; and if he will break these figures down by region and gender. [29565]

Mr. Page *[holding answer 21 June 1995]:* The number of people employed in businesses of different sizes are given in the table below. The figures are available for some of the last 10 years only. Although there is no official definition of what constitutes a small firm, the usual practice in statistical analyses is to consider firms with fewer than 100 employees small, and those with between 100 and 499 employees medium sized. There is no breakdown of these figures by region or gender.

Number employed by size of business, UK 1986–1991, thousands

Year	*Small (under 100 employees)*	*Medium (100–499 employees)*	*Large (500+ employees)*	*All*
1986	9,600	3,300	6,900	19,800
1988	10,400	3,600	7,200	21,300
1989	11,300	3,300	7,300	21,900
1990	11,100	3,600	7,000	21,700
1991	10,500	3,400	6,700	20,600

Source: NatWest Review of Small Business Trends, June 1993, June 1994.

Ms Primarolo: To ask the President of the Board of Trade which sectors of the economy *(a)* small businesses and *(b)* medium-sized businesses are predominantly to be found. [29566]

Mr. Page *[holding answer 21 June 1995]:* The numbers of businesses of different sizes in each industry division are given in the table. Although there is no official definition of what constitutes a small firm, the usual practice in statistical analyses is to consider firms with fewer than 100 employees small; and those with between 100 and 499 employees medium sized.

Number of businesses by employee size class by sector, 1991 UK, number of businesses

Industry (SIC80)	*Small (under 100 employees)*	*Medium (100–499 employees)*	*Large (500+ employees)*	*All*
All sectors[1]	2,505,463	16,090	2,753	2,524,306
Energy and water supply	2,432	104	67	2,603
Extraction	15,477	498	209	16,184
Metal manufacture	95,353	1,739	470	97,562
Other manufacturing	175,853	1,739	474	178,066
Construction	541,646	664	123	542,433
Distribution, hotels and catering	654,123	6,721	567	661,411
Transport and communication	146,042	650	90	146,782
Banking and finance	377,351	1,617	450	379,418
Other services	497,186	2,358	303	499,847

[1] Excludes Agriculture, forestry and fishing.
Source: Enterprises in Europe, Third Report.

Crown Immunity

Mr. Foulkes: To ask the President of the Board of Trade if he will list all areas within *(a)* his Department, *(b)* agencies under his Department's control and *(c)* organisations for which he has ministerial responsibility to which Crown immunity applies; what consideration he has given to removing this; and if he will make a statement. [28658]

Mr. Heseltine *[holding answer 15 June 1995]:* An Act of Parliament is presumed not to bind the Crown unless the contrary intention is clearly stated, or there is a necessary implication that the Crown is to be bound. Ministers and civil servants will not necessarily share the Crown's immunity from criminal prosecution.

The Government's policy on Crown immunity, as set out in CM1599—"The Citizen's Charter—Raising the Standard"—is that Crown immunity is being progressively reduced, as legislative opportunities arise. In the meantime, Crown bodies are expected to behave as though they were bound by regulations.

Detailed information on the circumstances where Crown immunity does not apply is not held centrally, and could be obtained only at disproportionate cost.

DEFENCE

Executive Agencies

Mr. Jim Marshall: To ask the Secretary of State for Defence if he will make a statement about defence agency status for the Defence Codification Authority. [30865]

Mr. Soames: The Defence Codification Authority is part of RAF Logistics Command, and is responsible for the information and direction of MOD codification policy,

and the sponsorship and control of codification quality assurance services. It has been decided that the authority is to be considered for defence agency status under the next steps procedures. An entry to this effect will appear in the July 1995 edition of the "Market Testing Bulletin."

Mr. Marshall: To ask the Secretary of State for Defence what key performance targets have been set for the chief executive of the Meteorological Office executive agency for the financial year 1995–96. [30866]

Mr. Soames: The agency has been set a range of quality, financial and efficiency targets to ensure that it delivers progressive improvements in the provision of weather-related services. In addition, the agency is to achieve trading fund status on 1 April 1996.

The key quality targets set for the Meteorological Office during the financial year 1995–96 are to achieve 80 per cent. of the designated business plan external targets for customer satisfaction, forecast accuracy and timeliness; and to attain an average accuracy over the United Kingdom of at least 84 per cent. for the 24-hour national weather forecasts broadcast at 17.55 hours by BBC Radio 4.

The financial targets are to deliver the agreed Meteorological Office programme within a business plan cash limit of £78,300,000; to reduce net expenditure, as shown in the annual report and accounts, to £90,300,000, representing a decrease of 2.6 per cent. on the 1994–95 budget, both at 1994–95 prices; and to provide a net contribution to the agency's core costs and general overheads of £3,800,000 from commercial services to the public, industry and commerce excluding the Civil Aviation Authority and the Department of the Environment.

Individual areas of the Meteorological Office have been set targets to increase efficiency by between 1 and 3 per cent. mainly through improvements in quality and volume of services and reduced unit output costs.

Training Land

Mr. McFall: To ask the Secretary of State for Defence if he will list the areas of land in Scotland not owned or leased by his Department, which are currently available to the armed services for training under licence agreements with the owners. [29073]

Mr. Soames: At present, there are 12 areas of land in Scotland where my Department holds military training rights under licence agreements. These are as follows:

Binn Hill, Perthshire
Blair Adam (Tayside)
Galloway
Kinlochleven (Lochaber)
Tighnablair (Tayside)
Hopsprigg (Dumfries and Galloway)
Castle Kennedy (Stranraer)
Ardgarten (Strathclyde)
Balduff (Tayside)
Tullymurdoch (Tayside)
Pyall Farm (Tayside)
Blackhall (Tayside)

In addition, there are other areas of land where my Department has agreements with private landowners to cover specific short-term requirements. In the last financial year, there were 356 such agreements.

Environmental Information

Mr. McFall: To ask the Secretary of State for Defence how many applications for information have been made to his Department under the environmental information resolutions since their entry into force; what was the total number of different applicants making the applications; in how many of these cases information was provided; what was the average total assessed cost of meeting each application; and what was the average cost charged to the applicant. [29082]

Mr. Soames: We have received six such requests for information since the regulations came into effect, and information has been provided in each case. The cost incurred by my Department in meeting the applications has amounted to less than £50 in each case. No charges have been levied for the information that has been provided, though in one case a request for more detailed information was withdrawn after a warning of charges.

Chinook Crash, 2 June 1994

Mr. John D. Taylor: To ask the Secretary of State for Defence what was the date of the Chinook helicopter disaster at the Mull of Kintrye, Scotland; how many military police and civilian personnel lost their lives in this disaster; what compensation has been paid to the families of the victims; when he expects payment of compensation to be completed; and if he will make a statement about the basis of compensation to be paid to the dependants of those killed. [28982]

Mr. Soames: Twenty nine people were killed in this tragic accident on 2 June 1994. The position on compensation was explained in the answer given to my hon. Friend the Member for Tayside, North (Mr. Walker) by my right hon. and learned Friend the Secretary of State for Defence on 15 June, *Official Report*, column *597*.

Low Flying

Mr. Wigley: To ask the Secretary of State for Defence how many low-flying incidents were reported in *(a)* Wales, *(b)* England, *(c)* Scotland, *(d)* Northern Ireland and *(e)* the United Kingdom in each of the last three years. [28482]

Mr. Soames: The number of inquiries and complaints received by my Department about military low flying in each of the last three years are as follows:

Year	*England*	*Wales*	*Scotland*	[1]*United Kingdom*
1992	4,401	904	990	6,295
1993	4,141	556	1,041	5,738
1994	4,072	617	1,089	5,778

[1] The figure for the United Kingdom excludes Northern Ireland where most low flying is of an operational nature, with only a limited number of training sorties. Complaints arising from this activity are dealt with locally, and no central record is available of the number received.

Mr. Wigley: To ask the Secretary of State for Defence what measures his Department has taken to monitor and deal with incidents of low flying by military aircraft; and if he will make a statement. [28483]

Mr. Soames: All complaints and inquiries about military low flying are recorded and examined and, when appropriate, a written response is given.

Where there is sufficient evidence to suggest that a breach of military flying regulations may have occurred, the details are passed to the RAF police for investigation. On completion, the RAF police report is, where appropriate, passed to the commanding officer of the aircrew concerned for consideration as to what further action may be necessary and what can be learnt from the incident. In each case, the complainant is provided with the conclusions and a summary of the findings of the report.

My Department will pay compensation where a reasonable connection can be established between military aircraft activity and any loss, injury or damage sustained.

Captured Service Men

Sir Keith Speed: To ask the Secretary of State for Defence what briefing and instructions are given to service men who may be captured or taken hostage about their response to their captors and the media. [29338]

Mr. Soames: In the event of capture by an enemy, service personnel are instructed to follow article 17 of the Geneva convention relative to the Treatment of Prisoners of War 1949 and reveal their name, rank, serial number and date of birth to their captors. They are also trained to respond to further questioning without releasing any useful information or allowing themselves to be exploited for propaganda purposes. Queen's regulations forbid service personnel from responding to approaches from the media without authorisation.

Nuclear Tests

Dr. David Clark: To ask the Secretary of State for Defence what discussions he has had with his *(a)* United States counterpart and *(b)* French counterpart concerning the development of simulations systems to replace nuclear tests; and if he will make a statement. [30041]

Mr. Freeman: In the absence of underground testing, we intend to develop further a range of experimental techniques and facilities for the stewardship of our nuclear weapons stockpile, including above ground experiments, lasers and computer simulation. This work will be undertaken in continuing co-operation with the United States. Discussions have also been held with French authorities on issues relating to nuclear weapons stewardship.

Dartmouth Naval College

Dr. David Clark: To ask the Secretary of State for Defence what is the cost per officer at the Dartmouth naval college; how many officers pass through Dartmouth naval college each year; and which Royal Navy training facilities are situated in Dartmouth. [30043]

Mr. Soames: This is a matter for the Naval Recruiting and Training Agency under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from J. P. Clarke to Dr. David Clark, dated 22 June 1995:

The Secretary of State for Defence has asked me to reply to your Parliamentary Question, about the training of young Royal Naval officers at the Britannia Royal Naval College, Dartmouth, in my capacity as Chief Executive of the Naval Recruiting and Training Agency.

On entry to Dartmouth for Naval General Training, Young Naval Officers undertake 16 weeks shore-based training followed by a further 8 weeks of sea-based training, all of which is administered by the College. Following a further 8 months training in the Fleet, non-graduate entry Officers return to the College for an Academic course lasting some 24 weeks. The College is resourced for a training capacity of 460 (including Medical Dental, Special Duties and International Officers) which gives a cost per trainee day of £229.00 for the Naval General Training Course and £149.00 per day for the Academics Course.

You will also wish to be aware that the Agency is developing initiatives with private industry and academic institutions to market the unallocated irreducible training capacity which is caused by fluctuating recruiting levels reflected in the figures quoted below. These initiatives will generate enduring income streams, thereby reducing the overall costs of the College.

Over the last two years the officer training throughput has reduced in line with lower recruiting targets. From 1995 onwards higher recruiting targets will, however, increase trainee throughput to the level of the College's resourced capacity.

The College's officer training throughput since 1991 is as follows:

1991: 554
1992: 465
1993: 369
1994: 220
1995: 240*
1996: 298*

The above figures include RN Officers of Seaman, Engineer, Supply and Secretariat, Instructor, Medical, Dental, Chaplaincy and Special Duties specialisations in addition to international officers from Foreign and Commonwealth Navies. The figures marked by an asterisk denote predicted throughput figures.

Seamanship training is provided at BRNC's Sandquay facility and the College's proximity to Dartmoor is utilised for leadership training activities.

I hope this is helpful.

Chemical and Biological Weapons (Russia)

Mr. David Clark: To ask the Secretary of State for Defence what assessment he has made of Russia's *(a)* biological and *(b)* chemical capabilities; and if he will make a statement. [30042]

Mr. Soames: Russia inherited offensive chemical and biological warfare capabilities from the former Soviet Union. Her Majesty's Government place a high priority on confirming the elimination of the former Soviet programmes in accordance with the biological and toxin weapons convention and the chemical weapons convention; we are pursuing this objective through discussions with Russia and in multilateral arms control negotiations.

Trident

Mr. Hicks: To ask the Secretary of State for Defence what review he is undertaking of the decision of June 1993 to award the refitting of Trident submarines to Devonport Management Ltd. and if he will make a statement. [30045]

Mr. Freeman: We have no plans to revisit the decision taken in 1993 that future refitting of nuclear powered submarines will be undertaken at Devonport.

Mr. Hicks: To ask the Secretary of State for Defence (1) if a contract has been signed between his Department and Devonport Management Lltd. for the refitting of Trident submarines; [30018]

(2) when a contract will be signed between his Department and Devonport Management Ltd. for the refitting of Trident submarines following the decision of June 1993; and if he will make a statement. [30044]

Mr. Freeman: No contract has yet been awarded for the construction of the Trident refitting facilities at Devonport. Negotiations with Devonport Management Ltd. are continuing with a view to completing the process by the end of the summer.

Health and Safety Inspectors

Mr. Cummings: To ask the Secretary of State for Employment how many health and safety inspectors were in post in each region in each of the last five years. [29359]

Mr. Oppenheim: Table A shows the number of health and safety inspectors employed in the Health and Safety Executive's field operations division regions. The figures comprise factory inspectors, agricultural inspectors, specialist inspectors and quarries inspectors. Table B shows the number of mines inspectors in the Mines Inspectorate, which is organised in districts. The figures are for the 1 April for each year. They do not include HSE inspectors working in nationally organised inspectorates; nor inspectors employed by other enforcing authorities.

Table A

Year (1 April)	*Home Counties*	*London and South East*	*Midlands*	*North West*	*Scotland*	*Wales and South West*	*Yorkshire and North East*	*Total*
1991	116.5	118	167	116.5	90	101	132	841
1992	135.5	124.5	176.5	119.9	97	112	126.5	891.5
1993	132	117.5	182.5	117	102.5	107	133	891.5
1994	136.5	126	182.5	125	103.5	97.5	127.5	898.5
1995	119	116	165	112.5	94	97.5	123	827

Note:
1 April 1995 figure reflects the immediate effects of an early retirement exercise. A new recruitment campaign is intended to restore the total number of inspectors in FOD to around previous levels.

Table B

Year (1 April)	*South Yorkshire*	*North Yorkshire*	*Scottish and North Eastern*	*Wales and South Eastern*	*South West*	*North Midlands*	*Total*
1991	6	6	2	7	6	6	33

Year (1 April)	*Central*	*Northern*	*Western*	*Southern*	*Total*
1992	6	8	7	6	27
1993	—	9	4	5	18
1994	—	7	5	5	17

Year (1 April)	*Scotland and East England*	*Wales and West England*	*Total*
1995	10	5	15

Note:
Mines Central and Northern Districts merged 1 April 1993.

EMPLOYMENT

Labour Statistics

Mr. Chidgey: To ask the Secretary of State for Employment what has been the year-on-year change in employment in *(a)* the United Kingdom, *(b)* France, *(c)* the United States of America, *(d)* Germany and *(e)* Japan, for each year since 1979. [28119]

Mr. Oppenheim: Information showing the levels of employment in France, the United States, western Germany and Japan is published in OECD labour force statistics, 1972–92 and OECD quarterly labour force statistics no. 1, 1995. Copies of these publications are available in the Library. The latest available information for the United Kingdom which may differ from that printed in these publications is shown in the table:

Total civilian employment[1] in the United Kingdom at June of each year: year-on-year changes 1979–1994

Year	*Thousands*
1979–80	–57
1980–81	–972
1981–82	–429
1982–83	–281
1983–84	648
1984–85	285
1985–86	29
1986–87	560
1987–88	855
1988–89	804
1989–90	270
1990–91	–880
1991–92	–530
1992–93	–364
1993–94	37

[1] Unadjusted for seasonal variation.

Food Manufacturing Industry (Accidents)

Mr. Cummings: To ask the Secretary of State for Employment how many reportable accidents have occurred in the food manufacturing industry in each region in each of the last five years. [29357]

Mr. Opppenheim: The information requested is given in the table:

Injuries to workers[1] in the food manufacturing industry[2] as reported to the health and safety executives's (HSE's) field operations division inspectorates and local authorities

HSE region	1989–90	1990–91	1991–92	1992–93	1993–94
Wales and South West	1,064	1,155	1,224	1,245	1,115
Home Counties	2,350	2,041	2,124	1,946	1,853
London and South East	1,087	1,007	898	790	761
Midlands	2,602	2,484	2,344	2,172	2,122
Yorkshire and North East	2,673	2,688	2,764	2,530	2,188
North West	2,051	1,909	1,871	1,860	1,676
Scotland	1,165	1,196	1,053	952	853

[1] The term workers relates to employees (including trainees) and the self-employed.
[2] As defined by Standard Industrial Classification 1980 activity headings 4115 to 4239.
Data shown in the table prior to 1990–91 excludes reports made to the Quarries Inspectorate.

Training

Mr. Jim Cunningham: To ask the Secretary of State for Employment what proposals he has to amend the budgeting system for training courses for areas where there is high long-term unemployment. [29717]

Mr. Paice: Training for work is the main programme for adults out of work for a long time or at a disadvantage. The budget for the programme is distributed to training and enterprise councils by reference to the numbers of long-term unemployed, past levels of expenditure and performance in securing outcomes for participants. Budgets are also subject to negotiations between Government offices and individual TECs.

South Thames TEC

Mr. Peter Bottomley: To ask the Secretary of State for Employment what estimate he has made of the total bill of his Department to the administrative receiver of South Thames TEC; and what assessment he has made of its impact on the other creditors' prospects of debt recovery. [29625]

Mr. Paice: The Department estimates that it is owed £8.48 million by South Thames training and enterprise council and has presented the receiver with a bill to that effect. The Department is a secured creditor under the terms of its debenture. Until the receiver has completed his work, it will not be possible to assess the impact of the Department's bill on the prospects for unsecured creditors recovering money owed them.

Jobseeker's Allowance

Mr. Jim Cunningham: To ask the Secretary of State for Employment what estimate he has made of the administrative cost for *(a)* the preparation for the implementation of the jobseeker's allowance and *(b)* the actual implementation of the jobseeker's allowance. [29727]

Miss Widdecombe: Initial estimates of the one-off administrative costs of implementing the jobseeker's allowance, including both preparation and actual implementation, and the back-to-work bonus were £280 million over the period 1995–96 to 1997–98. This figure is currently being reviewed, following the decision to defer the full operation of JSA to October 1996.

Workplace Accidents (Children)

Mrs. Clwyd: To ask the Secretary of State for Employment what assessment he has made of surveys and official statistics on the number of school-age children involved in accidents while in paid employment in each year since 1985. [30287]

Mr. Oppenheim: The survey reports of which I am aware are unrepresentative of the country as a whole and inadequately distinguish between serious accidents which should be reported to the enforcing authorities and minor cuts and bruises.

Mrs. Clwyd: To ask the Secretary of State for Employment what statistics are available concerning the number of accidents to school-age children involved in paid employment in the years 1992–93 and 1993–94. [30288]

Mr. Oppenheim: The tables show injuries to employed people aged under 16 reported to the Health and Safety Executive's factory and agricultural inspectorates and to local authorities under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985:

Injuries to employees[1] aged under 16 reported to HSE's Factory and Agricultural Inspectorates and Local Authorities, 1992–93 and 1993–94 by industry

Industry	1992–93	1993–94
Agriculture	10	5
Manufacturing	2	10
Construction	3	4
Wholesale distribution	—	1
Retail distribution	9	4
Hotels and catering	3	2
Repair of consumer goods and vehicles	1	—
Transport and communication	—	—
Banking, finance and business services	—	1
Other services	7	7
Unclassified	1	—
Total	36	34

Injuries to employees[1] aged under 16 reported to HSE's factory and agricultural inspectorates and local authorities, 1992–93 and 1993–94 by severity of injury

Year	Fatal	Major[2]	Over 3 day[3]	Total
1992–93	1	11	24	36
1993–94	1	16	17	34
Total	2	27	41	70

Notes:
[1] including trainees.
[2] as defined in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 1985, and including injuries which require a stay in hospital of over 24 hours.
[3] injuries which cause absence from work for more than three days.

Mrs. Clwyd: To ask the Secretary of State for Employment how his Department *(a)* collects and *(b)* collates information and statistics concerning the incidence of accidents to children in paid employment who are of school-leaving age. [30289]

Mr. Oppenheim: Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985, employers have a duty to report to the relevant enforcing authority injuries, arising out of work activity, to employees of all ages. The relevant authority may be either the Health and Safety Executive or the local authority.

Reports made to HSE are collated and held centrally. Information from reports made to local authorities is submitted annually to HSE on a voluntary basis and aggregated with the reports made direct to HSE.

Mrs. Clwyd: To ask the Secretary of State for Employment what information is available for each year since 1985 concerning children involved in accidents while in paid *(a)* agricultural and *(b)* horticultural employment; [30286]

Mr. Oppenheim: The table shows injuries to employees aged under 16 reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 in each year for which reliable figures are available. The figure in brackets show the only injury reported in Wales.

Injuries to employees[1] aged under 16 in agriculture and horticulture[2] reported to HSE's factory and agricultural inspectorates and local authorities, from 1987–88 to 1993–94—by severity of injury

Year	Fatal	Major[3]	Over 3 day[4]	Total
1987–88	1	8	5	14
1988–89	—	1	1	2
1989–90	—	5	4	9
1990–91	—	1	4	5
1991–92	—	1	—	1
1992–93	—	6	4(1)	10(1)
1993–94	1	3	1	5

Notes:

[1] Including trainees.

[2] As defined by Standard Industrial Classification 01

[3] As defined in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 1985, and including injuries which require a stay in hospital of over 24 hours.

[4] Injuries which cause absence from work for more than three days.

Mrs. Clwyd: To ask the Secretary of State for Employment (1) what assessment has been made of surveys and official statistics on the number of school-age children in Wales involved in accidents while engaged in paid *(a)* agricultural and *(b)* horticultural employment in each year since 1985; [30285]

(2) what assessment has been made of surveys and official statistics on the number of school-age children in Wales involved in accidents while engaged in paid *(a)* agricultural and *(b)* horticultural employment in each year since 1985. [30283]

Mr. Oppenheim: The survey reports of which I am aware are unrepresentative of Wales and the country as a whole and inadequately distinguish serious accidents which should be reported to the enforcing authorities from minor cuts and bruises.

The official statistics show that one injury was reported in Wales in the period, from 1987–88 to 1993–94, for which reliable figures are available.

International Labour Organisation Conventions

Mr. Corbett: To ask the Secretary of State for Employment if he will list those International Labour Organisation conventions which the United Kingdom has signed and the year of signature. [30228]

Miss Widdecombe: The information is shown in the table:

ILO conventions ratified by the United Kingdom

Number	Date of ratification
2 Unemployment, 1919	1921
4 Night Work (Women), 1919[1]	1921
5 Minimum Age (Industry), 1919	1921
6 Night Work of Young Persons (Industry), 1919[1]	1921
7 Minimum Age (Sea), 1920	1921
8 Unemployment Indemnity (Shipwreck), 1920	1926
10 Minimum Age (Agriculture), 1921	1963
11 Right of Association (Agriculture), 1921	1923
12 Workmen's Compensation (Agriculture), 1921	1923
15 Minimum Age (Trimmers and Stokers), 1921	1926
16 Medical Examination of Young Persons (Sea), 1921	1926
17 Workmen's Compensation (Accidents), 1925	1949
18 Workmen's Compensation (Occupational Diseases), 1925[1]	1926
19 Equality of Treatment (Accident Compensation), 1925	1926
21 Inspection of Emigrants, 1926	1927
22 Seamen's Articles of Agreement, 1926	1929
23 Repatriation of Seamen, 1926	1985
24 Sickness Insurance (Industry), 1927	1931
25 Sickness Insurance (Agriculture), 1927	1931
26 Minimum Wage-Fixing Machinery, 1928[1]	1929
29 Forced Labour, 1930	1931
32 Protection Against Accidents (Dockers) (Revised), 1932	1935
35 Old-Age Insurance (Industry etc), 1933	1936
36 Old-Age Insurance (Agriculture), 1933	1936
37 Invalidity Insurance (Industry, etc), 1933	1936
38 Invalidity Insurance (Agriculture), 1933	1936
39 Survivors' Insurance (Industry, etc), 1933	1936
40 Survivors' Insurance (Agriculture), 1933	1936
41 Night Work (Women) (Revised), 1934[1]	1937
42 Workmen's Compensation (Occupational Diseases) (Revised), 1934	1936
43 Sheet-Glass Works, 1934[1]	1937
44 Unemployment Provision, 1934	1936
45 Underground Work (Women), 1935[1]	1936
50 Recruiting of Indigenous Workers, 1936	1939
56 Sickness Insurance (Sea), 1936	1944
63 Statistics of Wages and Hours of Work, 1938[1]	1947
64 Contracts of Employment (Indigenous Workers), 1939	1943
65 Penal Sanctions (Indigenous Workers), 1939	1943
68 Food and Catering (Ships' Crews), 1946	1953
69 Certification of Ships' Cooks, 1946	1949
70 Social Security (Seafarers), 1946	1953
74 Certification of Able Seamen, 1946	1952
80 Final Articles Revision, 1946	1947
81 Labour Inspection, 1947	1949

	Date
82 Social Policy (Non-Metropolitan Territories), 1947	1950
83 Labour Standards (Non-Metropolitan Territories), 1947	1950
84 Right of Association (Non-Metropolitan Territories), 1947	1950
85 Labour Inspectorates (Non-Metropolitan Territories), 1947	1950
86 Contracts of Employment (Indigenous Workers), 1947	1950
87 Freedom of Association and Protection of the Right to Organise, 1948	1949
88 Employment Service, 1948[1]	1949
92 Accommodation of Crews (Revised), 1949	1953
94 Labour Clauses (Public Contracts), 1949[1]	1950
95 Protection of Wages, 1949[1]	1951
97 Migration for Employment (Revised), 1949	1951
98 Right to Organise and Collective Bargaining, 1949	1950
99 Minimum Wage-Fixing Machinery (Agriculture), 1949[1]	1953
100 Equal Remuneration, 1951	1971
101 Holidays with Pay (Agriculture), 1952[1]	1956
102 Social Security (Minimum Standards), 1952	1954
105 Abolition of Forced Labour, 1957	1957
108 Seafarers' Identity Documents, 1958	1964
114 Fishermen's Articles of Agreement, 1959	1974
115 Radiation Protection 1960	1962
116 Final Articles Revision, 1961	1962
120 Hygiene (Commerce and Offices), 1964	1967
122 Employment Policy, 1964	1966
124 Medical Examination of Young Persons (Underground Work), 1965	1966
126 Accommodation of Crews (Fishermen), 1966	1985
133 Accommodation of Crews (Supplementary Provisions), 1970	1981
135 Workers' Representatives, 1971	1973
140 Paid Educational Leave, 1974	1975
141 Rural Workers' Organisations, 1975	1977
142 Human Resources Development, 1975	1977
144 Tripartite Consultation (International Labour Standards), 1976	1977
147 Merchant Shipping (Minimum Standards), 1976	1980
148 Working Environment (Air Pollution, Noise and Vibration), 1977	1979
150 Labour Administration, 1978	1980
151 Labour Relations (Public Service), 1978	1980
160 Labour Statistics, 1985	1987

Mr. Corbett: To ask the Secretary of State for Employment if he will list those International Labour Organisation conventions which the United Kingdom has *(a)* declined to sign and *(b)* not yet signed. [30226]

Miss Widdecombe: The United Kingdom reviews its position on unratified conventions on a regular basis. The United Kingdom has not yet signed the following conventions:

ILO conventions not ratified by the United Kingdom

Number

1 Hours of Work (Industry), 1919

3 Maternity Protection, 1919

9 Placing of Seamen, 1920

13 White Lead (Painting), 1921

14 Weekly Rest (Industry), 1921

20 Night Work (Bakeries), 1925

21 Inspection of Emigrants, 1926[1]

27 Marking of Weight (Packages Transported by Vessels), 1929

28 Protection Against Accidents (Dockers), 1930[2]

30 Hours of Work (Coal Mines), 1931

33 Minimum Age (Non-Industrial Employment), 1932

34 Fee-Charging Employment Agencies, 1933[2]

46 Hours of Work (Coal Mines) (Revised), 1935

47 Forty Hour Week, 1935

48 Maintenance of Migrants' Pension Rights, 1935[2]

49 Reduction of Hours of Work (Glass-Bottle Works), 1935

51 (Reduction of Hours of Work (Public Works), 1936

52 Holidays with Pay, 1936[2]

53 Officers' Competency Certificates, 1936

54 Holidays with Pay (Sea), 1936[2]

55 Shipowners' Liability (Sick and Injured Seamen), 1936

57 Hours of Work and Manning (Sea)

58 Minimum Age (Sea) (Revised), 1936

59 Minimum Age (Industry) (Revised), 1937

60 Minimum Age (Non-Industrial Employment) (Revised), 1937

61 Reduction of Hours of Work (Tickets), 1937 (out of date)

62 Safety Provisions (Building), 1937

66 Migration for Employment, 1938

67 Hours of Work and Rest Periods (Road Transport), 1939[2]

71 Seafarers' Pensions, 1946

72 Paid Vacations (Seafarers), 1946[2]

73 Medical Examination (Seafarers), 1946

75 Accommodation of Crews, 1946[2]

76 Wages, Hours of Work and Manning (Sea), 1946

77 Medical Examination of Young Persons (Industry), 1946

78 Medical Examination of Young Persons (Non-Industrial Occupations), 1946

79 Night Work of Young Persons (Non-Industrial Occupations), 1946

81 Labour Inspection, 1947 (Only ratified Part I)

89 Night Work (Women) (Revised), 1948

90 Night Work of Young Persons (Industry) (Revised), 1948

91 Paid Vacations (Seafarers) (Revised), 1949[2]

93 Wages, Hours of Work and Manning (Sea) (Revised)[2]

96 Fee-Charging Employment Agencies (Revised) 1949

97 Migration for Employment (Revised) 1949 (Not ratified the provisions of Annexes I and III)

102 Social Security (Minimum Standards), 1952 (only ratified Parts II to V, VII and X

103 Maternity Protection (Revised), 1952

104 Abolition of Penal Sanctions (Indigenous Workers), 1955

106 Weekly Rest (Commerce and Offices), 1957

107 Indigenous and Tribal populations, 1957

109 Wages, Hours of Work and manning (Sea) (Revised), 1958

110 Plantations, [and Protocol, 1982], 1958

111 Discrimination (Employment and Occupation), 1958

112 Minimum Age (Fishermen), 1959

113 Medical Examination (Fishermen), 1959

117 Social Policy (Basic Aims and Standards), 1962

118 Equality of Treatment (Social Security), 1962

119 Guarding of Machinery, 1963

121 Employment Injury Benefits, 1964

123 Minimum Age (Underground Work), 1965

125 Fishermen's Competency Certificates, 1966

127 Maximum Weight, 1967

128 Invalidity, Old-Age and Survivors Benefits, 1967

130 Medical Care and Sickness Benefits, 1969
131 Minimum Wage Fixing, 1970
132 Holidays With Pay (Revised), 1970
134 Prevention of Accidents (Seafarers), 1970
136 Benzene, 1971
137 Dock Work, 1973
138 Minimum Age, 1973
139 Occupational Cancer, 1974
143 Migrant Workers (Supplementary Provisions), 1975
145 Continuity of Employment (Seafarers), 1976
146 Seafarers Annual Leave with Pay, 1976
148 Working Environment (Air Pollution, Noise and Vibration), 1977 (Accepted only in respect of air pollution)
149 Nursing Personnel, 1977
152 Occupational Safety and Health (Dock Work), 1979
153 Hours of Work and Rest Periods (Road Transport), 1979
154 Collective Bargaining, 1981
155 Occupational Safety and Health, 1981
156 Workers with Family Responsibilities, 1981
157 Maintenance of Social Security Rights, 1982
158 Termination of Employment, 1982
159 Vocational Rehabilitation and Employment (Disabled Persons), 1983
161 Occupational Health Services, 1985
162 Asbestos, 1986
163 Seafarers' Welfare, 1987
164 Health Protection and Medical Care (Seafarers), 1987
165 Social Security (Seafarers) (Revised), 1987
166 Repatriation of Seafarers (Revised), 1987
167 Safety and Health in Construction, 1988
168 Employment Promotion and Protection Against Unemployment, 1988
169 Indigenous and Tribal Populations, 1989
170 Chemicals 1990
171 Night Work Convention, 1990
172 Working Conditions (Hotels and Restaurants) 1991
173 Protection of Workers' Claims (Employment Insolvency) 1992
174 Prevention of Major Industrial Accidents 1993
175 Part-Time Work 1994

[1] Conditional.
[2] Closed to further ratification by Member States.

Mr. Corbett: To ask the Secretary of State for Employment if he will describe the technical and expert assistance which the United Kingdom has provided to the International Labour Organisation in each of the last 10 years. [30227]

Miss Widdecombe: The areas where assistance is provided include health and safety and statistics. The information requested is not, however, held centrally by the Department and could be provided only at disproportionate cost.

Organophosphorus Products

Mr. Tyler: To ask the Secretary of State for Employment what proportion of *(a)* sheep farms and *(b)* market gardens which may be expected to use organophosphorus products are visited by inspectors each year to check on protective measures when handling these products. [29734]

Mr. Oppenheim *[holding answer 20 June 1995]:* It is impossible to predict in advance the sheep farms or market gardens that use organophosphorus products. However, in the course of routine visits to these premises, health and safety inspectors inquire about compliance with the Control of Substances Hazardous to Health Regulations, which apply to the use of organophosphorus products, including sheep dips.

Visits are, of course, supplemented by published guidance and by advice through other means.

Crown Immunity

Mr. Foulkes: To ask the Secretary of State for Employment if he will list all areas within *(a)* his Department, *(b)* agencies under his Department's control and *(c)* organisations for which he has ministerial responsibility to which Crown immunity applies; what consideration he has given to removing this; and if he will make a statement. [28652]

Miss Widdecombe *[holding answer 15 June 1995]:* The Employment Department group consists of the Employment Department, the Employment Service, the Health and Safety Commission and Executive and the Advisory, Conciliation and Arbitration Service.

Certain legislation is expressly applied to the Crown. In most legislation, however, particularly older legislation, there is no such express provision. In those circumstances whether legislation applies to the Crown will depend on the implications to be drawn from the drafting and context of the legislation.

The Government's general policy on Crown immunity is set out in the "Citizen's Charter—Raising the Standard", Cm 1599.

Unemployment Benefit

Mr. Simpson: To ask the Secretary of State for Employment (1) how many of those people who are no longer eligible to receive unemployment benefit will be eligible for income support *(a)* nationally and *(b)* in Nottinghamshire. [29922]

(2) following the introduction of the jobseeker's allowance, how many people will no longer be eligible for unemployment benefit *(a)* nationally and *(b)* in Nottinghamshire; [29922]

Mr. Roger Evans: I have been asked to reply.

Subject to parliamentary approval of the Jobseeker's Bill unemployment benefit and income support for unemployed people will be replaced by jobseeker's allowance in October 1996. Contributory entitlement to jobseeker's allowance will end after six months. On current assumptions, at any one time 165,000 people in Great Britain would be in receipt of unemployment benefit beyond six months. It is estimated that income-based jobseeker's allowance would offset the difference fully for 30,000 of these, and partially, for a further 65,000. Separate estimates for Nottinghamshire are not available.

Notes:

1. Caseload estimates rounded to the nearest 5,000.

2. Estimates assume 2.4 million unemployed claimants and 500,000 Unemployment Benefit cases.

HOME DEPARTMENT

Reckless Driving

4. **Mr. Hardy:** To ask the Secretary of State for the Home Department what action he is taking to amend the criminal law to ensure that where reckless and dangerous driving results in death or injury the penalties will be appropriate.

Mr. Maclean: Parliament has increased the maximum penalty for causing death by dangerous driving to 10 years. But it is entirely up to the courts and judges to impose the right sentence in each case.

Learmont Inquiry

13. **Mrs. Roche:** To ask the Secretary of State for the Home Department if he will make a statement on the findings of the Learmont inquiry into the breakout at Parkhurst prison in January. [28409]

Mr. Howard: I have not yet received the report.

Closed Circuit Television

14. **Mrs. Lait:** To ask the Secretary of State for the Home Department what progress is being made on installing closed circuit television in town centres. [28410]

Mr. Maclean: Many local authorities and partnerships have installed closed circuit television systems in their town centres and other areas. The recent CCTV challenge competition has injected £5 million of prize money into 106 CCTV schemes across the country. These schemes will generate up to £13.8 million in matching funding from other sources, including the private sector.

Police

15. **Mr. David Shaw:** To ask the Secretary of State for the Home Department what is the current number of policemen serving in the United Kingdom. [28411]

Mr. Howard: At the end of March 1995, there were approximately 150,000 police officers in the United Kingdom. In addition I understand that there were around 3,200 full-time RUC reserves.

Police Operations

16. **Ms Jowell:** To ask the Secretary of State for the Home Department what is his response to the report of the National Audit Office on controls over indirectly funded operations of the police service. [28412]

Mr. Maclean: The Committee of Public Accounts considered this report on 14 June. The Government will respond to the Committee's recommendations when they are received.

Immigration Service Interpreters

17. **Mr. Jim Cunningham:** to ask the Secretary of State for the Home Department what progress has been made in improving the provision of interpreters for the immigration service following the report of the complaints audit committee. [28413]

Mr. Nicholas Baker: While the provision of interpreters for the immigration service is generally satisfactory, the recommendations of the complaints audit committee are under consideration. A new training package is being devised and a review of the arrangements under which interpreter services are provided to immigration and nationality department is planned under the Department's "Competing for Quality" programme. This review will examine both the quality and cost effectiveness of the arrangements.

Police Funding

18. **Mrs. Angela Knight:** To ask the Secretary of State for the Home Department by what percentage police funding has changed since 1979 in real terms. [28414]

Mr. Maclean: Expenditure on the police in England and Wales has increased by 96 per cent. in real terms between 1978–79 and 1995–96.

Crime Prevention

19. **Mr. Hoon:** To ask the Secretary of State for the Home Department what was the Home Office's expenditure on crime prevention in the last year for which figures are available. [28416]

Mr. Maclean: Expenditure on crime prevention activities across Government in 1993–94—the latest period for which the figures are available—was £240 million. Expenditure on specific Home Office crime prevention initiatives in 1994–95 was £18.3 million, an increase of 39.7 per cent. on the previous year.

Memorandum of Good Practice

20. **Mr. Amess:** To ask the Secretary of State for the Home Department if he will revise the memorandum of good practice to include an unambiguous statement that it is possible for a child to receive therapy. [28417]

Mr. Maclean: The memorandum already states that it should be possible for a child to receive therapy once a video recording of the child's evidence-in-chief has been made. We are considering whether the guidance on this and other points in the memorandum needs to be revised in the light of research and experience to date.

Prison Discipline

21. **Mr. Frank Cook:** To ask the Secretary of State for the Home Department what plans his Department has to introduce more punitive practices in British prisons. [28418]

Mr. Michael Forsyth: I have no immediate plans to introduce more punitive practices into prisons. However, the policy on prison discipline is kept under review and, where necessary, changes are made to ensure it remains at a proper level to maintain good order in prisons.

Drug Abuse (Prisons)

22. **Mr. Pickthall:** To ask the Secretary of State for the Home Department if he will make a statement about the current level of drug abuse within prisons. [28419]

Mr. Michael Forsyth: Any level of drug abuse in prison is unacceptable; the presence of drugs leads to violence, bullying and intimidation and undermines regimes. Tackling drug abuse is one of the four key priorities for the Prison Service for this year. The new

mandatory drug testing programme will provide routine and detailed monitoring of the level and type of drug misuse in prison.

A wide range of measures are being taken up to prevent drugs from entering prisons. These include the increased use of drug dogs; more effective searching of prisoners, staff and visitors; the use of closed-circuit television cameras during visits; and the imposition of closed visits for prisoners found guilty of drug offences in prison.

All Prison Service establishments provide detoxification, education and counselling facilities to prisoners with drug misuse problems via the health care centre, probation department or community drug agencies. This year the Prison Service will be substantially expanding the number and type of drug treatment programmes. These will include: therapeutic communities; three-month treatment programmes; detoxification units; intensive counselling and education services; and community-linked throughcare programmes.

25. **Lady Olga Maitland:** To ask the Secretary of State for the Home Department what steps he is taking to counter drug taking in prisons. [28422]

Mr. Forsyth: Reducing the level of drug misuse is one of the four key priorities in the Prison Service this year. The Prison Service's strategy requires all prison governors to implement local strategies directed at the reduction of the misuse of drugs.

Capital and Corporal Punishment

23. **Mr. Nicholas Winterton:** To ask the Secretary of State for the Home Department what representations he has received urging him to restore to the courts the options of both capital and corporal punishment. [28420]

Mr. Maclean: I receive numerous representations on the restoration of both corporal and capital punishment from a variety of sources.

Prison Staffing and Conditions

24. **Mr. Hoyle:** To ask the Secretary of State for the Home Department what recent discussions he has had about prison staffing and conditions with the Director General of the Prison Service. [28421]

Mr. Michael Forsyth: My right hon. and learned Friend has had a number of recent discussions with the Director General of the Prison Service. A wide range of issues were discussed, including general staffing matters and prison conditions.

Prison Conditions

26. **Ms Quin:** To ask the Secretary of State for the Home Department what plans he has to make any new proposals concerning prison conditions. [28423]

Mr. Michael Forsyth: Policy on prison conditions is kept under constant review and modifications are made from time to time as the need arises. The Prison Service business plan 1995–96 and the Prison Service corporate plan 1995–98, published on 2 May, contain full details of Prison Service priorities and targets for the next three years, and set out how these will be achieved. Copies have been placed in the Library.

Abdul Qayyum Raja and Mohammed Riaz

27. **Ms Lynne:** To ask the Secretary of State for the Home Department what plans he has to review the sentences of Abdul Qayyum Raja and Mohammed Riaz. [28424]

Mr. Michael Forsyth: I shall reconsider the tariff—that is the minimum period to be served by these mandatory life sentence prisoners—in the light of all the representations made by them or on their behalf.

Ethnic Minorities

28. **Mr. Stevenson:** To ask the Secretary of State for the Home Department what is his assessment of the effects of reductions in section 11 funding in the current year; and if he will make a statement. [28425]

Mr. Nicholas Baker: On 22 November my right hon. and learned Friend announced an extra £30 million over two years for new section 11 projects beginning in 1995–96. This means that the section 11 programme is supporting projects worth some £58 million. This is in addition to the £27 million of former section 11 projects continuing under the SRB, and in addition to SRB funded regeneration projects, 35 per cent. of which include initiatives specifically designed to benefit ethnic minorities. In all, this amounts to a sizeable and continuing Government commitment.

Cheshire Constabulary

29. **Mr. Brandreth:** To ask the Secretary of State for the Home Department what assessment he has made of the Cheshire constabulary's front-line policing policy; and if he will make a statement. [28426]

Mr. Maclean: I was pleased to note that crime in Cheshire fell by 7 per cent. in 1994, while the detection rate rose by 4 percentage points. The objectives set in the Cheshire policing plan for 1995–96 should enable this welcome trend to be maintained.

Home Security

Mr. Harry Greenway: To ask the Secretary of State for the Home Department how much home security support he is arranging for householders in the metropolitan area; at what cost to public funds; and if he will make a statement. [28551]

Mr. Maclean: The Home Office has no funds for the direct provision of security support to individual householders, although we do run regular information campaigns on various aspects of crime prevention. I understand from the Commissioner of Police of the Metropolis that his officers actively supports neighbourhood watch schemes and other local crime prevention initiatives; and offer home security advice to householders, including domestic surveys. His successful campaign against burglary—Operation Bumblebee—has also raised public awareness about home security.

Costings for the relevant elements of the Commissioner's work are not available centrally.

Assembly and Trespass

Mr. Key: To ask the Secretary of State for the Home Department what assessment he has made of the operation of the Criminal Justice and Public Order Act 1994 as it relates to assembly and trespass; and if he will make a statement. [29051]

Mr. Maclean: Section 70 of the Criminal Justice and Public Order Act 1994 amended part II of the Public Order Act 1986 by inserting two new sections to deal with trespassory assemblies. They provide for chief officers of police to apply to the appropriate local council for an order prohibiting the holding of all trespassory assemblies within a given area for a period of not more than four days, where they reasonably believe that a trespassory assembly will be held which might result in serious disruption to local residents or significant damage to a site of historical, architectural, archaeological or scientific importance.

The consent of my right hon. and learned Friend to the making of an order is required. This ensures that they are as restricted and selective in scope as is necessary to meet the objective of protecting the community. Since these provisions came into force my right hon. and learned Friend has given his consent to Salisbury district council making two such orders which applied to a four mile radius of Stonehenge between 29 May and 1 June and 17 and 21 June. The enforcement of these orders is an operational matter for the chief officer of Wiltshire constabulary. No other orders have been made under the section.

We are continuing to monitor the other public order measures in part V of the Act but it will be some time before we are able to assess their effectiveness.

Crime

Sir Michael Neubert: To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of recent exercises in co-ordinated action against crime by the Metropolitan and county police forces. [29106]

Mr. Maclean: I would like to congratulate the forces which participated in the co-ordinated operation on 2 May against those involved in burglary; officers from 22 forces across the south of England and Wales searched 1,828 addresses, made over 1,300 arrests and recovered large quantities of stolen property.

I fully support police operations that send a clear message to criminals, and their victims, that effective action is being taken against crime.

Security Industry

Mr. Barry Jones: To ask the Secretary of State for the Home Department if he will make it his policy to introduce a licensing system for the private security industry. [28415]

Mr. Maclean: The case for a licensing system is currently being considered. The report published recently by the Home Affairs Select Committee made a number of very helpful recommendations on this issue, and I shall respond to it soon.

Visitors Passports and Excursion Documents

Sir John Stanley: To ask the Secretary of State for the Home Department what plans he has to abolish British visitors passports and British excursion documents in 1996; and if he will make a statement. [30391]

Mr. Nicholas Baker: I refer my right hon. Friend to the reply given to a question from my hon. and learned Friend the Member for Burton (Sir I. Lawrence) on 20 December 1994, *Official Report* columns *1214–15*.

Local Taxation (Imprisonment)

Mr. Bermingham: To ask the Secretary of State for the Home Department how many *(a)* men and *(b)* women were imprisoned in England and Wales for non-payment of council tax, poll tax or rates in each year since 1991. [30280]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Gerald Bermingham, dated 22 June 1994:

The Home Secretary has asked me to reply to your recent Questions asking how many *(a)* men and *(b)* women were imprisoned in England and Wales for non-payment of council tax, community charge or rates in each year since 1991.

Information for 1991 and 1992 is published in "Prison Statistics, England and Wales" (table 6.3 of the 1992 edition, Cm. 2581), a copy of which is in the Library of the House. Provisional information for 1993 and 1994 is given in the attached table.

Receptions of non-criminal prisoners into prison service establishments in England and Wales for non-payment of rates or community charge, 1993–1994.

	1993[1]		*1994*[1]	
Offence	*Males*	*Females*	*Males*	*Females*
Non-payment of rates	173	21	98	16
Non-payment of community charge	1,249	177	1,173	188

[1] Provisional figures.

Obscenity

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department if he will make a statement on the progress of the working group on obscenity; and if he will list the topics which have been discussed. [30019]

Mr. Nicholas Baker: The group has met twice so far. The main topics discussed have been the use of computer networks for the importation and dissemination of obscene and indecent material, the enforcement of laws against child pornography, the display of indecent material in newsagents and the need for further research in the area of obscenity.

Fine Defaulters

Mr. Bermingham: To ask the Secretary of State for the Home Department what proportion of *(a)* all sentenced prison receptions and *(b)* all receptions of prisoners sentenced to six months or less consisted of fine defaulters in England and Wales in (i) 1993 and (ii) 1994. [30278]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Gerald Bermingham, dated 22 June 1995:

The Home Secretary has asked me to reply to your recent Question asking what proportion of (a) all sentenced prison receptions and (b) all receptions of prisoners sentenced to six months or less consisted of fine defaulters in England and Wales in (i) 1993 and (ii) 1994.

The information requested is given in the table below.

Fine defaulters as a percentage of all sentenced receptions and receptions of persons sentenced to less than 6 months, 1993 and 1994[1]

Per cent.

	1993	1994
Percentage of all sentenced receptions	30.7	27.2
Percentage of receptions sentenced to less than six months	48.3	41.5

[1] Provisional figures.

Mr. Bermingham: To ask the Secretary of State for the Home Department, how many *(a)* males and *(b)* females were imprisoned in 1993 and 1994, respectively, for non-payment of fines; and what were the numbers of cases where the original fines were imposed for (i) motoring offences, (ii) theft and handling, (iii) drunkenness, and (iv) non-payment of television licences. [30277]

Mr. Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Gerald Bermingham, dated 22 June 1995.

The Home Secretary has asked me to reply to your recent Question asking how many *(a)* males and *(b)* females were imprisoned in 1993 and 1994, respectively, for non-payment of fines; and what were the numbers of cases where the original fines were imposed for (i) motoring offences, (ii) theft and handling, (iii) drunkenness, and (iv) non-payment of television licences.

Provisional information for 1993 and 1994 is given in the attached table.

Receptions of fine defaulters into Prison Service establishments in England and Wales, 1993–1994

Offence	1993[1] Males	Females	1994[1] Males	Females
Theft and handling	3,802	265	2,341	186
Drunkenness	633	24	329	10
Motoring offences	8,141	202	6,432	198
Using a TV without a licence	547	278	503	260
Not recorded	82	16	2,775	125
All receptions	21,097	1,306	21,303	1,420

[1] Provisional figures. The 1994 figures for types of offence are affected by a larger "not recorded" component.

Mr. Bermingham: To ask the Secretary of State for the Home Department what was the proportion of the average daily population of *(a)* all sentenced prisoners and *(b)* all prisoners serving sentences of six months or less consisting of fine defaulters in England and Wales in (i) 1993 and (ii) 1994. [30279]

Mr. Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Gerald Bermingham, dated 22 June 1995:

The Home Secretary has asked me to reply to your recent Question asking for the proportion of the average daily population of (a) all sentenced prisoners and (b) all prisoners serving sentences of six months or less, consisting of fine defaulters in England and Wales in (i) 1993 and (ii) 1994.

The information requested is given in the table attached.

Fine defaulters as a percentage of the average sentenced population and average population sentenced to less than 6 months, 1993 and 1994[1]

	1993	1994
Percentage of average sentenced population	1.5	1.2
Percentage of average sentenced population sentenced to less than six months	12.6	9.9

[1] Sentenced population includes fine defaulters but excludes sentenced prisoners held in police cells.

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many female prisoners were received into jails in England and Wales in lieu of fine default during 1994; and how many were received for non-payment of fines in relation to *(a)* community charge offences, *(b)* television licence offences, *(c)* soliciting and loitering, *(d)* motoring offences and *(e)* other offences which were themselves non-imprisonable. [24270]

Mr. Michael Forsyth: The available provisional information of receptions of female fine defaulters into Prison Service establishments in 1994 is given in the table. Receptions for non-payment of community charge tax or council tax are not classified as receptions for fine default and are not therefore included in the table. Provisional information, however, shows that 188 females were received into a Prison Service establishment in England and Wales for non-payment of community charge in 1994. Separate information is not centrally available on fine default for loitering or for other non-imprisonable offences.

Receptions of female fine defaulters into Prison Service establishments in England and Wales 1994[1]

Offence	Number
Using a TV without a licence	260
Soliciting	24
Motoring offences	198
Other offences	815
All receptions	1,420

[1] Provisional figures.

Dr. Jones: To ask the Secretary of State for the Home Department how many *(a)* male and *(b)* female prisoners were received into gaols in England and Wales for fine default in each of the last three years for which figures are available; and how many were received for non-payment of *(a)* community charge, *(b)* TV licence, *(c)* motor offences, *(d)* sexual offences and *(e)* other offences which were themselves not imprisonable. [26896]

Mr. Forsyth: The available provisional information for receptions of fine defaulters into Prison Service establishments for 1992–1994 is given in table 1. Non-imprisonable offences are not separately identifiable

from the offence information held centrally. Those received into prison for non-payment of community charge or council tax are non-criminal prisoners rather than fine defaulters. Information about receptions of such prisoners is given in table 2.

Information on fine defaulters and non-criminal receptions is published in "Prison Statistics, England and Wales"—tables 6.2 and 7.2 of the 1992 edition, Cm 2581, a copy of which is in the Library.

The power to imprison fine defaulters should be used only as a final sanction where the court has inquired into the offender's means and is satisfied that the default is due to the offender's wilful refusal or culpable neglect and has considered or tried all other methods of enforcing payment of the sum and it appears to the court that they are inappropriate or unsuccessful. In the case of defaulters aged 18 to 20 the court may, instead of issuing a warrant of committal, make an attendance centre order if such a disposal is available locally.

When a fine has been imposed on an offender by a court it may require immediate payment, allow time for payment, or order payment by instalments. If it orders payment by instalments it may at the same time, if the court deems it appropriate, make a money payments supervision order or, if the offender requests it, make an attachment of earnings order.

If an offender subsequently defaults on payment then the court is required to inquire again into his or her financial circumstances. A fine may be remitted in whole or in part where the original sentence was imposed on the basis of insufficient information about the financial circumstances of the offender or if circumstances have changed since the conviction. Periodical payments or further time to pay may be ordered in cases where that would be appropriate.

The magistrates court enforcing the fine may also use any of the following range of powers available to it:

it can make a money payments supervision order;

it can make an attachment of earnings order;

it can make an application for deductions to be made from an offender's income support; and

it may issue a distress warrant where the defaulter has goods which may be sold to meet the fine;

where the defaulter is under 18:

the parent or guardian, whose consent must be obtained, can be ordered to enter into a recognisance to ensure the defaulter pays, provided the court is satisfied the defaulter has had the means to pay and has refused or neglected to pay; or

the parent or guardian can be ordered to pay the fine provided the court is satisfied the defaulter has had the means to pay and has refused or neglected to pay.

A working group on the enforcement of financial penalties has been set up by the Lord Chancellor's Department to identify and promote good practice in the enforcement of financial penalties and recommend procedural, administrative or legislative changes which would improve the enforcement of financial penalties. A study has also been commissioned by the Home Office research and planning unit to examine the use made of each of the enforcement methods available to the courts. The findings of the study will help to inform the considerations of the working group.

Table 1
Receptions of fine defaulters into Prison Service establishments in England and Wales, 1992 to 1994

Offence	1992		[1]1993		[1]1994	
	Males	Females	Males	Females	Males	Females
Using A TV without a licence	405	163	547	278	503	260
Motoring offences	6,139	146	8,141	202	6,432	198
Sexual offences	29	1	27	—	12	—
Other offences	10,797	639	12,300	540	11,581	839
Not recorded	1,412	95	82	16	2,775	125
All receptions	18,782	1,044	21,097	1,306	21,303	1,420

[1] Provisional figures.

Table 2
Receptions of non-criminal prisoners into Prison Service establishments for non-payment of community charge 1992–1994

Year	Males	Females
1992	476	28
1993[1]	1,249	177
1994[1]	1,173	188

[1] Provisional figures.

Child Abduction

Sir John Stanley: To ask the Secretary of State for the Home Department whether he will make it his policy that the passports of wards of court and other children at risk of child abduction be endorsed with details of relevant court orders. [30392]

Mr. Nicholas Baker: Consideration is currently being given by the Lord Chancellor's Department and the Home Office to the question of the endorsement of the passports of children at risk of child abduction. It is not possible at this stage to indicate the likely outcome of this process.

Sir John Stanley: To ask the Secretary of State for the Home Department what has been the work of his Department in the field of child abduction over the past year; and what work is planned in the year ahead. [30388]

Mr. Maclean: In association with REUNITE—the National Council for Abducted Children—officials and police officers have been reviewing police practice in this field. It is hoped that some guidance materials for parents and police officers will be produced.

Sir John Stanley: To ask the Secretary of State for the Home Department, how many known cases there have been of child abduction from the United Kingdom in each of the last five years for which figures are available. [30390]

Mr. Maclean: No information is collected centrally on the number of children abducted from the United Kingdom.

Medical Research

Mrs. Beckett: To ask the Secretary of State for the Home Department what plans he has to make lottery money available for medical research. [30297]

Mr. Nicholas Baker: The distribution of the share of lottery proceeds which is allocated for charitable expenditure is a matter for the National Lottery Charities Board. The board has stated that, in its first grants programme, on which it expects to make awards in October, it is placing a high priority on funding organisations working with people on low incomes and that applications from medical research charities which meet this criterion will be considered by the board in line with these priorities. The board has also said that in addition, applications from medical research charities for other projects will also be considered in the first programme, if the application is for an exceptional project or initiative. The board has yet to announce its priorities for future grant rounds.

Mrs. Ifat Shaheen Hussain

Mr. Madden: To ask the Secretary of State for the Home Department when his Department received a request from the United Kingdom post in Islamabad to interview the sponsor of Mrs. Ifat Shaheen Hussain (Ref: Imm/C6283); when the sponsor is to be interviewed; and if he will make a statement. [30069]

Mr. Nicholas Baker: The request from the British high commission in Islamabad for an interview of Mrs. Ifat Shaheen Hussain's sponsor was received by the Home Office on 28 February 1995. The papers are, at present, with the immigration service, at Leeds—Bradford airport who will contact Mrs. Hussain's sponsor to arrange an interview in due course.

Asylum Seekers

Mr. Cox: To ask the Secretary of State for the Home Department how many asylum seekers are at present being held in prisons in England and Wales. [29545]

Mr. Nicholas Baker: As at 15 June 1995, a total of 240 persons who had at some stage sought asylum in the United Kingdom were detained in Prison Service establishments. This figure includes people awaiting the setting of directions for removal following refusal of the application, as well as those whose applications were under consideration or subject to appeal.

Mr. Gerrard: To ask the Secretary of State for the Home Department what proportion of asylum applications made by people with leave to enter the United Kingdom as visitors in 1994 was made before the leave to enter expired. [29461]

Mr. Nicholas Baker: Seventy per cent. of asylum applications from people with leave to enter the United Kingdom as visitors in 1994 were made before the leave to enter expired.

Police Vehicle Accidents

Mr. Mullin: To ask the Secretary of State for the Home Department how many people have been *(a)* killed and *(b)* injured in accidents involving police vehicles in each of the last five years. [29514]

Mr. Maclean: The latest available information on casualties in police vehicle accidents in England and Wales is for the period 1989–1993 and is given in the following table. The figures relate to death or serious injury in the course of either police pursuits or responses to emergency calls.

Police vehicle accidents (England and Wales)

Year	*Total fatal injuries*	*Total serious injuries*
1989	39	333
1990	24	317
1991	32	271
1992	30	300
1993	34	300

Probation Officers

Mr. Michael: To ask the Secretary of State for the Home Department, pursuant to his answer of 6 June, *Official Report*, column *125*, if he will list the organisations that have responded to the consultative proposals concerning probation officer recruitment and training. [29486]

Mr. Nicholas Baker: The Home Office has received comments from a wide variety of sources including individuals or groups of individuals in organisations and professional bodies. Some of these have written in a personal capacity and it would not be appropriate to disclose details. Responses have been received from the following organisations, probation services and universities.

Organisations

Central Probation Council
Association of Chief Officers of Probation
Probation Managers Association
National Association of Probation Officers
Association of Black Probation Officers
National Association of Asian Probation Staff
Committee of Vice Chancellors and Principals of the Universities of the United Kingdom
Central Coupcil for Education and Training in Social Work (CCETSW)
Joint University Council Social Work Education Committee
Standing Conference of Tutors of Probation Qualifying Courses
Association of University Teachers
The Magistrate's Association
Association of County Councils
British Society of Criminology
The Association of Family Court Welfare Officers
Commission for Racial Equality
Portman and Tavistock NHS Trust
Voluntary Sector Consultative Group

Probation services

Bedfordshire
Berkshire
Buckinghamshire
Cambridgeshire
Cheshire
Cleveland
Cornwall

Cumbria
Derbyshire
Devon
Dorset
Durham
Essex
Gloucestershire
Hampshire
Hereford and Worcestershire
Hertfordshire
Humberside
Kent
Lancashire
Leicestershire
Lincolnshire
Inner London
North East London
South East London
South West London
Manchester
Merseyside
Norfolk
Northampton
Northumbria
Nottinghamshire
Oxfordshire
Shropshire
Staffordshire
Suffolk
Surrey
East Sussex
West Sussex
Warwickshire
West Midlands
Wiltshire
North Yorkshire
South Yorkshire
West Yorkshire
North Wales
Dyfed
Powys
Gwent
Mid Glamorgan
South Glamorgan
West Glamorgan

Universities

Bangor University College of North Wales
Bath University
Birmingham University
Bristol University
Croydon College
Durham University
East Anglia University
Exeter University
Huddersfield University
Hull University
Keele University
Leicester—De Montfort University
Liverpool University
Manchester Metropolitan University
Manchester University
Mid Kent College of Higher Education
Middlesex University
Northumbria University at Newcastle
Nottingham Trent University
Nottingham University
Oxford University
Sheffield University
Sheffield Hallam University
Southampton University
Sussex University
Swansea University College

Mrs. Golding: To ask the Secretary of State for the Home Department how many responses were received to the consultation document on the recruitment and training of probation officers; and how many of these supported the Government's proposals as set out in the consultation paper. [28113]

Mr. Baker: A total of 493 responses had been received by the end of the consultation period on 26 May 1995, of which 11 supported those proposals in full. My right hon. and learned Friend will be carefully considering all responses received and will announce his conclusions in due course.

Police Charging

Mrs. Mahon: To ask the Secretary of State for the Home Department, pursuant to his answer of 20 January, *Official Report*, column *694*, if he will make a statement on what is *(a)* the basis of and *(b)* justification for the general gravity and specific gravity system for police officers' use when determining whether or not to charge a suspect with an offence and which offence to charge. [29660]

Mr. Maclean: Decisions on charging are matters for chief officers and the Crown Prosecution Service. Where systems containing gravity factors are in use, I understand that they are intended to ensure a more consistent and robust approach to decision making by bringing to the attention of officers all the relevant facts of a case.

Demonstrations (Live Animals Exports)

Mr. Sheerman: To ask the Secretary of State for the Home Department what has been the total cost to police budgets of the protection provided to those involved in the export of live animals in the last year. [29642]

Mr. Maclean: In the last 12 months seven police authorities have incurred additional expenditure as a result of policing demonstrations against live animal exports. I understand from them that the estimated additional costs to date have been £6,848,206.

National Lottery

Mr. Sheerman: To ask the Secretary of State for the Home Department what estimate he has made of the overall effect on the income of smaller charities of the introduction of the national lottery. [29653]

Mr. Nicholas Baker: It is too early to assess the overall effect that the national lottery is having in this area. My right hon. and learned Friend has undertaken to monitor changes in charitable income following the establishment of the national lottery. He is preparing proposals for giving effect to this undertaking.

Former Yugoslavia

Mr. Fraser: To ask the Secretary of State for the Home Department what is his Department's current policy in respect of the resolution adopted on 1 June 1993 by the European Council under the headings "Resolution on certain common guide-lines as regards the admission of particularly vulnerable groups of persons from the former Yugoslavia". [29652]

Mr. Nicholas Baker: The Government have agreed to receive 1,000 particularly vulnerable individuals and their close dependants from the former Yugoslavia. As at 20 June, 866 principals and 1,177 dependants had arrived. None of these people will be required to return to the former Yugoslavia until it is safe to do so.

In addition, the Government are maintaining their previously announced policy of not requiring nationals of the former Yugoslavia to return to areas of active conflict.

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for the Home Department how many written parliamentary questions were tabled for answer by his Department in each of the past five years; how many of these were not answered because the information *(a)* could be obtained only at disproportionate cost, *(b)* was not held centrally and *(c)* was not normally disclosed; how many of these could now be answered due to computerisation, more effective and efficient operational systems or more open government; and if he will list each question along with the name and constituency of the right hon. or hon. Member who originally tabled it. [28518]

Mr. Howard: The information requested could be provided only at disproportionate cost.

Justice and Home Affairs Council

Sir Michael Shersby: To ask the Secretary of State for the Home Department if he will make a statement on the outcome of the Justice and Home Affairs Council held on 20–21 June. [30864]

Mr. Howard: I, together with the Minister of State, Scottish Office, Lord Fraser, represented the United Kingdom at the Council which was held in Luxembourg.

Before the Council began, the Ministers of the member states met their counterparts from the central and eastern European states and from the Baltic states to continue the structured dialogue with them on interior and justice affairs. The troika held a meeting after the Council to brief the USA, Canada, Malta and Cyprus on the Council's discussions.

The Council agreed as "A" points, among other things, a statistical report on crimes and offences linked to racism and xenophobia, a report on terrorism, a report on aspects of customs co-operation, a recommendation on means of combating illegal immigration and illegal employment and a resolution on the protection of witnesses in the fight against international organised crime.

The Council had a full discussion on the points outstanding on three important conventions, which are close to completion. These are the conventions on Europol, on the protection of the financial interests of the European Communities and on the Customs information system. The Council was able to resolve most of these points and to make progress in defining the remaining issues which relate mainly to resolving disputes on the interpretation of the conventions. These will be discussed by the European Council at Cannes.

The Council considered progress reports on work on the draft convention on controls on persons crossing external frontiers and on the draft convention on extradition. It also considered a draft convention on jurisdiction and the enforcement of judgments in matrimonial matters, and agreed that work would continue on this under the incoming Spanish presidency.

It agreed in principle a resolution on burden sharing with regard to the admission and residence of temporarily displaced persons which is not legally binding and is in terms acceptable to the United Kingdom.

The Council considered the draft Council regulation on third countries whose nationals must have a visa when crossing the external borders of the member states. It failed to reach final agreement due to a difference of opinion on the inclusion in the list of the former Republic of Yugoslavia, Serbia-Montenegro.

I raised with my colleagues the question of football hooliganism. The Council agreed with my proposal that work should be done to increase the effectiveness of the arrangements between member states for preventing and dealing with disorder arising at football matches.

NORTHERN IRELAND

Flatworms

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what resources are being applied to research into the effects of New Zealand flatworms; if he will list the studies being undertaken; what assessment he has made of *(a)* the control of the flatworm in 1995 to date and *(b)* whether the problem is increasing; and if he will make a statement. [29170]

Mr. Ancram: New Zealand flatworms were first observed in two gardens in Belfast in 1963. They have spread to other parts of Northern Ireland and have now been found in approximately 800 locations. The Department of Agriculture is continuing to carry out research into the effects and control of the flatworm. It is estimated that costs of £366,000 have been incurred on this work since 1988 and £48,000 will be spent on it in 1995–96. Research to date has not identified an effective control measure other than trapping and removal of the flatworms.

Education Service (Building Programme)

Mr. Spellar: To ask the Secretary of State for Northern Ireland how much money has been allocated for the building programme for the education service for the financial year; how much of this is additional funding; how much of this is directly related to construction work, how many projects are involved; how many projects have been put out to tender; and how many projects have commenced construction work. [28991]

Mr. Ancram: A total of £48.05 million has been allocated in the 1995–96 financial year for major capital works in the education service, and all new building work under the education reform programme. No additional resources were made available in the 1994 public expenditure round. This total is directly related to construction work and 211 capital projects are involved. Construction work has commenced on 111 projects and 33 projects are out to tender.

Sulphur Quotas

Mr. Spellar: To ask the Secretary of State for Northern Ireland what representations he has received regarding additional sulphur quotas for Northern Ireland's electricity generators; and when he expects to make a decision. [28980]

Mr. Moss: On the basis of representations from public representatives, Northern Ireland Electricity and the Northern Ireland generators, consideration is being given to the possible transfer of surplus allocations of sulphur dioxide and oxides of nitrogen from power stations in Great Britain to Northern Ireland.

It is hoped that a decision on this can be made in the near future and, as already undertaken, I will advise the hon. Member of the outcome of this examination as soon as possible.

Schools (Funding)

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will make a statement on the reasons for the removal of direct links between the Department of Education in Northern Ireland and voluntary grammar schools. [28973]

Mr. Ancram: The Government have proposed that the recurrent funding of voluntary grammar schools and grant-maintained integrated schools would in future be undertaken by the education and library boards, which are responsible for funding the vast majority of schools in Northern Ireland, both controlled and voluntary.

Many representations on these proposals have been received by my Department as part of the consultation process, which officially ended on 9 June. I will now wish to consider these representations before making final decisions.

Washington Investment Conference

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how much was expended out of public funds sent to delegates to the Washington investment conference. [28981]

Sir John Wheeler: Financial assistance was provided by the Industrial Development Board only to those business representatives who qualified under existing marketing programmes. Companies qualifying under this support through the matchmaker programme totalled 34 and assistance of up to £500 per attendee is available. So far, no financial support has been drawn down. Assistance of up to £500 per attendee was also provided to the voluntary sector. To date, £18,500 has been expended.

The Secretary of State and two Northern Ireland Office Ministers attended the conference, along with a number of senior officials and chairmen of Government-funded agencies. While in the United States, a number of the attendees at the conference undertook other official arrangements. Costs of attending the conference are being collated and apportioned to reflect this. I will write to the right hon. Gentleman with these details.

Accidents (Old Milltown Road)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many accidents there have been this year along the Old Milltown road, Shaw's Bridge, Castlereagh; how many of these road accidents have involved pedestrians; what proposals there are for a footway along this road; what proposals there are to make the Old Milltown road a one-way road; what proposals there are for calming measures at the Old Milltown road; and if he will make a statement about road safety at this location. [28978]

Mr. Moss: On the road in question, there has been one recorded injury accident this year—no pedestrians were involved. There are no proposals to provide a footway, a one-way system or traffic calming measures at Old Milltown road. The accident history at this location compares favourably with that at similar locations throughout the Belfast area.

National Health Service

Mr. Milburn: To ask the Secretary of State for Northern Ireland what were the administrative costs incurred by *(a)* NHS purchasers and *(b)* NHS providers in each region in each year since 1990–91. [29094]

Mr. Moss: The purchaser-provider split was not recognised in the accounts of health and personal social services organisations in Northern Ireland until 1992–93. The information requested is not available in the precise form requested. The tables give expenditure on administration, training and miscellaneous items.

Table 1
Total administration and other expenditure
1990–91 and 1991–92

£

	1990–91	*1991–92*
Northern Health and Social Services Board	11,220,689	13,654,582
Southern Health and Social Services Board	9,351,945	10,898,914
Eastern Health and Social Services Board	28,128,256	35,328,069
Western Health and Social Services Board	9,611,322	11,468,036
Total	58,312,212	71,349,601

Table 2
Total administration and other expenditure 1992–93

	Northern board area £	Southern board area £	Eastern board area £	Western board area £	Total £
Purchaser	3,904,301	5,381,665	7,294,838	3,063,922	19,644,726
Provider	14,448,283	9,618,441	38,061,193	15,713,177	77,841,094
Total	18,352,584	15,000,106	45,356,031	18,777,099	97,485,820

Table 3
Total administration and other expenditure 1993–94

	Northern board area £	Southern board area £	Eastern board area £	Western board area £	Total £
Purchaser	3,622,968	3,576,395	5,423,077	2,345,573	14,968,013
Provider	16,736,405	11,419,068	41,679,102	16,205,361	86,039,936
Total	20,359,373	14,995,463	47,102,179	18,550,934	101,007,949

Note:
In 1992–93 the form of accounts for health and personal social services organisations changed to reflect the purchaser/provider split and the introduction of capital charges. Comparison of figures before 1992–93 with those since that date should be approached with caution.

Dr. Yin Yin Teoh

Mrs. Beckett: To ask the Secretary of State for Northern Ireland if he will make a statement on the case of Dr. Yin Yin Teoh of the Belfast Victoria hospital [30255]

Mr. Moss: Dr. Yin Yin Teoh, a pre-registration house officer in the royal group of hospitals HSS trust was responsible for the accidental administration of an injection into the wrong drip line which resulted in the death of a patient, Mr. Samuel Beers. As a result, Dr. Teoh was charged with manslaughter but was found not guilty at her trial on 15 May 1995.

A thorough investigation of the circumstances surrounding the incident was carried out by the trust and the recommendations flowing from this investigation have been implemented.

During the period of the investigation and trial, Dr. Teoh was transferred to non-clinical duties. She has since been successful in obtaining an appointment as a senior house officer and has resumed clinical duties at the royal group of hospitals trust.

Rate Collection Agency

Mr. Butler: To ask the Secretary of State for Northern Ireland if he will make a statement on the future of the Rate Collection Agency. [30937]

Mr. Moss: KPMG Management Consulting was commissioned to undertake an evaluation of the performance of the Rate Collection Agency and a review of the prior options of abolition, privatisation or contractorisation of the agency or the market testing of its functions. They concluded that:

- the RCA is an effective and efficient organisation, and that Agency status has acted as a catalyst to improvement in performance through the greater clarity of objectives and responsibilities which it has engendered;
- the delivery of the RCA functions by the private sector is feasible, and that the most appropriate way of ensuring the best value for money solution is to market test the Agency's functions.

The Government have decided to accept the KPMG recommendations that the agency's functions should be market tested. In the meantime, the status of the agency has been confirmed until the results of the market test are implemented. A revised framework document for the agency is currently being prepared.

Copies of the KPMG report are being placed in the Library.

Small and Medium-sized Business

Ms Primarolo: To ask the Secretary of State for Northern Ireland what is his Department's definition of a small business and a medium-sized business. [29578]

Mr. Ancram *[holding answer, 21 June 1995]:* There is no generally accepted, single definition of what is a small and what is a medium-sized business. Where it is necessary to distinguish between small and medium-sized businesses, for example in the presentation of statistical data or in the context of a specific scheme of assistance, the definition used will always be made clear.

WALES

Training and Enterprise Councils

Mr. Morgan: To ask the Secretary of State for Wales if he will list the criteria for being appointed chairman of a training and enterprise council; when the criteria were last revised; and if he will list chairmen of the Welsh training and enterprise councils, and the business activities in which they are engaged corresponding to the criteria for selection. [28248]

Mr. Redwood: The chairman of each training and enterprise council is chosen by the TEC's board of directors. To be eligible the person concerned must hold the office of chairman or chief executive of a company, or be a top level operational manager at a local level of a company, or be a senior partner of a professional partnerships within the private sector, where the company or partnership concerned is of at least three year's standing and has either an annual turnover exceeding £5 million or 25 or more full-time employees. Any TEC director who ceases to be eligible while in office is expected to relinquish that position within three months

after ceasing to be eligible, unless the TEC and I agree that he or she may continue in office.

These requirements are set out in the TEC operating agreement and were last reviewed in 1992.

The current chairman of TECs in Wales are listed. All of these except one satisfy the eligibility criteria for TEC chairmanship as either chairman or managing director of a private sector company employing more than 25 staff. The exception is Mr. Paul Rich who was eligible as the managing director of a private company employing more than 25 staff at the time of his appointment as TEC chairman. Mr. Rich has since ceased to hold this office but I have agreed to his continued chairmanship of the TEC up to 31 March 1996, unless the TEC identifies a suitable successor before then.

	Name
Mid Glamorgan TEC	Mr. John Phillips CBE
West Wales TEC	Mr. Carl Hadley OBE
North West Wales TEC	Mr. Trefor Jones OBE DL
North East Wales TEC	Mr. John Troth OBE
Powys TEC	Mr. David Baird-Murray
Gwent TEC	Mr. Roger Jones
South Glamorgan TEC	Mr. Paul Rich

Conservative Welsh Conference

Mr. Martyn Jones: To ask the Secretary of State for Wales what was the cost to public funds of hosting the Conservative Welsh conference at the Eisteddfod international centre in Llangollen on 9 and 10 June. [28810]

Mr. Redwood: Security and policing arrangements for the conference were provided by the North Wales police force. No other cost to public funds was incurred.

Medical Treatment

Mr. Llew Smith: To ask the Secretary of State for Wales, pursuant to his oral answer of 12 June to the hon. Member for Ribble Valley (Mr. Evans), *Official Report*, column 490, what assessment he has made of the reasons for the change in numbers of people needing medical treatment in Wales since 1979. [29157]

Mr. Richards: A large number of factors will have contributed to the increase, including a greater use of screening procedures, medical, technical and pharmaceutical advances, an overall increase in morbidity due mainly to the growing number of elderly people, and rising public and patient expectations of what NHS treatment can achieve.

Clinical Services

Mr. Nicholas Brown: To ask the Secretary of State for Wales if he will place in the Library a list of all contracts for non-clinical services worth £100,000 or more that have been awarded by national health service trusts under the compulsory competitive tendering process.

Mr. Richards: Only three NHS services are subject to compulsory competitive tendering—catering, laundry and domestic services. All the contracts awarded by NHS trusts for these services are in excess of £100,000.

Administrative Costs

Mr. Milburn: To ask the Secretary of State for Wales, what were the administrative costs incurred by *(a)* NHS purchasers and *(b)* NHS providers in each region in each year since 1990–91. [29096]

Mr. Richards: I refer the hon. Member to the reply given by my right hon. Friend to the hon. Member for Caerphilly (Mr. Davies) on 19 June 1995, *Official Report*, column *70*.

Placement of Old People

Mr. Foulkes: To ask the Secretary of State for Wales what was the total expenditure in 1993–94 by each local authority from placements of old people in *(a)* registered and *(b)* unregistered independent residential care and nursing homes, inside and outside the local authority area and from placements in local authority homes for older people; and if he will break down by income from (1) Government grants, inside aggregate external finance and outside aggregate external finance, (2) sales, (3) fees and charges, (4) other income and (5) joint arrangements. [28993]

Mr. Richards: The information requested is given in the following tables. In 1993–94 local authorities incurred no expenditure on, and received no income from, placements in unregistered independent residential care and nursing homes. The expenditure not covered by direct income is supported from sources not hypothecated to specific sources, primarily revenue support grant, non-domestic rates and council tax income.

(a) Residential care and nursing placements in registered independent homes for the elderly 1993–94[1]

£ thousand

	Total expenditure	*Total income*	*Of which: Government grants*[2]	*Sales*	*Fees and charges*	*Other income*	*Joint arrangements*
Clwyd	3,156	27	0	0	27	0	0
Dyfed	2,785	1,248	0	0	1,248	0	0
Gwent	2,882	1,203	0	0	1,203	0	0
Gwynedd	0	0	0	0	0	0	0
Mid Glamorgan	2,596	1,317	0	0	1,317	0	0
Powys	707	121	0	0	121	0	0
South Glamorgan	1,599	94	0	0	94	0	0
West Glamorgan	1,958	5	0	0	5	0	0
Total Wales	15,683	4,015	0	0	4,015	0	0

[1] Provisional. Includes placements in independent sector homes which are not required to register under the Registered Homes Act 1984 because they are managed or provided by an exempt body.
[2] Includes specific and supplementary government grants inside and outside Aggregate External Finance.

(b) Local authority homes for the elderly 1993–94[1]

£ thousand

	Total expenditure	Total income	Of which: Government grants[2]	Sales	Fees and charges	Other income	Joint arrangements
Clwyd	7,028	2,252	0	107	2,036	109	0
Dyfed	10,619	4,537	0	21	3,812	704	0
Gwent	9,739	3,130	54	19	2,548	474	35
Gwynedd	7,658	2,621	0	0	2,559	62	0
Mid Glamorgan	11,865	3,829	35	43	3,751	0	0
Powys	4,665	1,502	0	10	1,475	17	0
South Glamorgan	6,203	1,876	0	22	1,637	209	8
West Glamorgan	8,435	2,371	17	33	2,201	120	0
Total Wales	66,212	22,118	106	255	20,019	1,695	43

[1] Provisional. Includes income from placements of the elderly mentally infirm, the physically disabled and blind and deaf people. Excludes income from sheltered accommodation.
[2] Includes specific and supplementary government grants inside and outside Aggregate External Finance.

Labour Statistics

Mr. Llew Smith: To ask the Secretary of State for Wales, what was the number of employees in *(a)* manufacturing and *(b)* service industries in (i) Wales and (ii) the travel-to-work areas in Blaenau Gwent in each year since 1987. [29149]

Mr. Gwilym Jones: The data requested are available for each year from 1987 for Wales and for 1987, 1989 and 1991 for Blaenau Gwent travel-to-work area. All these data can be obtained from the NOMIS database which can be accessed by the staff of the Library of the House.

Volatile Organic Compounds

Mr. Wigley: To ask the Secretary of State for Wales what support his Department is giving to local authorities in Wales to assist them to develop their systems for monitoring volatile organic compounds. [29488]

Mr. Gwilym Jones: Under its strategy to curb emissions of volatile organic compounds, the Government are taking a range of measures including controls on industrial sources, tighter standards for vehicles, and increased monitoring. As part of this we are encouraging the integration of local authority monitoring into the UK network and aiming to provide support to councils on quality controls aspects. In Wales, the Welsh Office has also co-operated with councils on the establishment of the new air quality forum to help monitor and assess, on a consistent basis, compounds and other air pollutants.

NHS Dental Services

Mr. Wigley: To ask the Secretary of State for Wales how much of the extra money for alleviating the dental crisis in Gwynedd, announced by him earlier this year to the Welsh Grand Committee, has so far been *(a)* spent and *(b)* committed; and if he will publish an analysis of such expenditure. [29924]

Mr. Richards: None of the extra £2.5 million has yet been allocated or spent.

All Welsh health authorities, as well as those in Gwynedd, were invited to bring forward proposals to improve dental services in their areas. Those proposals have been considered and discussed in detail at meetings with Welsh Office officials.

An announcement will be made shortly on how the money will be made available.

NHS Staff

Mr. Barry Jones: To ask the Secretary of State for Wales how many people have been employed by the NHS in Wales in each of the last five years. [29634]

Mr. Richards: The information is given in the following table:

Whole-time equivalent number of directly employed NHS staff[1]

Date	Number
September 1990	53,049
September 1991	53,475
September 1992	54,537
September 1993	54,932
September 1994	54,136

[1] Excluding pre-registration learner nurses. General medical and dental practitioners (some of whom are employed partly as clinical assistants or hospital practitioners by the NHS) and their staff are also excluded.

Mr. Jones: To ask the Secretary of State for Wales how many managers and similar grades were employed in the NHS in *(a)* 1992 and *(b)* at the latest date for which figures are available; and if he will make a statement. [29635]

Mr. Richards: The information is given in the following table:

Whole-time equivalent number of NHS managers[1]

Date	Number
September 1992	893
March 1995	1,338

[1] Staff paid on senior managers and managers payscales. Includes staff reclassified as managers following the extension in 1989 of managers terms and conditions of service.

Income

Mr. Martyn Jones: To ask the Secretary of State for Wales what is the current average gross weekly income of adult *(a)* male and *(b)* female full-time Welsh workers. [29618]

Mr. Gwilym Jones: According to the "New Earnings Survey", average gross weekly earnings of full-time males in Wales was £320.9 in April 1994. The corresponding figure for females was £239.0.

Landfill Sites

Mr. Barry Jones: To ask the Secretary of State for Wales what is his estimate of the number of landfill sites in which contaminated soil is deposited and is proposed to be deposited in each of the counties of Wales; and if he will make a statement. [29631]

Mr. Gwilym Jones: This information is not held centrally.

Unemployment

Mr. Barry Jones: To ask the Secretary of State for Wales, how many people were unemployed in Wales *(a)* in May 1979 and *(b)* at the last date for which figures are available. [29629]

Mr. Gwilym Jones: The seasonally adjusted number of persons on the claimant unemployment count in Wales was 68,700 in May 1979 and 106,800 in May 1995.

Low Flying

Mr. Wigley: To ask the Secretary of State for Wales if he will discuss with the Secretary of State for Defence what measures need to be put in hand to monitor and deal with incidents of low flying by military aircraft; and if he will make a statement. [28481]

Mr. Redwood: If there are complaints about possible violation of the low flying regulations they should be referred to the MOD for investigation. Compensation is payable where military activity leads to an identifiable and agreed loss.

Hospital Costs

Mr. Llwyd: To ask the Secretary of State for Wales, (1) what is the average cost of providing one doctor hour in Powys hospitals; and if he will make a statement; [29053]

(2) what is the average cost of providing one doctor hour in Welsh hospitals; and if he will make a statement. [29056]

Mr. Richards: This information is not held centrally.

Community Hospitals, Powys

Mr. Llwyd: To ask the Secretary of State for Wales what is the total annual cost of maintaining extended community hospitals in Powys; and if he will make a statement. [29055]

Mr. Richards: The information requested is not held centrally.

GP Fundholding

Mr. Llwyd: To ask the Secretary of State for Wales how many general practitioners in Wales work in independent fundholding practices; what proportion of general practitioners in Wales this represents; what is the annual cost of funding these general practitioners; and if he will make a statement. [29050]

Mr. Richards: There are 649 general practitioners, about 35.5 per cent. of all GPs, working in 146 GP fundholding practices in Wales. The level of expenditure from fundholder management allowances between 1990–91 to 1993–94 was as follows:

	£
1990–91	111,630
1991–92	519,556
1991–93	1,622,538
1993–94	2,904,934

Expenditure figures for 1994–95 are not yet available but provisional accounts suggest that the total sum amounted to some £3.8 million.

NHS Hospital Staff

Mr. Llwyd: To ask the Secretary of State for Wales (1) how many *(a)* doctors, *(b)* nurses, *(c)* administrators and *(d)* other non-medical staff are employed by Welsh hospitals; and if he will make a statement; [29052]

(2) what is the number of *(a)* doctors, *(b)* nurses, *(c)* administrators and *(d)* other non-medical staff employed in extended community hospitals in Powys; and if he will make a statement. [29054]

Mr. Richards: Information is not available in the precise from requested. Details are collected only on a NHS trust, directly managed unit or health authority basis, and for non-medical staff the information does not differentiate between hospital and other staff, such as community based staff. The available information is given in the following table:

	Whole-time equivalent staff Powys Health Care NHS Trust	*Wales*[1]
Doctors[2]	20	2,723
Nursing and midwifery staff[3]	946	24,702
Administrators[4]	212	7,540
Other non-medical staff[5]	471	13,610

Notes:

[1] Excluding staff directly employed by ambulance trust (and ambulance staff employed by other Trusts/authorities), health purchasers (except one for which separate figures disaggregated from its constituent directly managed units are not available), family health service authorities and the Welsh Health Common Services Authority.

[2] Hospital medical staff, excluding hospital practitioners and clinical assistants. At 30 September 1994.

[3] Excluding pre-registration nurse learners. At 31 March 1995.

[4] Includes managers and all other administrative and clerical staff. At 31 March 1995.

[5] Professional and technical, works, maintenance and ancillary staff. At 31 March 1995.

Hip Replacement Costs

Mr. Llwyd: To ask the Secretary of State for Wales what is the average cost of a hip replacement operation undertaken in Powys; and if he will make a statement. [29057]

Mr. Richards: Hip replacement operations are not undertaken within Powys. The service for residents of Powys is purchased from several hospitals in England and Wales.

Mr. Llwyd: To ask the Secretary of State for Wales what is the average cost of a hip replacement operation in Wales; and if he will make a statement. [29062]

Mr. Richards: Information on treatment costs in contracts is not held centrally. Tariffs for treatment outside of contracts are published. Of the published tariffs specifically for hip replacements procedures, the average is £3,466.

Prescriptions

Mr. Llwyd: To ask the Secretary of State for Wales if he will estimate the cost of administering the present prescription and exemption charges system in Wales; and if he will make a statement. [29058]

Mr. Richards: The information is as follows:

Item	*Cost (£ million)*
Purchase of prescription forms for supply to doctors and dentists[1]	0.08
Pricing of prescriptions dispensed by community pharmacists, appliance contractors and doctors[2]	3.2

[1] Expenditure by family health service authorities, 1994. Other FHSA administration costs associated with the NHS prescription system and the charge exemption and remission arrangements are not separately identified.

[2] Expenditure by Prescription Pricing Services, April 1994–March 1995.

The following are excluded from the above:

(1) fees paid to doctors, dentists and pharmacists for professional services and expenditure on the drugs bill;

(2) costs of operating the NHS low income scheme in Wales, which are not separately identified. The scheme provides remission of prescription charges and help with other NHS costs to eligible claimants and their dependents.

Health Service Expenditure

Mr. Llwyd: To ask the Secretary of State for Wales if he will express health service expenditure in Wales as a proportion of Welsh gross domestic product for *(a)* 1990–91, *(b)* 1993–94 and *(c)* 1994–95; and if he will make a statement. [29059]

Mr. Richards: The available information for Wales is given in the following table. Information for 1994–95 is not yet available.

£ million at current prices

	1990–91	*1993–94*
(a) Net National Health Service expenditure	1,491	1,988
(b) Gross domestic product[1]	20,033	22,761
(a) As a percentage of *(b)*	7.4	8.7

[1] Gross Domestic Product is available for calendar years only (1990 and 1993).

Salaried GPs

Mr. Llwyd: To ask the Secretary of State for Wales how many general practitioners in Wales are salaried; what proportion of general practitioners in Wales this represents; what is the annual cost of employing these salaried general practitioners; and if he will make a statement. [29060]

Mr. Richards: There are no general medical practitioners in Wales whose salaries are paid directly by family health service authorities.

There were nine, out of 1,710, unrestricted principal GPs in Wales at 1 October 1994 who were "salaried partners": that is, their salary was paid by the partnership for whom they worked. The salaries of all assistant and trainee GPs—138 at 1 October 1994—are paid by the partnership for whom they work. Information on the cost of employing these staff is not available centrally.

NHS Salaries

Mr. Llwyd: To ask the Secretary of State for Wales, what proportion of NHS expenditure in Wales goes on salaries; what proportion of the salaries bill is accounted for by non-medical staff; and if he will make a statement. [29061]

Mr. Richards: The following is the information:

NHS Expenditure (Wales)	*£000*	*Percentage*
NHS revenue expenditure in 1993–94 was:	1,443,652	—
The amount spent on salaries was:	951,937	66
The proportion of salaries bill accounted for by non-medical staff was:	262,894	28

Source:
Annual Accounts/Financial returns of DHAs, SHAs, FHSAs, NHS Trusts and Welsh Office records.

Notes:
1. 1993–94 data is provisional and the latest available.
2. Expenditure on non-medical staff includes the salaries and wages of general and senior managers, administrators and clerks, ancillary, maintenance, ambulance and "other non-specified" employees in health authorities, SHAs, FHSAs and NHS trusts. The chairmen's and non-executive members remuneration is also included. The costs of GPs' administrative staff are not included in the "non-medical" calculation as this information is not separately collected.
3. Non NHS staff (agency etc) are excluded from the non-medical staff proportion at this expenditure is not analysed by staff category.

Welsh Assembly

Mr. Ron Davies: To ask the Secretary of State for Wales if he will place in the Library all work undertaken by his Department on the subject of a Welsh Assembly since 1974. [30224]

Mr. Redwood: I do not have access to any departmental papers relating to that period of the Labour Government between 1974 and 1979. Such papers are subject to the provisions of the Public Record Acts 1958 and 1967. Consequently, those files selected for permanent preservation will normally be available for inspection at the Public Records Office, Kew, from January 2004.

For the period since 1979 I am advised that no studies or other substantive work has been undertaken.

West Wales Task Force

Mr. Dafis: To ask the Secretary of State for Wales when the next meeting of the strategy group of the West Wales task force is to be held. [30249]

Mr. Richards: The next meeting of the West Wales task force will be held on Monday 24 July.

Strategic Development Scheme

Mr. Sweeney: To ask the Secretary of State for Wales when he will announce his plans for the strategic development scheme in 1996–97. [30936]

Mr. Redwood: A circular inviting local authorities to bid for support under the strategic development scheme is being issued today. I am making two important changes to the scheme following detailed consultations with the Council of Welsh Districts and the Assembly of County Councils: local authorities are being given full responsibility for approving and administering smaller schemes—I am setting aside approximately £13 million in 1996–97 for the purpose. I am introducing a new community strategy initiative specifically designed to tackle the most severe social problems in targeted areas. A copy of the circular has been placed in the Libraries of the House.

Correspondence

Mr. Wigley: To ask the Secretary of State for Wales when Councillor Handel Morgan of Gwynedd county council can expect to receive a reply to the letter he wrote to the Under-Secretary of State on 6 February, regarding his comments on officials of Gwynedd county council, or to his subsequent reminder on 7 March; and if the length of time taken to reply is in accordance with the provisions of the citizens charter. [28480]

Mr. Richard *[holding answer 19 June 1995]:* I am grateful to the hon. Gentleman for drawing my attention to this matter. I have written to Cllr Morgan today, and have copied my reply to the hon. Gentleman.

Financial Management Policy Reviews

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 18 May *Official Report*, column *373*, if he will list any previous examples of financial management policy reviews not being completed; if he will list the civil service guidelines for the carrying out of financial management policy reviews with specific respect to their non-completion; if he will list the principal reasons for non-completion; what proposals he has for strengthening the guidelines for the conduct of such reviews with regard to aborted reviews and the procedure for dealing with them; and if he will make a statement. [27012]

Mr. Redwood *[holding answer 6 June 1995]:* General guidance on the conduct and coverage of financial management policy reviews is contained in "Non—Departmental Public Bodies. A Guide for Departments", a copy of which is in the Library of the House. The guidance states that all reviews should be conducted in two distinct stages. Only after agreement has been reached on the recommendations of the first stage—the prior options review—will a review proceed to a second stage.

As I announced in response to the question by my right hon. Friend the Member for Conwy (Sir W. Roberts) on 3 November 1994, *Official Report*, column *1329*, the prior options review of the Countryside Council for Wales indicated that there could be scope for elected bodies to play an increased role in the delivery of certain of the council's functions. The second stage of the financial management policy review was therefore overtaken by a review of the council's functions.

SCOTLAND

Scottish Ambulance Service

Mr. McMaster: To ask the Secretary of State for Scotland when he last met Mr. Freemantle of the Scottish Ambulance Service to discuss relations between the service and right hon. and hon. Members; what was the outcome of his discussions; and if he will make a statement. [28534]

Lord James Douglas-Hamilton: My right hon. Friend has had no recent discussions with the chief executive of the Scottish Ambulance Service NHS trust, but the chief executive has met a number of right hon. and hon. Members this year and welcomes the opportunity for such meetings. If the hon. Gentleman has particular concerns regarding relations between the service and right hon. and hon. Members he should detail them and I shall ensure that they are investigated.

Renfrew District Elderly Forum

Mr. McMaster: To ask the Secretary of State for Scotland if he will meet Renfrew district elderly forum to discuss local government reform, water and sewerage services, concessionary travel schemes, standing charges on utilities and other topics of concern; and if he will make a statement. [28570]

Lord James Douglas-Hamilton: My right hon. Friend has no plans to meet Renfrew district elderly forum. He is, however, aware of its concerns, many of which have recently been raised with him or his Ministers by organisations that represent older people, including elderly forums. I met Strathclyde elderly forum in January to discuss concerns about concessionary travel schemes.

Care in the Community

Mr. McMaster: To ask the Secretary of State for Scotland if he will make a statement on his willingness to support and fund *(a)* community and *(b)* staff-led co-operatives to provide care in the community in Scotland. [28531]

Lord James Douglas-Hamilton: Direct financial support from the Scottish Office is generally provided to national voluntary organisations to assist with headquarters running costs and for innovative projects with potential national significance. Locally organised projects may be eligible for funding under the urban programme. Local authority social work departments have been given the responsibility and financial resources to develop and purchase high-quality, cost-effective services from a range of providers in response to local need. This could include staff-led co-operatives.

Conservation Areas

Sir David Steel: To ask the Secretary of State for Scotland what considerations underlie the difference between planning application fees for minor developments within conservation areas for flatted dwellings and dwelling houses; and if he will amend regulations to equalise the fees. [29205]

Mr. Lang: Where a planning authority has, under the relevant legislation, removed permitted development rights in a conservation area, owners of dwelling houses

and flatted dwellings must submit a planning application for minor proposals. A planning fee is payable in the case of a dwelling house, but not in the case of a flatted dwelling. This accords with the position outwith conservation areas where a dwelling house would, subject to certain limitations, enjoy permitted development rights but planning proposals in flatted dwellings require planning permission and, accordingly, payment of a fee.

The reason for the distinction is that alterations to flats are more likely to affect neighbouring interests and are not therefore granted the permitted development rights available to dwelling houses.

Agricultural Grants

Mr. Martyn Jones: To ask the Secretary of State for Scotland what is the mean, median and standard deviation for the length of time between receiving a claim and the payment of a claim for each agricultural grant handled by his Department. [29455]

Sir Hector Monro: The information requested is not held centrally and could be provided only at disproportionate cost. Targets for the payment of claims for grants and subsidies are set out in the Scottish Office Agriculture and Fisheries Department's charter standard statement entitled "Serving Scottish Farmers". A second edition was published on 21 June. In 1993–94, the Department attained a performance rate of 90 per cent. or above for the majority of the targets set out in the first edition of "Serving Scottish Farmers". I will report on performance for 1994–95 later this year.

Residential Care

Mr. Foulkes: To ask the Secretary of State for Scotland what was the total expenditure in 1993–94 by each local authority from placements of old people in *(a)* registered and *(b)* unregistered independent residential care and nursing homes, inside and outside the local authority area and from placements in local authority homes for older people; and if he will break down by income from (1) Government grants, inside aggregate external finance and outside aggregate external finance, (2) sales, (3) fees and charges, (4) other income and (5) joint arrangements. [28992]

Lord James Douglas-Hamilton: The available information is shown in the following table:

Identifiable Local Authority Expenditure relating to fully staffed residential homes for older people: 1993–94 (provisional)

£ thousand

	Borders	*Central*	*Dumfries and Galloway*	*Fife*	*Grampian*	*Highland*
Expenditure						
Employee costs	2,720	5,151	4,330	6,155	9,936	3,377
Operating costs	—	—	—	—	—	—
Third party payments to private persons or companies	410	942	486	—	—	945
Third party payments to voluntary bodies	—	76	—	—	18	215
Other third party payments	—	136	—	—	—	—
Other operating costs	740	1,188	993	1,268	2,057	802
Total (operating costs)	1,150	2,342	1,479	1,268	2,075	1,962
Transfer payments	—	—	—	—	—	—
Grants to private persons or companies	—	—	—	—	—	—
Grants to voluntary bodies	—	—	—	—	—	—
Other transfer payments	—	—	—	—	-	—
Total (transfer payments)	—	—	—	—	—	—
Total gross expenditure	3,870	7,493	5,809	7,423	12,011	5,339

£ thousand

	Lothian	*Strathclyde*	*Tayside*	*Orkney*	*Shetland*	*W Isles*	*Scotland*
Expenditure							
Employee costs	11,711	34,343	8,283	902	1,258	1,617	89,783
Operating costs	—	—	—	—	—	—	—
Third party payments to private persons or companies	1	7,924	1,355	—	312	—	12,375
Third party payments to voluntary bodies	2,370	205	270	—	—	—	3,154
Other third party payments	—	7,148	—	—	5	—	7,289
Other operating costs	2,655	10,029	2,330	191	0	603	22,856
Total (operating costs)	5,026	25,306	3,955	191	317	603	45,674
Transfer payments	—	—	—	—	—	—	—
Grants to private persons or companies	26	—	—	—	—	—	26
Grants to voluntary bodies	—	—	—	—	—	—	—
Other transfer payments	—	—	—	—	—	—	—
Total (transfer payments)	26	—	—	—	—	—	—
Total gross expenditure	16,763	59,649	12,338	1,093	1,575	2,220	135,483

Source:

Local financial returns made by local authorities to Scottish Office.

Sand-eel Fishery

Mr. Wallace: To ask the Secretary of State for Scotland how many vessels are employed in monitoring the sand-eel fishery around Shetland and in the west of Scotland waters. [29344]

Mr. Lang: The Scottish Office marine laboratory would normally deploy one of its research vessels to help with any necessary stock assessment. In addition, the Scottish Fisheries Protection Agency deploys a number of vessels on surveillance and enforcement duties. These include four offshore fishery patrol vessels augmented by a similar Royal Navy vessel and two inshore launches. Their tasking covers the sand-eel fisheries but is not exclusively so.

Mr. Wallace: To ask the Secretary of State for Scotland what steps are being taken to monitor the age, composition and size of fish in each catch of sand-eels around Shetland. [29343]

Mr. Lang *[holding answer 19 June 1995]:* The Scottish Office marine laboratory in Aberdeen is analysing daily samples from the Shetland fishery on the basis of age and length composition.

Wild Mink

Mrs. Michie: To ask the Secretary of State for Scotland what assessment he has made of the damage done to marine birdlife by wild mink. [29624]

Sir Hector Monro: My right hon. Friend has received advice from Scottish Natural Heritage on the impact of mink on Scottish wildlife. The species is an active predator and established itself in the wild after escaping from mink farms as long ago as 1929. Research results indicate that the mink has generally not had a serious effect on our wildlife although there remains concern about its possible effect on some colonies of ground-nesting seabirds.

Mrs. Michie: To ask the Secretary of State for Scotland what guidance his Department has issued to relevant authorities on the control of wild mink populations; what controls are already in place; and where they are being carried out. [29621]

Sir Hector Monro: Guidance on the provisions of the Wildlife and Countryside Act 1981 was issued in 1991 in a circular to local authorities and other relevant organisations. Under that Act it is an offence to release mink or to allow mink to escape into the wild. The Mink (Keeping) Regulations 1975 also apply strict requirements to mink farming to prevent escapes from adding to the wild mink population. In addition there are voluntary efforts to trap mink by groups such as the Argyll bird club and the Harris and Lewis mink control group.

Mrs. Michie: To ask the Secretary of State for Scotland what is the estimated population of wild mink in *(a)* Scotland *(b)* Argyll and Bute for the years (i) 1992, (ii) 1993 and (iii) 1994. [29623]

Sir Hector Monro: It was estimated recently that there are some 50,000 wild mink in Scotland. Further details requested are not available.

Fatal Accident Inquiry

Dr. Godman: To ask the Secretary of State for Scotland when he will be in a position to state whether there is to be a fatal accident inquiry into the death of a constituent of the hon. Member for Greenock and Port Glasgow in a traffic accident in East shaw street, Greenock on 21 April; and if he will make a statement. [29306]

Lord James Douglas-Hamilton: The death to which the hon. Member refers has been reported to the procurator fiscal at Greenock, and he is inquiring into the circumstances. Members of the deceased's family were interviewed on 7 and 8 June. The procurator fiscal anticipates that his inquiries will be completed by the end of June.

Boundary Commission Review

Mr. David Marshall: To ask the Secretary of State for Scotland what procedures there are for changing the name of a parliamentary constituency between Parliamentary Boundary Commission reviews; and if he will make a statement. [30292]

Lord James Douglas-Hamilton: Recommendations as to the names of parliamentary constituencies in Scotland are a matter for the Boundary Commission for Scotland alone. The commission is empowered to undertake interim reviews of constituencies, between general reviews, as it sees fit.

Police

Mr. Bruce: To ask the Secretary of State for Scotland if he will list the number of police officers per 1,000 population in Grampian region and in Gordon district. [30012]

Lord James Douglas-Hamilton: The regular police establishment per 1,000 population in Grampian region is 2.21 as at 31 March 1995. The information for Gordon district is not available.

Mr. Bruce: To ask the Secretary of State for Scotland if he will list the average number of police officers per 1,000 population in Scotland. [30011]

Lord James Douglas-Hamilton: The authorised regular police establishment per 1,000 population in Scotland is 2.77 as at 31 March 1995.

Mr. Bruce: To ask the Secretary of State for Scotland if he will list the location and number of rural police stations in Scotland that have been closed over the past 10 years. [30013]

Lord James Douglas-Hamilton: This information is not held centrally. Closure of police stations is a matter for the chief constable and police authority of the force area concerned.

Farmwatch

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will list by region the number of farmwatch schemes operating in Scotland; and what provision his Department has undertaken to encourage farmers to join this scheme. [30014]

Lord James Douglas-Hamilton: Information by region is not held centrally, but the number of schemes by police force area is as follows:

Central Scotland police	—
Dumfries and Galloway constabulary	14
Fife constabulary	—
Grampian police	34
Lothian and Borders police	8
Northern constabulary	1
Strathclyde police	—
Tayside police	58

Farmwatch schemes, in common with a wide range of other watch schemes, continue to increase in number and operate in close co-operation with individual police forces. The demand for, and development of, such schemes are essentially driven by farming communities in the light of their perception of local circumstances.

Ayr County Hospital

Mr. Foulkes: To ask the Secretary of State for Scotland for how long the old Ayr county hospital building has been empty; what action has been taken to protect its fabric; what action has been taken to find a new use for it; when he expects it to be re-occupied; and if he will make a statement. [30023]

Lord James Douglas-Hamilton: Ayr county hospital was closed on 31 October 1991 and has been empty since that date. The fabric of the building has been maintained throughout this time in a wind and watertight condition. The hospital has been deemed surplus to requirements by Ayrshire and Arran health board and an offer has been accepted from a property developer who should take possession of the property in December 1995.

"Granny Flats"

Mr. Foulkes: To ask the Secretary of State for Scotland what is the effect of the English High Court decision by Mr. Justice Ognall on the separate valuation for council tax purposes of annexs set aside for elderly relatives in respect of Scotland; and if he will make a statement. [30024]

Mr. Kynoch: In Scotland, this matter is regulated by section 72 of the Local Government Finance Act 1992, which defines a chargeable dwelling for council tax purposes. Although each case is assessed on its merits, it is our understanding that assessors generally enter such dwellings separately in the valuation list. Any dispute or question over an assessor's interpretation of section 72 is a matter for the relevant valuation appeal committee and ultimately for the courts.

Electoral Ward Names

Mr. David Marshall: To ask the Secretary of State for Scotland what procedures there are for changing an electoral ward name in a new unitary authority; and if he will make a statement.

Mr. Kynoch: There are no statutory procedures for changing the name of an electoral ward. The usual practice is that names of electoral wards are included by local authorities in any proposals made in the course of a review of local government electoral arrangements by the Local Government Boundary Commission for Scotland. Proposals for changes to electoral areas, including the name of electoral wards are subject to wide public consultation. The first review of electoral arrangements in respect of the new unitary authorities will commence as soon as practicable after 1 April 1996 with the aim of completing the review in time for the next election in 1999.

Crofters

Mr. Maclennan: To ask the Secretary of State for Scotland what plans he has to amend the crofter building grants and loans scheme; and if he will make a statement. [30040]

Sir Hector Monro: My Department has no plans at present to introduce changes to the assistance available through the crofters building grants and loans scheme.

HIV

Dr. Godman: To ask the Secretary of State for Scotland how much compensation has been paid to people in *(a)* Inverclyde, *(b)* Strathclyde and *(c)* Scotland who contracted HIV from contaminated blood products; how many people have received compensation; and how many were haemophiliacs. [28323]

Lord James Douglas-Hamilton *[holding answer 20 June 1995]:* Payments totalling £4,050,000 have been made to 75 patients in Scotland who were infected with HIV through NHS treatment with blood, blood products or tissue transfer. Sixty three of these were haemophiliacs. Information available is on an all-Scotland basis and does not separately identify individuals according to area of residence.

NHS (Private Sector Involvement)

Ms Primarolo: To ask the Secretary of State for Scotland, pursuant to his answer to the hon. Member for Cunninghame, South (Mr. Donohoe) of 12 June, *Official Report*, column *367-68*, what is the estimated cost of the process of seeking private sector partners to design, build and finance the new facilities in Edinburgh and Lanarkshire; and what are the non-clinical services referred to. [29583]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* The process of seeking private sector partners is not yet complete in the Edinburgh and Lanarkshire trusts, so final costs cannot yet be provided. However, two of the trusts have indicated that they expect the cost of the entire process to be between 0.5 per cent. and 0.75 per cent. of the total capital cost. The non-clinical services referred to include estates services, building maintenance, hotel services, supplies, laundry, theatre sterile supplies, medical records, transport services, security car parking, grounds and gardens, switchboard services and information technology. Not all of the services include every one of these areas.

Multiple Births

Mr. Wigley: To ask the Secretary of State for Scotland how many sets of *(a)* twins, *(b)* triplets, *(c)* quadruplets, *(d)* quintuplets and *(e)* sextuplets were born in Scotland in each year from 1990 to 1994; what was the total number of

maternities in Scotland in each year; and how many multiple births of each type in each year were conceived as a result of (i) in-vitro fertilisation, (ii) gamete intra-fallopian transfer and (iii) other forms of assisted conception; and if he will make a statement. [29528]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* The information is as follows:

Type of birth	*1990*	*1991*	*1992*	*1993*	*1994 (Prov)*
Twins:					
2 live	711	682	790	751	762
1 live, 1 stillbirth	15	22	11	25	13
2 stillbirth	5	5	6	4	3
Triplets:					
3 live	14	18	15	10	16
2 live, 1 stillbirth	2	4	—	—	—
1 live, 2 stillbirth	—	2	—	—	—
3 stillbirth	—	—	—	—	—
Quadruplets:					
4 live	1	1	—	—	—
3 live, 1 stillbirth	—	1	—	—	—
Quintuplets	—	—	—	—	—
Sextuplets	—	—	—	—	—
Total maternities	65,556	66,630	65,307	62,946	61,224

Information on the number of multiple births in Scotland attributed to assisted reproduction is not available. Some information on these matters is published in the three annual reports of the Human Fertilisation and Embryology Authority, and in earlier reports of the interim licensing authority, copies of which are available in the Library.

Ayrshire and Arran Health Board

Mr. Donohoe: To ask the Secretary of State for Scotland (1) who were the members of the sub-committee of the members of the board of Ayrshire and Arran health board which oversaw the negotiations between Irvine Healthcare Ltd. and the health board prior to the conclusion of the current contract; [29697]

(2) when Ayrshire and Arran health board first entered negotiations with Irvine Healthcare Ltd. on the provision of a replacement facility for Ravenspark hospital; [29689]

(3) when the members of the board of Ayrshire and Arran health board approved the contract with Irvine Healthcare Ltd.; and when the contract with the company was formally concluded; [29680]

(4) if he will make available the detail of the agreement between Ayrshire and Arran health board and Irvine Healthcare Ltd. as regards the siting of the company's facility within the grounds of Ayrshire central hospital and the financial agreement allowing the lease of the site from the Ayrshire and Arran Community NHS Healthcare trust and the period covered by the contract with the company; [29696]

(5) what current contracts exist between Ayrshire and Arran health board and private and independent sectors for the provision of care beds to the NHS under contract; what are the companies involved in these contracts; what is the value of the individual contracts, and when they will lapse; [29684]

(6) what investigations Ayrshire and Arran health board has carried out into the patient care record of Irvine Healthcare Ltd.; and what monitoring processes will be put in place to ensure effective standards of patient care; [29686]

(7) what process was adopted by the Ayrshire and Arran health board to publicise its interest in involving the private sector in the building of the replacement facility at Ravenspark hospital; and what private companies indicated their interest in this contract; [29690]

(8) how Irvine Healthcare Ltd. first indicated an interest with the Ayrshire and Arran health board as regards its involvement with a replacement facility for Ravenspark hospital. [29692]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* These matters are for Ayrshire and Arran health board. The hon. Member may wish to write to the general manager of the board.

Mr. Donohoe: To ask the Secretary of State for Scotland if he will instruct Ayrshire and Arran health board to make publicly available copies of its contract with Irvine Healthcare Ltd. [29681]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* No.

Mr. Donohoe: To ask the Secretary of State for Scotland what current guidance exists and what guidance existed between 1993 and the present time to Scottish health boards relating to the tendering arrangements for medical facilities within the NHS. [29683]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* Various guidance exists on appraising projects and the private finance initiative. Guidance will shortly be issued on tendering arrangements for privately financed projects.

Mr. Donohoe: To ask the Secretary of State for Scotland what steps Ayrshire and Arran health board has taken to appoint a new general manager; and whether any decision has been taken on his successor. [29685]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* Ayrshire and Arran health board is actively considering the arrangements for a successor to Mr. J. M. Eckford OBE who retires later this year. Part of these arrangements will be public advertisement of the post. No decisions have been taken on Mr. Eckford's successor.

Mr. Donohoe: To ask the Secretary of State for Scotland when he intends to begin the consultation on the closure of Ravenspark hospital; and what steps Ayrshire and Arran health board have taken to prepare the arrangements for the consultation process. [29687]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* Consultations on hospital closures are the responsibility of the health board concerned. Ayrshire and Arran health board is aware of the requirements for consultation set out in NHS circular GEN(1975)46.

The final decision on any hospital closure in Scotland rests with my right hon. Friend the Secretary of State for Scotland.

Mr. Donohoe: To ask the Secretary of State for Scotland what guidance was issued to Ayrshire and Arran health board prior to 24 February 1993 by the national

health service management executive concerning entering into long-term contracts with the private or independent sectors for the provision of continuing care beds; and whether this guidance is compatible with the board's decision to conclude a contract with Irvine Healthcare Ltd. for the provision of a replacement facility for Ravenspark hospital. [29691]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* The NHS management executive advised the board in late 1992 that it should not enter into long-term contracts with the private sector which would constrain its ability to meet changing needs. It gave approval to conclude the contract with Irvine Care Ltd. on 13 July 1994.

Mr. Donohoe: To ask the Secretary of State for Scotland (1) what representations Ayrshire and Arran health board received from the Ayrshire and Arran Community Healthcare NHS trust as regards the board's negotiations with Irvine Healthcare Ltd. for the provision of a replacement facility for Ravenspark hospital; [29693]

(2) what representations the Scottish Office or the national health service management executive has received from the Ayrshire and Arran Community Healthcare NHS trust on the contract between Ayrshire and Arran health board and Irvine Healthcare Ltd. [29682]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* The chief executive of the trust wrote on 9 February 1995 and received a response from the director of trusts in the NHS management executive on 3 March 1995.

Mr. Donohoe: To ask the Secretary of State for Scotland (1) what was the involvement of the National Health Service Management Executive in the conclusion of the contract between Ayrshire and Arran health board and Irvine Healthcare Ltd.; and on what specific issues they made representations to the health board about this contract; [29695]

(2) what discussions the Scottish Office had with Ayrshire and Arran health board relating to its contract with Irvine Healthcare Ltd.; and what was the subject of these discussions. [29675]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* The NHS management executive has had a number of discussions with officers of the health board between late 1992 and the present. They concerned the health board's assessment of the needs of its local population for the service to be provided under this contract, the quality of the service and its value for money.

Conclusion of the contract was a matter for the health board.

Mr. Donohoe: To ask the Secretary of State for Scotland what discussions his Department has had with representatives of the private and independent sectors concerning the provision of continuing care beds to the NHS and their involvement in private finance initiatives. [29674]

Lord James Douglas-Hamilton *[holding answer 20 June 1995]:* My officials have had a number of discussions with various parties interested in the private finance initiative. Such discussions are of a general nature.

The commissioning of particular schemes is the responsibility of the health board or NHS trust concerned.

Mr. Donohoe: To ask the Secretary of State for Scotland what assessment his Department and the national health service management executive has made of the financial terms of Ayrshire and Arran health board's contract with Irvine Healthcare Ltd. [29676]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* The health board submitted an option appraisal covering the project to the NHS management executive. This was considered by the NHS management executive in line with normal procedures.

Mr. Donohoe: To ask the Secretary of State for Scotland when the Scottish Office and the National Health Service Management Executive gave final approval to Ayrshire and Arran health board to the contract which it has concluded with Irvine Healthcare Ltd. [29677]

Lord James Douglas-Hamilton: The NHS management executive wrote to the general manager of Ayrshire and Arran health board on 13 July 1994 giving approval for the contract to be concluded.

Mr. Donhoe: To ask the Secretary of State for Scotland if Irvine Healthcare Ltd. or its parent company Speciality Care PLC are currently involved in negotiations with any Scottish health boards other than Ayrshire and Arran concerning the provision of long-term care beds under contract to the NHS. [29678]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* This information is not held centrally. Negotiations on contracts are a matter for individual health boards.

Mr. Donhoe: To ask the Secretary of State for Scotland what consideration underlay the decision to exclude the Ayrshire and Arran Community Healthcare NHS trust from tendering for the replacement facility for Ravenspark hospital; and if this decision was in line with guidance from the national health service management executive at that time. [29694]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* The Ayrshire and Arran Community Healthcare NHS trust was not established when tendering took place. The trust was established in April 1993.

Tendering submissions were made in late 1991.

Lanarkshire Development Agency

Mr. Norman Hogg: To ask the Secretary of State for Scotland what changes he proposes to the representation on the board of Lanarkshire Development Agency to facilitate representation for Cumbernauld and Kilsyth; whom he will consult; and if he will make a statement. [29748]

Mr. Kynoch *[holding answer 21 June 1995]:* The boards of local enterprise companies are appointed by the enterprise bodies, not by my right hon. Friend. The members of the board serve as individuals, not as representatives of any particular interest. Where local enterprise company boundaries are due to change on

1 April 1996, Scottish Enterprise will be taking steps to ensure that the composition of the local enterprise company board is consistent with its new geographical area.

Gaelic Broadcasting

Mr. Norman Hogg: To ask the Secretary of State for Scotland what is the cost to his Department in each of the past three years of promoting Gaelic broadcasting; and what is the projected cost for the current financial year. [29750]

Sir Hector Monro *[holding answer 21 June 1995]:* Government support for Gaelic broadcasting over the past three years is given in the table. The projected expenditure in the current financial year is £8,930,000.

1992–93: £9,500,000
1993–94: £9,500,000
1994–95: £8,738,000

Written Answers to Questions

Monday 26 June 1995

FOREIGN AND COMMONWEALTH AFFAIRS

Immigration Applications

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) when a decision is going to be taken on the application made to the United Kingdom post in Islamabad by Mrs. Rehana Fiaz—Ref: IMM/C4236—to join her husband in the United Kingdom; and if he will make a statement; [30067]

(2) when the United Kingdom post in Islamabad requested the Home Office to make inquiries in the United Kingdom into the application for Mrs. Ifat Shaheen Hussain—Ref: IMM/C6283 to join her husband in the United Kingdom; and if he will make a statement. [30068]

Mr. Baldry: I have asked the high commission at Islamabad for details and will arrange for the hon. Member to receive a substantive reply from the migration and visa correspondence unit as soon as possible.

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs how many refusal decisions and what percentage of visitors' cases he has reversed arising from representations by hon. Members since the right of appeal in such cases was discontinued. [30480]

Mr. Baldry: The information requested is not available except at disproportionate cost; but very infrequently my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs asks for cases to be reviewed or decisions reversed as a result of representations from hon. Members.

UK Legislation

Mr. Mills: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will introduce legislation to remove the United Kingdom from the jurisdiction of the European Courts. [30639]

Mr. David Davis: No.

Ministerial Visits

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 21 March, *Official Report*, column *115*, if he will list all those occasions on which he did not give prior warning of visits to hon. Members. [30746]

Mr. Baldry: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs is not aware of any occasions since the start of the present parliamentary Session in which he has failed to give prior warning to an hon. Member whose constituency he has visited in an official capacity.

Gibraltar

Mr. Gale: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence he has evaluated to support Spanish Government assertions that illegal drugs are being transported via Gibraltar into the European Union. [30485]

Mr. David Davis: The authorities in Gibraltar have evidence that boats based in Gibraltar are being used to transport illegal drugs directly from Morocco to Spain.

Mr. Gale: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government propose to take to ensure that Spain honours its obligations under European law and permits European Union visitors to cross from Spain into Gibraltar, and return, without unreasonable delay at customs and immigration checkpoints. [30486]

Mr. Davis: I refer the hon. Member to my answer of 7 June, *Official Report*, column *204*. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs raised this matter in talks with the Spanish Foreign Minister, Senor Solana, in Madrid on 19 June.

Marine Environment Protection Treaty

Mr. Hain: To ask the Secretary of State for Foreign and Commonwealth Affairs when he proposes to re-ratify the Oslo-Paris—OSPAR—treaty; if he will make a statement indicating when the United Kingdom first signed this treaty; what time has elapsed between signature and implementation; and what discussions he has had with the Secretary of State for the Environment concerning the future implementation of OSPAR in connection with Shell and the Brent Spar platform. [30694]

Mr. Douglas Hogg: The United Kingdom signed the convention for the protection of the marine environment of the north-east Atlantic—the OSPAR convention—on 3 November 1992.

The Department of the Environment has been checking since then whether all relevant UK legislation is consistent with the convention before ratification can take place. This also needs to be done for the Isle of Man and the bailiwicks of Jersey and Guernsey. Our decisions in connection with the Brent Spar installation have been entirely consistent with the new convention.

Charter Week

Mr. Morgan: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the main events he is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [30688]

Mr. Goodlad: The FCO's public service functions are mainly performed overseas. No events for Charter Week are being planned.

Crown Immunity

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all areas within *(a)* his Department, *(b)* agencies under his Department's control and *(c)* organisations for which he has ministerial

responsibility to which Crown immunity applies; what consideration he has given to removing this; and if he will make a statement. [28654]

Mr. Goodlad *[holding answer 15 June 1995]:* The reference to "Crown immunity" is taken to refer to legislation which does not bind the Crown. Certain legislation is expressly applied to the Crown. In most legislation, however, particularly older legislation, there is no such express provision. In those circumstances, whether legislation applies to the Crown will depend on the implications to be drawn from the drafting and context of the legislation.

LORD CHANCELLOR'S DEPARTMENT

Visitors' Appeals

Mr. Winnick: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the number and percentage of visitors' appeals upheld by adjudication in the last three years prior to the appeal system in such cases being discontinued. [30481]

Mr. John M. Taylor: The information requested is as follows:

Period	*Visitor Visa Appeals Determined*	*Number of Appeals Allowed*	*Percentage of Appeals Allowed*
1991	n/a	n/a	n/a
1992	16,524	2,500	15
January–June 1993[1]	7,164	1,361	19

n/a=Not available

[1] The Asylum and Immigration Appeals Act 1993, which removed the right of appeal in visitor visa cases, came into force in July 1993.

Legal Aid

Mr. Win Griffiths: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the total cost of publishing and printing form LBF August 1994 for the Legal Aid Board's advice at police stations standby claim; and when it was made available to all solicitors involved in legal aid work. [29651]

Mr. John M. Taylor: The cost of the new form "Advice at Police Stations Standby Claim" is £32.88 per 1,000 copies; the same as for the old form. A small supply of the new forms was sent out in July 1994 to all legal aid account holders, together with a letter informing them of the change and the implementation date of 1 August 1994.

Mr. Griffiths: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the total cost of publishing and printing the legal aid forms, advice at police stations standby claim in use up to August 1994; how many copies were scrapped as a result of adding a question to the form; what consideration was given to continuing the use of the old form for solicitors offices without a crime franchise; and if he will make a statement. [29550]

Mr. Taylor: The cost of printing the form in use prior to August 1994 was £32.88 per 1,000. When the new form was introduced, there were approximately 58,200 copies of the old form held in stock. The Legal Aid Board considered all aspects of the change, including whether the old forms could continue to be used. The board always aims to minimise the cost of such changes by amending forms at the same time that routine reprints are required. Forms are changed only when necessary to provide information required to control and manage the legal aid system effectively.

Privatisation

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29414]

Mr. John M. Taylor: As well as the Lord Chancellor's Department, the Lord Chancellor has responsibility for four agencies: HM Land Registry, the Public Trust Office, the Court Service and the Public Record Office. The Lord Chancellor's Department, HM Land Registry, the Public Trust Office and the Court Service have not privatised or contracted out any activities without an in-house bid and neither the Lord Chancellor's Department nor any of these agencies has any plans so to do. The chief executive of the Public Record Office will be sending a separate reply.

Letter from Sarah Tyacke to Mr. Kevin McNamara, dated 26 June 1995:

I have been asked by the Lord Chancellor's Parliamentary Secretary to reply to your question about privatisation without in-house bids.

The Public Record Office's van and office cleaning services were contracted out without in-house bids. A strategic decision was made to contract out these services as they were peripheral to the main functions of the Public Record Office, the van service was a small service and the private sector was better-equipped to provide a cleaning service.

The Public Record Office's general office copying service is due to be contracted out. This is a small service peripheral to the main functions of the Public Record Office.

EMPLOYMENT

Upper Limb Disorders

Mr. Chidgey: To ask the Secretary of State for Employment what studies his Department has funded into work-related upper limb disorders since the publication of the Industrial Injuries Advisory Council report into work-related upper limb disorders in May 1992. [29906]

Mr. Oppenheim: The Health and Safety Executive has funded a range of studies into work-related upper limb disorders since May 1992.

Intramural studies include work on musculoskeletal disorders in supermarket check-out workers, and techniques for assessing the risk of musculoskeletal disorders, both of which encompass ULDs.

Extramural research includes work on a user performance test method to support international visual display unit ergonomic standards; an ongoing epidemiological and ergonomic study of occupational factors associated with upper limb soft tissue disorders in keyboard operators; an ongoing project to assess the health and safety implications of virtual reality systems; and two projects to collect ergonomic case studies giving employers practical advice on ways of preventing ULDs which were published last October in the booklet "A pain in your workplace?"

School Leavers

Mr. Simon Hughes: To ask the Secretary of State for Employment if he will list the number of pupils who have left school with no formal qualifications and who have been able to carry out an apprenticeship which has led to full-time employment; and what is the breakdown of these figures for each of the last 15 years. [30744]

Mr. Paice: The information available on the education and employment of young people does not provide sufficient detail to answer this question.

Training

Ms Harman: To ask the Secretary of State for Employment how much was spent by employers on in-work training *(a)* in total and *(b)* per employee in each of the last five years. [30674]

Mr. Paice: It is estimated that employers in Great Britain spend over £20,000 million a year in total on training and developing their employees. Data for individual years and data on expenditure per employee are not available.

Ms Harman: To ask the Secretary of State for Employment (1) how many, and what percentage, of the total number of employees in employment are employed by companies who are members of industry training organisations; [30690]

(2) how many and what percentage of British companies are members of industry training organisations. [30673]

Mr. Paice: The information is not available in the form requested. The latest available figures show that some 18 million—85 per cent.—of employees in employment worked in industries which were covered by industry training organisations.

Ms Harman: To ask the Secretary of State for Employment (1) if he will make a statement on the Government's policy on in-work training; [30676]

(2) what consultations his Department has had with employer's representatives concerning the development of Government policy on in-work training; [30691]

(3) what consultation his Department has had with the Trades Union Congress and individual trade unions on the development of Government policy on in-work training. [30695]

Mr. Paice: The Government's policy is to encourage employers and those in work to invest effectively in the skills needed for business and individual success now and in the future. We consult regularly with employers' representatives, and with TUC and trade unions where appropriate, about the best ways of achieving this.

Ms Harman: To ask the Secretary of State for Employment if he will make a statement about the work of the industry training organisations. [30689]

Mr. Paice: Industry training organisations represent the interests of employers in their industries on a wide range of training matters. They represent the sectoral dimension of the national training framework. complementing locally focused training and enterprise councils. There are 120 ITOs and they have four major roles:

(a) monitoring the future skill requirements and training needs in their sector;

(b) developing and promoting occupational standards;

(c) encouraging employers in their sectors to increase their training;

(d) taking the lead for industries to promote national initiatives for example, modern apprenticeship frameworks.

Investors in People

Ms Harman: To ask the Secretary of State for Employment (1) how many, and what percentage of, employers in Britain *(a)* have achieved, *(b)* are in the process of achieving, *(c)* have failed to achieve and *(d)* do not operate the Investors in People standard; [30692]

(2) if he will make a statement on the future of the Investors in People standard. [30675]

Mr. Paice: The Investors in People standard is run by industry based organisation, Investors in People UK, to promote excellence in employers' staff development practices. Over 1,800 organisations have achieved the standard and 18,000 more are committed to achieving it. Organisations who are recognised must be reassessed every three years.

Investors in People UK is now reviewing the standard to ensure its continued relevance and professional credibility as one of the national targets for education and training.

Construction Industry Training Board

Ms Harman: To ask the Secretary of State for Employment if he will make a statement on the future of the Construction Industry Training Board. [30693]

Mr. Paice: The Construction Industry Training Board was reconstituted, following comprehensive review, from 1 May 1993 for five years. As is the practice with all non-departmental public bodies, it will be subject to further review before a decision is made on whether it should be reconstituted in 1998.

TRANSPORT

Vehicle Excise Duty

Mr. Kirkwood: To ask the Secretary of State for Transport if he will estimate the number of vehicles currently in use without valid vehicle excise duty being paid. [28722]

Mr. Norris: The estimated number of unlicensed vehicles in use at any one time in Great Britain in 1994–95 was 1.5 million.

Mr. Kirkwood: To ask the Secretary of State for Transport what percentage of the total number of vehicles in use on United Kingdom roads are without current vehicle excise duty road discs. [28723]

Mr. Norris: The estimated percentage of unlicensed vehicles in use on public roads in Great Britain in 1994–95 was 6.2 per cent.

Mr. Kirkwood: To ask the Secretary of State for Transport what amount of vehicle excise duty is forgone as a result of vehicle excise duty evasion. [28724]

Mr. Norris: The estimated VED loss through evasion in Great Britain in 1994–95 was £163 million. This represents4.1 per cent. of the revenue due.

Mr. Kirkwood: To ask the Secretary of State for Transport what resources are applied to combating vehicle excise duty evasion. [28725]

Mr. Norris: Vehicle excise duty evaders are detected by the police and traffic wardens as part of their normal duties. Follow-up enforcement action, including prosecution work, is the responsibility of the Driver and Vehicle Licensing Agency. The cost of agency staff directly involved in enforcement activities currently stands at some £26 million per year.

Mr. Kirkwood: To ask the Secretary of State for Transport how many prosecutions for vehicle excise duty evasion were brought over the past five years for which figures are available. [28726]

Mr. Norris: The numbers of prosecutions for vehicle excise evasion are shown in the table.

Numbers of vehicle excise duty prosecutions in the five year period 1990–91 to 1994–95

Year	*Successful prosecutions*	*Unsuccessful prosecutions*	*Total prosecutions*
1990–91	141,635	5,635	147,270
1991–92	177,336	5,633	182,969
1992–93	193,291	7,984	201,275
1993–94	207,521	8,441	215,962
1994–95	214,360	8,751	223,111

Mr. Kirkwood: To ask the Secretary of State for Transport what steps he proposes to reduce the incidence of vehicle excise duty evasion; and if he will make a statement. [28727]

Mr. Norris: We are currently considering a wide range of proposals. These include measures to improve the quality of the vehicle register and to make it more difficult for motorists to drop out of the licensing system, as well as use of camera technology to automate the detection process.

Ferries

Mr. Flynn: To ask the Secretary of State for Transport, pursuant to his answer of 15 June, *Official Report*, column *618*, what were the problems associated with the evacuation during the ferry exercise FEREX 86. [30300]

Mr. Norris: This is a operational matter for the Coastguard agency.

I have asked the chief executive to write to the hon. Member.

Letter from C. J. Harris to Mr. Paul Flynn, dated 26 June 1995:

The Secretary of State for Transport has asked me to reply to your recent Parliamentary Question.

Problems may arise during any ferry evacuation, however in this exercise no significant SAR coordination problems arose. The exercise was not a simulated reacue but was set up to assess a variety of methods of evacuation in slow time.

Departmental Property Purchases

Mr. Meacher: To ask the Secretary of State for Transport when the new guidelines for discretionary powers for purchase of off-line property which are contained in section 246(2A) of the Highways Act 1980 will be published following the review of the guidelines in the light of the Court of Appeal judgment in the case of a property near the proposed Cirencester bypass. [30229]

Mr. Watts: I refer the hon. Member to the answer which I gave to my right hon. Friend for Tonbridge and Malling (Sir J. Stanley) on Thursday 23 March, *Official Report*, column *317*.

Unimog Machines

Mr. Meacher: To ask the Secretary of State for Transport if drivers of Unimog machines, being used for the construction of the Paddington-Heathrow rail link, comply with the safety standards set by the Railtrack railway group standard. [30230]

Mr. Watts: Yes.

Mr. Meacher: To ask the Secretary of State for Transport what safeguards are in place to ensure that staff driving Unimog machines, not appearing on the BR tops forms, do not book on for work under the influence of alcohol or drugs. [30231]

Mr. Watts: It is a criminal offence to work on the railways in a safety related capacity when unfit through drink or drugs, or to exceed the prescribed alcohol limit. Railway operators and employers other than the operator may also be liable if they have not exercised all due diligence to prevent the offence. Enforcement is a matter for the British Transport police. In addition, railway operators have their own strict policy on alcohol and drug abuse, including disciplinary action.

Unimog drivers are supervised by a member of British Rail's staff and are required to work to BR's instructions for all movements on track.

Ministerial Visits

Mr. Simon Hughes: To ask the Secretary of State for Transport, pursuant to his answer of 21 March, *Official Report*, column *147*, if he will list all those occasions on which he or any of his junior Ministers did not give prior warning of visits to hon. Members. [30750]

Dr. Mawhinney: Records of such rare occurrences are not kept; my junior Minister and I take special care to observe the important courtesy of informing Members when their constituencies are included on an itinerary.

Manchester Airport Rail Link

Mr. Lewis: To ask the Secretary of State for Transport when he expects the construction of the Manchester airport rail link, southern spur to be completed and available for train operation. [30618]

Mr. Watts: The expected completion date is 15 November 1995 and the spur will be available for traffic from 20 November 1995.

Mr. Lewis: To ask the Secretary of State for Transport what is the deadline for bids to operate on the Manchester airport link, southern spur in order to meet the requirements for inclusion in the May 1996 public timetable. [30550]

Mr. Watts: It is 11 August 1995.

Mr. Lewis: To ask the Secretary of State for Transport if a specification bid for the operation of services on the Manchester airport link, southern spur has been accepted by Railtrack plc; and what track access charges have been agreed. [30549]

Mr. Watts: I understand that no bid has yet been accepted by Railtrack and no access charges have been agreed.

Mr. Lewis: To ask the Secretary of State for Transport what level of service he expects to be operated over the Manchester airport rail link, southern spur from May 1996; which destinations will be covered; and which train operators will be involved. [30551]

Mr. Watts: Commercial negotiations are still under way on these issues.

Eurostar

Ms Glenda Jackson: To ask the Secretary of State for Transport when he expects Eurostar east coast main line services to northern England and Scotland to be operational. [30495]

Mr. Watts: This is an operational matter for European Passenger Services. I understand that they intend to introduce Eurostar services along the east coast main line early next year.

"Transport: The Way Ahead"

Ms Jackson: To ask the Secretary of State for Transport if he will list those new policies he has implemented as a direct result of his "Transport: The Way Ahead" consultation. [30969]

Dr. Mawhinney: It would be premature to announce results from the discussions of "Transport: The Way Ahead.

Ms Jackson: To ask the Secretary of State for Transport how many representations he has so far received in support of rail privatisation during his "Transport: The Way Ahead" consultation. [30968]

Dr. Mawhinney: "Transport: The Way Ahead" invited views on a wide range of transport issues by the end of September. In the two weeks since publication, no formal responses have been received.

Ms Jackson: To ask the Secretary of State for Transport when he intends to publish the findings of his "Transport: The Way Ahead" consultation. [30967]

Dr. Mawhinney: Decisions on publication will be taken after comments on "Transport: The Way Ahead" have been received and considered.

Ms Jackson: To ask the Secretary of State for Transport what was the cost to his Department of the production and distribution of the document "Transport: The Way Ahead", speeches by the Secretary of State for Transport. [30982]

Dr Mawhinney: I refer the hon. Member to the reply I gave to the hon. Member for Derbyshire, North-East (Mr. Barnes) on 22 June.

Efficiency Report

Mr. Tyler: To ask the Secretary of State for Transport what conclusions he has drawn from the report of the efficiency scrutiny of the traffic area network published by his Department on Friday 16 June; what steps he is taking to remedy the weaknesses in vehicle monitoring and inspection which it identifies; and if he will make a statement. [31021]

Mr. Norris: The report is still being considered and no conclusions have yet been drawn from it.

Road Rage

Mr. Flynn: To ask the Secretary of State for Transport (1) what proposals he has to investigate the effect on road safety of the phenomenon known as road rage; [31013]

(2) what representations he has received concerning the effect of the phenomenon known as road rage. [31012]

Mr. Norris: I have received proposals from the hon. Member for Chesham and Amersham (Mrs. Gillan) and from Mr. Edmund King, Royal Automobile Club, which I am still considering.

Noise Abatement

Mr. Jim Cunningham: To ask the Secretary of State for Transport when the hon. Member for Coventry, South -East will receive an answer to his question of 18 May about European grants for noise abatement in respect of airports outside London. [30781]

Mr. Norris: I refer the hon. Member to the reply I gave to him on 22 June.

Cycling

Mr. Spearing: To ask the Secretary of State for Transport what guidance he has issued to highway authorities concerning the provision of advance startling lines for bicycles at suitable signal-controlled intersections; and what action in this regard is being taken by London boroughs. [30804]

Mr. Norris: Guidance has been given in the form of traffic advisory leaflets, which are distributed free to local authorities and other interested bodies. Four leaflets have been issued. The most recent one, TAL 8/93, summarises the findings of the research studies on all our trial installation of advance stop lines, and provides basic design details. We expect this advice to be reflected within the 1,200 mile London cycle network which is now under construction.

South Yorkshire Passenger Transport Authority

Mr. Clapham: To ask the Secretary of State for Transport when he last met the chairman of the South Yorkshire passenger transport authority to discuss the impact of rail privatisation; and if he will make a statement. [30267]

Mr. Watts: I met the chairman of the South Yorkshire passenger transport authority in April this year along with representatives from other PTAs to discuss the future funding of PTE-supported railway passenger services from 1996–97.

My hon. Friend the Under-Secretary of State met the chairman of the South Yorkshire passenger transport authority in May, and the director general of that passenger transport executive earlier this month to discuss a range of transport issues.

Road Congestion

Mr. Sheerman: To ask the Secretary of State for Transport what proposals he has to bring forward his new initiatives aimed at reducing urban road congestion. [30490]

Mr. Norris: Local authority circular 2/95, giving guidance on transport policies and programme submissions for 1996–97, makes—clear that in providing funds for local authorities through the TPP system, the Department will give particular priority to measures which reduce road congestion.

The Government will be responding shortly to the Transport Select Committee's report on urban road pricing.

Newbury Bypass

Sir David Mitchell: To ask the Secretary of State for Transport how many representations *(a)* for and *(b)* against the Newbury bypass he has received since his announcement of delay to the latest commencement date. [29562]

Mr. Watts: Between 19 December 1994 and 21 June 1995 we received some 492 letters and 4,655 pre-printed postcards in favour of proceeding with the Newbury bypass. Most of these came from the Newbury area. We have also received four petitions in favour of the bypass containing a total of 12,700 signatures. During the same period, we have received some 398 letters and 59 pre-printed postcards opposing the bypass. The majority of these came from outside the area.

Channel Tunnel

Mr. Austin Mitchell: To ask the Secretary of State for Transport what he expects to be *(a)* the gains and *(b)* the losses to the United Kingdom tourist industry from the construction of the high-speed link to the channel tunnel; and what is the expected net rate of return. [29445]

Mr. Watts: The Government have not made any assessment specifically in respect of tourism.

Mr. Mitchell: To ask the Secretary of State for Transport what is the present estimated capital cost of building the high-speed link to the channel tunnel; how much will be contributed from public funds directly by way of loan or grants and indirectly by way of operating subsidies; what is his estimate of the external cost benefits; and what is the projected annual rate of return to public funds. [29443]

Mr. Watts: The Government are currently holding a competition to select a private sector consortium to design, build, finance and operate the channel tunnel rail link. The size and composition of the public sector support, the size of the external cost benefits and the capital construction cost will be determined by the outcome of the competition.

Traffic and Vehicle Examiners

Ms Walley: To ask the Secretary of State for Transport how many *(a)* traffic examiners and *(b)* vehicle examiners were in post in each of the last 10 years broken down by whether they were stationed at (i) vehicle testing stations or (ii) other offices. [27867]

Mr. Norris: This is an operational matter for the Vehicle Inspectorate agency.

I have asked the chief executive to write to the hon. Member.

Letter from R. Oliver to Ms Joan Walley, dated 26 June 1995:

The Secretary of State has asked me to reply to your questions on how many traffic vehicle examiners were in post for the last 10 years and their location.

I provided details of numbers in a previous reply (ref PQ 523/94/95 and my letter of 25 January 1995). Information for the last 10 years and where staff were located can only be provided at disproportionate cost. I can provide you with an up to date figure on numbers employed at the end of May 1995. There were a total of 365 vehicle examiners and 160 traffic examiners. We are currently recruiting around 25 additional traffic examiners and around 35 vehicle examiners to increase complement, cover anticipated retirements and substantially fill current temporary posts.

Motorways

Mr. Chidgey: To ask the Secretary of State for Transport, pursuant to his answer of 18 May, *Official Report*, column *348*, relating to motorway noise in how many cases the actual growth in traffic has exceeded the anticipated traffic growth as projected by his Department in estimating future noise levels; and what steps his Department takes to correct inaccurate predictions about predicted traffic levels and noise levels. [28168]

Mr. Watts *[holding answer 20 June 1995]:* This is an operational matter for the Highways Agency.

I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Mr. David Chidgey, dated 26 June 1995:

As you know, the Minister for Railways and Roads, Mr. John Watts MP, has asked me to write to you in reply to your recent Parliamentary Question asking in how many cases the actual growth in traffic has exceeded the anticipated traffic growth as projected by the Department in estimating future noise levels and what steps are taken to correct inaccurate predicted traffic levels and noise levels.

Comparisons are not made between the anticipated and actual growth in traffic used for noise level prediction. This is because entitlements to noise insulation are assessed in the light of actual conditions pertaining at the time the scheme is first open to traffic, on the basis of the best estimate of traffic available. A map showing eligible properties is published within six months of opening and offers of noise insulation must be accepted within a year of opening. The Noise Insulation Regulations require the noise calculations to be reviewed in individual cases on appeal, again within the first year.

Mr. Battle: To ask the Secretary of State for Transport what was the cost of producing and distributing the brochure "Transport: The Way Ahead", speeches by the Secretary of State for Transport.

Dr. Mawhinney: I refer the hon. Member to the reply I gave to the hon. Member for Derbyshire, North-East (Mr. Barnes) on 22 June.

PRIME MINISTER

Downing Street Gates

Mr. Gordon Prentice: To ask the Prime Minister (1) what consideration has been given to strengthening the ornamental gates to Downing street; [30609]

(2) what assessment he has made of the advantages and disadvantages of retaining the gates in Downing street. [30608]

The Prime Minister: Security at Downing street is kept under constant review.

Island Games, Gibraltar

Mr. Mackinlay: To ask the Prime Minister, pursuant to his answer of 20 June, if the Government raised any objection to the Princess Royal attending the Island games in Gibraltar in July. [30656]

The Prime Minister: No.

Mr. Mackinlay: To ask the Prime Minister, pursuant to his answer of 20 June, what is the Government's policy on other members of the royal family attending the Island games in Gibraltar in July 1995. [30655]

The Prime Minister: No member of the royal family other than the Princess Royal has received an official invitation to attend the Island games in Gibraltar.

Ministerial Speeches

Mr. Barnes: To ask the Prime Minister on what recent occasions Ministers' speeches have been published by their Departments at public expense; and if he will make a statement. [29754]

The Prime Minister *[holding answer 22 June 1995]:* It is usual practice for ministerial speeches made on official occasions to be published and distributed to the press by their departmental press office. This does not apply to speeches made in a party political context which are distributed through the party machinery.

Crown Immunity

Mr. Foulkes: To ask the Prime Minister if he will list all areas within *(a)* his Department, *(b)* agencies under his Department's control and *(c)* organisations for which he has ministerial responsibility to which Crown immunity applies; what consideration he has given to removing this, and if he will make a statement. [28644]

The Prime Minister *[holding answer 15 June 1995]:* The reference to the Crown immunity in the question is taken to refer to legislation which does not bind the Crown. Certain legislation is expressly applied to the Crown. In most legislation, however, particularly older legislation, there is no such express provision. In those circumstances whether legislation applies to the Crown will depend upon the implications to be drawn from the drafting and context of the legislation.

French Nuclear Tests

Mr. Alfred Morris: To ask the Prime Minister what backing Her Majesty's Government are giving to the Government of Australia, New Zealand and others in the Asia/Pacific region in their protests against the French Government's intention to resume nuclear testing in the Mururoa atoll; and if he will make a statement. [30385]

The Prime Minister *[holding answer 22 June 1995]:* In our view the international community's main priority is the early conclusion of a comprehensive test ban treaty. While we recognise the concern of some countries, particularly those in the south Pacific, over the French decision to suspend their moratorium on nuclear testing, we do not believe that a strictly limited programme of tests should affect the prospects for this.

Dr. David Clark: To ask the Prime Minister on what date his French counterpart informed him that the French Government would recommence the testing of nuclear weapons. [30047]

The Prime Minister *[holding answer 22 June 1995]:* We have very close contacts with the French Government on a wide range of defence questions, including defence procurement, issues of mutual interest and nuclear matters, including testing. I discussed both subjects when I saw President Chirac on 10 June. The details of these discussions remain confidential.

Home Truths Campaign

Mr. Frank Field: To ask the Prime Minister how many letters he has received on the home truths campaign by young people; and how he is replying. [30048]

The Prime Minister *[holding answer 22 June 1995]:* My office has no record of this campaign. However, any representations will receive replies as appropriate.

Attack Helicopters

Dr. David Clark: To ask the Prime Minister what recent discussions he has had with his French counterpart concerning the purchase of attack helicopters by the Ministry of Defence. [30046]

The Prime Minister *[holding answer 22 June 1995]:* We have very close contacts with the French Government on a wide range of defence questions, including defence procurement, issues of mutual interest and nuclear matters, including testing. I discussed both subjects when I saw President Chirac on 10 June. The details of these discussions remain confidential.

TRADE AND INDUSTRY

Military Equipment (Export Licences)

Mr. Bennett: To ask the President of the Board of Trade, pursuant to his answer of 4 May, *Official Report*, columns *290–91*, if he will list by country the military list classification of all goods refused relevant export licences in 1994. [15753]

Mr. Ian Taylor: The information requested is set out.

Military List ('ML') Export Licence applications refused in 1994

	Refusals	*ML classification*
Algeria	2	1, 4
Argentina	9	9, 10, 11, 15
Burma	1	10
Croatia	1	8
Cyprus	5	1, 7, 18
Dijibouti	1	1
India	1	7, 11
Indonesia	2	3, 5, 7, 15
Iran	21	4, 5, 6, 9, 10, 11
Israel	4	1, 5, 7, 16
Macedonia	1	13
Nigeria	1	1
Norway	1	15
Sierra Leone	1	18
Singapore	1	11
Slovenia	1	15
Sri Lanka	2	3
South Africa	1	5
Sudan	8	1
Sweden	1	11
Syria	3	3
Taiwan	1	15
Turkey	1	3
Yemen	4	6, 10, 11

Amway UK Ltd.

Mr. Campbell-Savours: To ask the President of the Board of Trade how many meetings Ministers in his Department have had with persons representing the interests of Amway in the last three years either formally or informally to discuss matters relating to the interests of Amway. [29848]

Mr. Jonathan Evans: We have been consulting widely over proposals to improve the effectiveness of the legislation controlling pyramid selling and similar trading schemes. As part of this process, Ministers have had two meetings, one in 1992 and one last month, with a delegation from the Direct Selling Association. On the earlier occasion, the delegation included a representative of Amway UK Ltd. Also I understand that almost all Members of Parliament, including most DTI Ministers, have been approached at least once during the last three years by constituents representing Amway.

BMARC

Mr. Cousins: To ask the President of the Board of Trade (1) how many export licences were applied for by BMARC under the military list between 1984 and 1990: and how many were turned down; [29167]

(2) how many military export licences were applied for by BMARC between 1984 and 1990; and how many of those applications were refused; [29479]

(3) how many military export licences were applied for by BMARC between 1 September 1988 and 31 March 1990; how many of those licences did not supply end user statements or certificates; and how many of the applications in that period were rejected. [29480]

Mr. Byers: To aske the President of the Board of Trade, pursuant to his oral statement of 13 June *Official Report*, columns 595-606, how many export licences were granted to BMARC for the export of naval guns and ammunition to Singapore; and how many of these applications did not have the full supporting documentation. [29258]

Mr. Ian Taylor: Hon. Members have asked a number of questions about BMARC, which require detailed work on over 400 export licences. I shall write to the hon. Members as soon as I have a substantive answer to their questions.

Mr. Cousins: To ask the President of the Board of Trade, pursuant to his oral statement of 13 June, *Official Report*, column 595, on BMARC, if any of the BMARC export licences which were the subject of his recent statement to the House had been drawn to the attention of Ministers prior to March 1995. [30065]

Mr. Taylor: No, to the best of our knowledge.

Brent Spar

Mr. Dobson: To ask the President of the Board of Trade at what time and date, and by what method, Ministers or officials in his Department were first made aware of the decision by Shell UK to abandon plans to dispose of the Brent Spar installation by deepwater disposal. [31004]

Mr. Eggar: I received the information from Shell UK at a meeting which took place at approximately 4.30 pm on 20 June 1995.

Utility Regulators

Mr. Hain: To ask the President of the Board of Trade what were the salaries of the telecommunications, gas, electricity and water regulators for each year since their inception; and what has been the percentage change in their earnings since their inception in *(a)* cash terms and *(b)* real terms. [29335]

Mr. Eggar: The Director General of Water Services is appointed by the Secretary of State for the Environment and the Secretary of State for Wales and information about his salary is a matter for them.

The information requested in respect of the telecommunications, gas and electricity regulators is as follows:

Mr. Bryan Carsberg—now Sir Bryan—was appointed from July 1984 at an initial salary of £50,000 per annum.

Director general of telecommunications

Year	Salary £	Percentage change Cash terms	Real terms
June 1985	50,000	0.0	-6.5
June 1986	55,022	10.0	7.4
June 1987	60,224	9.5	5.0
June 1988	62,903	4.4	-0.2
June 1989	66,341	5.5	-2.6
June 1990	71,780	8.2	-1.5
June 1991	81,915	14.1	7.8
June 1992	87,808	7.2	3.2

There was a period of several months in 1992–93 when the deputy director general was promoted temporarily at a salary of £60,000 per annum until a new director general was appointed. Mr. Don Cruickshank was appointed in April 1993 at an initial salary of £120,000 per annum.

Year	Salary £	Percentage change Cash terms	Real terms
April 1994	123,300	2.7	0.2
April 1995	126,400	2.5	-0.8

Mr. James McKinnon—now Sir James—was appointed for a period of three years from August 1986 at an initial salary of £47,000 per annum.

Director general of gas supply

Year	Salary £	Percentage change Cash terms	Real terms
April 1987	47,000	0.0	-4.1
April 1988	47,000	0.0	-3.8
April 1989	56,150	19.5	10.6

The director general was reappointed for a period of five years from August 1989 at an initial salary of £59,800.

Year	Salary £	Percentage change Cash terms	Reall terms
April 1990	63,390	[1]6.0	[1]-1.9
April 1991	69,120	9.0	2.5
April 1992	73,216	5.9	1.6
April 1993	73,216	0.0	-1.3

[1] Percentage change since reappointment August 1989.

Ms Clare Spottiswoode was appointed for a period of five years from November 1993 at an initial salary of £70,000. By April 1995 this had risen to £73,725 through annual increases of 2.7 per cent. in 1994 and 2.5 per cent in 1995.

Year	Salary £	Percentage change Cash terms	Real terms
April 1994	71,925	2.7	[1]0.9
April 1995	[2]90,000	[3]25.1	[3]21.1

[1] Percentage change since appointment November 1993.
[2] Salary determined in June 1995 but backdated to November 1994.
[3] Percentage change from April 1994 to April 1995.

Professor Stephen Littlechild was appointed for a period of five years from September 1989 at an initial salary of £71,000 per annum.

Director general of electricity supply

Year	Salary £	Percentage change Cash terms	Real terms
April 1990	75,260	6.0	-1.2
April 1991	82,030	9.0	2.4
April 1992	86,900	5.9	1.6
April 1993	89,410	2.9	1.6
April 1994	94,280	5.4	2.8

The director general was reappointed for a period of five years from September 1994 at an initial salary of £100,000.

Year	Salary £	Percentage change Cash terms	Real terms
April 1995	£102,500	[1]2.5	[1]-0.3

[1] Percentage change since reappointment September 1994.

Mr. Hain: To ask the President of the Board of Trade if he will list the external directorships held and remuneration received by each of the telecommunications, gas, electricity and water regulators. [29336]

Mr. Eggar: No external directorships are held at present by the telecommunications, gas or electricity regulators.

The Director General of Water Services is appointed by the Secretary of State for the Environment and the Secretary of State for Wales and questions relating to his terms of appointment are matters for them.

Information on the current remuneration of all the main utility regulators has been placed in the Library of the House by the respective sponsoring Departments.

Konver Initiative

Ms Hodge: To ask the President of the Board of Trade how much money Britain has received to date from the European Konver fund for arms conversion; and if he will give details of the projects the money has gone to. [30203]

Mr. Eggar: The purpose of the Konver initiative is to accelerate, with grants from the European Community structural funds, the diversification of economic activities in areas heavily dependent on the defence sector, so as to render them less dependent on this sector and encourage the adjustment of commercially viable businesses in other sectors. For Konver II, up to 1997, the Government have secured some £79 million, of which a first instalment should be received later this year. The UK was allocated some £18 million for Konver 1993.

For further details, I refer the hon. Member to the answer I gave to the hon. and learned Member for Fife, North-East (Mr. Campbell) on 3 April 1995, *Official Report*, column *901–2*.

Charter Week

Mr. Morgan: To ask the President of the Board of Trade what are the main events he is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [30679]

Mr. Heseltine: The Patent Office is contributing to a bilingual leaflet being put together to publicise the customer service activities of member organisations of the charter mark winners in Wales group.

There will be on additional costs or staff resources required as a result of this event being held in July. The officials concerned will be working on the event as part of their normal duties.

X200 Jaguar

Mr. Mike O'Brien: To ask the President of the Board of Trade what support his Department will offer to ensure that the X200 Jaguar is built in the United Kingdom. [30697]

Mr. Eggar: Discussions continue with Ford about the project. We are, of course, keen to ensure that the car is built here in Britain.

Photovoltaics

Mr. O'Neill: To ask the President of the Board of Trade what is the current United Kingdom installed capacity of solar photovoltaics, in megawatts; and what targets his Department has set for an increase in installed capacity by 2000. [30077]

Mr. Page: The installed capacity of photovoltaics in the UK at the end of 1994 has been estimated at about 320 (kW). This estimate covers all applications including remote power, consumer goods and grid connected systems. The Government are working towards 1,500 (MW) of new electricity generating capacity from renewable sources by 2000; photovoltaics is expected to contribute marginally to this capacity on this time scale.

Mr. O'Neill: To ask the President of the Board of Trade what is the current level of expenditure on the development and deployment of solar photovoltaic technology in the United Kingdom; and what are the projected levels of funding for the years 1995, 1996 and 1997. [30075)]

Mr. Page: The spend by the Department of Trade and Industry's new and renewable energy programme on photovoltaics in the financial year 1994–95 was £564,000. In addition to this, there was expenditure in the UK on photovoltaics development and deployment by the Office of Science and Technology, the European Commission and the photovoltaics industry itself. Projected levels of DTI funding for new and renewable energy, including photovoltaics, were published in "Trade and Industry 1995: The Government's Expenditure Plans 1995–96 to 1997–98", and are as follows:

Year	*£ million*
1995–96	18.0
1996–97	15.5
1997–98	15.5

Mr. O'Neill: To ask the President of the Board of Trade how many solar photovoltaic projects in the United Kingdom his Department has supported financially. [30079]

Mr. Page: To date, the Department of Trade and Industry has provided financial support to 20 photovoltaics projects.

Mr. O'Neill: To ask the President of the Board of Trade what plans he has to encourage the regional electricity companies to generate electricity using *(a)* solar photovoltaic technology and *(b)* solar water heating. [30083]

Mr. Page: Measures are in hand to save electricity generation and encourage energy conservation by bringing the potential of photovoltaics and solar water and heating technology to the attention of the regional electricity companies. These measures include supporting, under the DTI programme:

an initiative of the International Energy Agency to provide information on photovoltaics to utilities involving for example a series of seminars held at REC offices;

(in association with some RECs) regional renewable energy studies to assist the RECs with their business planning for renewables. These studies have included consideration of the local resource for photovoltaics and solar water heating.

Mr. O'Neill: To ask the President of the Board of Trade what support his Department is providing to the United Kingdom solar photovoltaic industry in order to assist an increase in its global market share; and what targets have been set for an increase in its market share. [30078]

Mr. Page: The Department of Trade and Industry's new and renewable energy programme in 1994 funded a business development study with the UK Photovoltaic Association to examine the world photovoltaics market and future market developments, and the opportunities for UK companies to succeed in these markets. The association has proposed its own target of a 15 per cent. market share of the world market by 2005. The DTI has initiated an export strategy for new and renewables within the overall new and renewable energy programme.

Mr. O'Neill: To ask the President of the Board of Trade what plans he has to offer practical or financial assistance to householders who wish to obtain energy supplies from *(a)* solar photovoltaic technology and *(b)* solar water heating. [30082]

Mr Page: The Department of Trade and Industry programme is providing practical assistance to anyone interested in investing in solar technologies by providing

case studies, results from monitored projects and technical guidance information.

Renewable Energy

Mr. O'Neill: To ask the President of the Board of Trade (1) what effect he expects continued non-fossil fuel obligation support of mass burn energy from waste schemes to have on the Government's policy objectives for integrated waste management as set out in the national waste strategy; [30085]

(2) what assessment he has made of the potential contribution which will be made towards achieving the Government's renewables target by mass burn energy from waste technologies; [30235]

(3) what market intelligence he has regarding either the *(a)* size or *(b)* number of future mass burn energy from waste schemes in the United Kingdom; and if he will make a statement; [30086]

(4) if he plans to continue support for mass burn energy from waste technology in the fourth order of the non-fossil fuel obligation; [30084]

(5) what assessment he has made of the reasons for failure of those mass burn energy from waste schemes which were supported under the first three non-fossil orders; and what changes he is considering to the structure of future orders to ensure better success rates. [30087]

Mr. Page: Energy Paper No.62, "New and Renewable Energy: Future Prospects in the UK", set out the Government's renewable energy policy and summarised its strategy and programme to implement that policy over the next 10 years. Energy paper No. 62 estimated that energy from municipal and industrial wastes might contribute around 400 MW to the Government's aim of working towards 1,500 MW of new electricity generating capacity from renewable sources for the UK by the year 2000. The non-fossil fuel obligation in England and Wales, and similar arrangements in Scotland and Northern Ireland, are the Government's main instrument for creating an initial market for renewables so that in the not-too-distant future the most promising renewables can compete without financial support.

The Government have recently consulted on the structure of the fourth NFFO order and the Energy from Waste Association has provided market intelligence on potential future mass burn energy from waste schemes in the United Kingdom. I will take this information into account when the decisions on the structure of the NFFO4 are made shortly.

Energy from waste developments require planning permission and each application is determined on its own merits. The award of a NFFO contract is totally without prejudice to the planning process. Advice on planning issues is set out in planning policy guidance on planning and pollution control published in July 1994 and the annexe on waste combustion to planning policy guidance on renewable energy published in October 1994. The Department of Trade and Industry's renewable energy programme published a best practice guide for local authorities and private sector developers of municipal solid waste combustion projects in April 1995.

The Government are committed to issuing updated guidance to local authorities on tendering waste disposal contracts and this will reinforce the desirability of recovering energy from waste as part of a sustainable approach to waste management. The Department of the Environment and Welsh Office have recently consulted on a draft waste strategy for England and Wales and expect to publish a final version towards the end of the year. The targets and objectives set out in the waste strategy are to be achieved by a combination of mechanisms, including the proposed landfill tax and initiatives on producer responsibility for waste. These will contribute towards an integrated approach to more sustainable waste management practices which employ energy recovery alongside material recycling, in pursuit of the best practicable environmental option.

Energy Research and Development

Mr. O'Neill: To ask the President of the Board of Trade if he will list the current level of funding for research and development for the energy sector by type, including advanced fossil fuel combustion technology. [30076]

Mr. Page: The funding allocated by my Department for energy research and development programmes in 1995–96 is as follows:

	£ Million
Nuclear R and D:	
Decommissioning and Radioactive Waste Management Support	5.9
Fast reactor	0.1
Safety and health	2.7
Fusion—including DTI's contribution towards JET	15.8
Safeguards	1.0
Non-Nuclear R and D:	
Oil and gas production technology	3.4
Offshore environmental R and D	0.1
Clean coal technologies	7.0
Environment	0.6
Renewable and novel sources of energy	18.0

The final outturns may vary from the figures shown. There is no energy R and D expenditure on advanced fossil fuel technologies other than for coal.

TREASURY

BMARC

Mr. Cousins: To ask the Chancellor of the Exchequer on how many previous occasions customs inquiries and investigations have been made into contracts placed with, for or on behalf of BMARC. [29720]

Mr. Heathcoat-Amory: Customs' only known previous inquiry concerned information provided by BMARC about a contract for BMARC to supply goods to another United Kingdom company which was under investigation.

VAT-registered Businesses

Mr. Thurnham: To ask the Chancellor of the Exchequer if he will list for each of the last 10 years *(a)* the number of VAT registered businesses per 1,000 population and *(b)* the number of new businesses per 1,000 population created in (i) Bolton, (ii) the north-west region and (iii) the United Kingdom. [30210]

Mr. Heathcoat-Amory: Customs does not hold information on the ratio of businesses to population or on the number of businesses registered in Bolton alone. Figures are available for VAT—registered businesses by local office. The local VAT office at Blackburn covers, in addition to Blackburn, the towns of Bolton, Accrington and Clitheroe. Figures for the north-west cover Lancashire, Greater Manchester and Merseyside. These are given in the table:

Year	*New registrations at Blackburn office*	*New registrations in the north west region*	*New registrations in the UK*	*Total number of registrations at Blackburn office*	*Total number of registrations in the north west*	*Total number of registrations in the UK*
1985	1,997	16,317	184,392	17,177	128,538	1,471,375
1986	2,115	16,602	190,259	16,967	128,846	1,494,368
1987	2,065	16,964	202,132	17,071	130,170	1,539,914
1988	2,595	20,110	239,351	17,527	133,868	1,605,817
1989	2,807	22,384	261,783	18,141	139,526	1,690,191
1990	2,680	21,574	234,264	18,762	145,053	1,742,966
1991	2,298	18,644	199,604	18,122	140,668	1,692,190
1992	2,114	17,326	186,816	17,849	136,439	1,640,409
1993	2,099	16,412	191,965	17,402	131,877	1,607,843
1994	1,904	15,174	176,771	16,986	134,619	1,582,911
1995[1]	395	3,776	44,710	16,799	134,921	1,579,869

[1] To end March.

The effect of the substantial increase in the registration threshold in both 1991 and 1993 provides an explanation for the net decrease in the number of registered businesses since 1990.

Customs Investigation and Intelligence Review

Mr. Cousins: To ask the Chancellor of the Exchequer if the further, separate and full review of the investigation and intelligence operations to be undertaken after the previous fundamental expenditure review into customs was completed is yet under way; and when and to whom customs will report. [30070]

Mr. Heathcoat-Amory: The investigation and intelligence review was begun in January and is continuing. The report will go to Treasury Ministers in September 1995.

VAT Bad Debts

Ms Primarolo: To ask the Chancellor of the Exchequer if he will make a statement on the operation of the VAT bad debt relief scheme. [30510]

Mr. Heathcoat-Amory: All aspects of the VAT system are kept under regular review. If the hon. Member has any specific concerns about the operation of the VAT bad debt relief scheme, I would be happy to consider them.

North Sea Oil Revenue

Mr. Frank Field: To ask the Chancellor of the Exchequer if he will list the different sources of Government revenue received in relation to the production of North sea oil; and if he will also calculate the total amount of revenue the Government have received from these sources for each year since 1979. [30176]

Sir George Young *[holding answer 22 June 1995]:* I refer the hon. Member to the answer I gave him on 7 June 1995, *Official Report*, columns *203–4*.

Vehicle Excise Duty

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the annual change in revenue to the Exchequer which would result from raising the level of excise duty paid by lorries by £20 per vehicle per annum. [30096]

Mr. Heathcoat-Amory *[holding answer 22 June 1995]:* The estimated additional revenue to the Exchequer which would result from raising the level of vehicle excise duty paid by lorries by £20 would be £8 million.

SOCIAL SECURITY

Child Support Agency

Ms Walley: To ask the Secretary of State for Social Security how many outstanding Child Support Agency cases are currently awaiting processing in the Dudley office; how many staff are employed in this office, and what training they have received. [29320]

Mr. Burt: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Ms Joan Walley, dated 22 June 1995:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Dudley Child Support Agency Centre (CSAC).

As at the end of April 1995, Dudley CSAC was dealing with 38,200 cases, all of which were at various stages of the assessment process following the return of a maintenance application form (MAF) to the Centre, and some that have been referred to the local field office. There were a further 18,600 cases where a MAF had been issued but not yet returned.

The CSAC has 758 staff. In line with the Agency's determination to improve quality, all staff at the CSAC undergo formal induction training structured to cover the area of work they will be undertaking; maintenance assessment staff have a training programme which lasts for ten weeks; call handling staff receive a five week course covering the whole of the Agnecy's business and Operation Accounting staff receive four weeks training which includes instruction on debt management. All relevant staff received training on the recent policy changes and enhancements to the Child Support Computer System. All courses include one weeks customer service training and a period of consolidation with an experienced colleague.

After initial training, individual and collective training needs are continuously reviewed and both technical and personal skills based training courses are available and delivered regularly.

I hope this is helpful.

Benefits

Mr. Frank Field: To ask the Secretary of State for Social Security if he will list for each change the impact on the numbers claiming benefit now and in 2000–01 as a consequence of *(a)* the new incapacity benefit, *(b)* the £40 per week child care effect on family credit for single parents, *(c)* the back-to-work bonus for single parents, *(d)* the Child Support Agency, *(e)* limiting housing benefit to the average for each category of property in each area and *(f)* the changed rules for claiming income support for mortgage interest payments; and if he will also list for each change the saving to public expenditure. [27222]

Mr. Hague: The medium-term projections of benefit expenditure did not involve explicit calculations of benefit case loads. Reliable estimates of the case load effects of the policy measures listed in 2000–01 could be provided only at disproportionate cost.

The effects of the policy measures on benefit expenditure in 2000–01 are estimated as follows:

(a) Incapacity benefit: Saving £2.3 billion

(b) Child care effect on family credit: adding £60 million

(c) Back to work bonus for lone parents: adding £10 million

(d) Child Support Agency: saving £0.6 billion

(e) Housing benefit limits: saving £190 million

(f) Changed rules for income support mortgage interest: saving £150 million

All these figures are the estimated costs and savings in the year 2000–01 in 1994–95 prices—rounded to the nearest £10 million. They represent the best estimate available of the effect of the policy measures, but detailed forecasts over that time span are subject to a wide margin of error. In particular, there may be behavioral effects from the policy measures not allowed for in the forecasts.

Mr. Callaghan: To ask the Secretary of State for Social Security what plans he has to review the benefit entitlement of 16 to 18-year-olds. [30971]

Mr. Roger Evans: We will be issuing expanded guidance to Benefits Agency offices in respect of claims under the severe hardship provision. Our concern is to ensure that decisions taken with the authority of the Secretary of State are made taking account of all the available evidence.

Mr. Battle: To ask the Secretary of State for Social Security what would be the cost of reducing *(a)* housing benefit taper by 15 per cent. to 50 per cent., *(b)* family credit taper by 20 per cent. to 50 per cent., *(c)* council tax taper by 15 per cent. to 50 per cent. and *(d)* all benefit tapers to 50 per cent. [30380]

Mr. Evans: The information requested is set out in the table. The council tax benefit taper is currently set at 20 per cent. Separate estimates have therefore been provided assuming a reduction of council tax benefit taper of 15 per cent. to 5 per cent. and an increase to 50 per cent.

	Estimated cost (+)/saving(–) £ million per annum
Housing Benefit taper at 50 per cent.	+585
Family Credit taper at 50 per cent.	+555
Council Tax Benefit taper at 50 per cent.	–330
Council Tax Benefit taper at 5 per cent.	+965
All Tapers at 50 per cent.	+805

1. Estimates are based on 1990–91 to 1992 family expenditure surveys uprated to 1995–96 prices and benefit levels.
2. Figures are rounded to the nearest £5 million.

Income Support

Mr. Milburn: To ask the Secretary of State for Social Security if he will list the income support liveload payments made for *(a)* E cases, *(b)* P cases, *(c)* A cases and *(d)* total cases for each quarter since January 1991 by (i) district and (ii) area directorate. [29331]

Mr. Roger Evans: The information is not available.

Mr. Battle: To ask the Secretary of State for Social Security what would be the cost of raising earnings disregards for *(a)* single income support claimants from £5 to £10 per week, *(b)* couples to £10 each and *(c)* for the couple. [30382]

Mr. Evans: The cost of raising the disregards in the manner suggested would be:

(a) £10 million

(b) £10 million

(c) £35 million

Notes:

1. Based on data taken from the 1993 income support annual statistical inquiry and from the 1990–91–92 family expenditure surveys uprated to 1995–96 prices, benefits and earnings levels.

2. Costs are per annum, rounded to the nearest £5 million.

3. All costings exclude groups who already have a higher disregard in income support, particularly lone parents, the disabled and long-term unemployed couples.

Mr. Barnes: To ask the Secretary of State for Social Security how many recipients of income support were recorded as persons without accommodation in the last year for which figures are available. [30611]

Mr. Evans: In May 1994, 41,000 income support claimants were recorded as using the local benefit office as a mailing address. It is unlikely that this number relates only to roofless people.

Notes:

The figures have been rounded to the nearest thousand.

Source:

Income support quarterly statistical inquiry May 1994 and income support annual statistical inquiry May 1993.

Mr. Flynn: To ask the Secretary of State for Social Security how many young people in Wales who left school at 16 years in 1994 are currently receiving *(a)* severe hardship payments under income support provisions and *(b)* other Benefits Agency payments. [31018]

Mr. Evans: The information is not available.

Charter Week

Mr. Morgan: To ask the Secretary of State for Social Security what are the main events he is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [30680]

Mr. Hague: A number of events are planned by district offices of the Benefits Agency which will coincide with the fourth anniversary of the citizens charter, including:

Participation by several districts in local radio phone-ins;

a charter mark winners roadshow organised jointly by South Tees district and the child benefit centre;

charter mark winners open days organised by several districts, including Lothian West district, Springburn district and the benefit inquiry line in Preston;

Newcastle district, which has been informally twinned with South Tyneside hospital trust is organising a day trip for underprivileged children.

In addition, the South Lancs and Cheshire division of the Contributions Agency is running an information desk at public libraries in the area, to promote aspects of its service.

There will be negligible cost to public funds as a result of these events taking place. The officials involved will be working on them as part of their normal duties.

Pensioners' Incomes

Mr. Callaghan: To ask the Secretary of State for Social Security what are the latest figures available on the growth of pensioners' incomes since 1993. [30972]

Mr. Arbuthnot: The latest available information is for 1992. These figures showed that, on average, pensioners' net incomes have increased by 50 per cent. since 1979, before taking housing costs into consideration.

Source:

Estimated from the family expenditure survey, 1992.

Social Fund

Mr. Callaghan: To ask the Secretary of State for Social Security how many applications there were for grants and loans from the social fund in the last month for which figures are available; what was the monthly average for the last financial year; and if there are any plans to increase the size of the fund. [30974]

Mr. Roger Evans: There were 318,231 applications for grants and loans in May this year. The monthly average for 1994–95 was 312,019.

The gross social fund budget for 1995–96 was increased by £38 million to £406 million, an increase of £53 million since April 1994–95.

War Disablement Pensions

Mr. Hall: To ask the Secretary of State for Social Security how many former members of Her Majesty's armed forces have applied for a war disablement pension on the grounds of noise-induced sensorineural hearing loss since 7 January 1993; and how many of these applications have been refused on the grounds that the hearing loss was less than 20 per cent. [30944]

Mr. Arbuthnot: Information is not available in the exact form requested.

We estimate that since January 1993 a total of around 139,500 first claims have been made for hearing loss only. Separate claim figures for noise-induced sensorineural hearing loss are not available, because the exact diagnosis is not known when the claim is made, but the vast majority of the above claims were probably for that condition. In the same period, no payment was made in some 57,500 cases, because the assessed level of disablement due to service related NISHL was less than 20 per cent.

The figures include claims made under all the war pensions scheme,s including those covering service personnel, world war two civilians and mercantile mariners. Separate figures are not available for the individual schemes.

Low-income Families

Mr. Callaghan: To ask the Secretary of State for Social Security what additional support the Department will be providing next year to low-income families with children. [30973]

Mr. Burt: Over the next 12 months, a number of measures are to be introduced that will provide extra support for low-income families with children.

From July this year, low-income families with children working more than 30 hours per week will receive an extra £10 per week in family credit. Around 345,000 families are expected to benefit from this measure worth over £200 million. We also aim to speed up the payment of family credit. From April 1996, we expect almost all new claims for family credit to be arranged within five working days.

Also from next April, those who take a job after six month's unemployment will be able to keep their housing benefit at their existing full rate for an extra four weeks. From October 1996 the tax-free back-to-work bonus of up

to £1,000 will help to smooth a family's income flow on taking up work.

Families will also benefit from the introduction of a national insurance holiday for employers taking on those who have been unemployed for two years or more, in April 1996.

Pensioners' Organisations

Mr. Callaghan: To ask the Secretary of State for Social Security when he last met representatives of pensioners' organisations; and what matters were discussed. [30975]

Mr. Arbuthnot: I refer the hon. Gentleman to the reply I gave the hon. member for Bolsover (Mr. Skinner) on 19 June, *Official Report*, columns *12–13*.

LORD PRESIDENT OF THE COUNCIL

Privatisation

Mr. McNamara: To ask the Lord President of the Council if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid.

Mr. Newton: No functions of the Privy Council Office have been contracted out, nor are any planned to be. I am not responsible for any agencies.

HOUSE OF COMMONS

Sitting Hours

Mr. Spearing: To ask the Lord President of the Council on how many occasions in the current Session until 16 June the House has adjourned before 10 o'clock; and what has been the total approximate time between the time of adjournment and half-past 10 o'clock.

Mr. Newton: In the current Session up to the 16 June, the House has adjourned before 10 o'clock on 21 occasions, not including Fridays. This figure does not include the last day before the Christmas recess on 20 December, but does include 24 May 1995 when the House rose at 4.36 pm as a mark of respect to Lord Wilson on his death. Nineteen of the 21 occasions have been since January.

The total time between the hour of adjournment and half- past 10 o'clock on these 21 occasions is 42 hours 51 minutes. If the 24 May 1995 is not included in the figure, the total time is 36 hours 57 minutes.

Party Leadership Candidates

Mr. Winnick: To ask the Lord President of the Council, pursuant to his oral answer of 15 June, *Official Report*, column 896, if he will consult other parties on making arrangements for parliamentary time for statements by candidates for party leadership.

Mr. Newton: No.

DUCHY OF LANCASTER

Staff

Mr. Streeter: To ask the Chancellor of the Duchy of Lancaster what was the number of staff-in-post in central Government Departments at 1 April 1995. [30195]

Mr. David Hunt: On 1 April 1995, there were 516,080 permanent staff-in-post in central Government, which is less than half the level of 50 years ago. This represents a decrease of 4.5 per cent. in the year since 1 April 1994. The number of casual staff fell by 2,984 over the year to 18,130.

The figures are measured as "full-time equivalent" staff, where part-time staff are recorded as a proportion of a full-time employee according to the proportion of a full week for which they are contracted to work. This method of calculating full-time equivalent staff is a new one introduced from 1 April 1995, replacing the former method in which part-time staff working 10 hours or more per week were recorded as half an employee, those working fewer than 10 hours being ignored. The new methodology has been introduced to provide more accurate estimates of the number of staff employed, enabling better financial planning and control. This change in the method of calculating the number is estimated to have resulted in an increase of 7,000—1.3 per cent.—in the total number of staff. In order that the change should not artificially distort comparisons over time or plans with outturn, estimates have been made on the new basis, broken down by Department, for 1 April 1994, and have been placed with the 1 April 1995 figures in the Library.

British Geological Survey

Mr. Battle: To ask the Chancellor of the Duchy of Lancaster what areas of the work of the British Geological Survey have been contracted out; who has bid for them; and who has been awarded them. [30222]

Mr. Horam: The British Geological Survey contracts out those areas which require scientific skills not available in-house and those functions which can be carried out more effectively by outside contractors. Specialist scientific support, such as research vessel hire and some drilling, is contracted out as the need arises. Some support, as in the case of computing services, is provided through service level agreements with the Natural Environment Research Council. The identity of many of the bidders for scientific and specialist support is considered by the survey to be commercial—in-confidence; others could be obtained only at disproportionate cost.

The following service functions have been contracted out to national and local suppliers through open competitive tendering:

Service	
Cleaning	Initial Cleaning Services
	Northern Maintenance plc
Security	Centuryan Security Ltd.
Catering	Sutcliffe Catering
Printing (part)	Colour Images Ltd.
	Saxon and Graphics Ltd.
	Linneys Colour Print Ltd.
	Hawthornes Ltd.
	Meridian
	Colourstream Ltd.
Travel services and Vehicle hire	Carlsson Wagon Lit

Mr. Battle: To ask the Chancellor of the Duchy of Lancaster whether his Department has put out to tender the oil information services of the British Geological Survey. [30223]

Mr. Horam: Until 1993, the British Geological Survey provided scientific services to the oil and gas division of the Department of Trade and Industry under letters of agreement, on a repayment basis. In the course of that year, the DTI invited competitive tenders for the supply of those services over a five-year period under five separate contracts, one of which was awarded to the BGS.

Research Council Redundancies

Mr. Battle: To ask the Chancellor of the Duchy of Lancaster what is his latest estimate of redundancies that must be achieved by the end of the financial year in each of the six research councils; and if he will make a statement. [30240]

Mr. Horam: There is no specific target for redundancies that must be achieved by the end of the financial year. However, staffing levels are kept under continuous review by the research councils' senior management and the Director General of the Research Councils, with the aim of ensuring that councils' missions are pursued as efficiently and effectively as possible. Councils endeavour to achieve any reductions in posts through natural wastage and voluntary departures.

Mr. Battle: To ask the Chancellor of the Duchy of Lancaster how much is in this financial year's budget for estimated redundancy payments to the research councils. [30241]

Mr. Horam: In the financial year 1995–96 the research councils currently expect to incur expenditure of around £17 million on redundancies—including early retirements and restructuring. This includes payments in respect of departures in 1995–96 and ongoing payments in respect of earlier departures.

Executive Agencies (Relocation)

Mr. Devlin: To ask the Chancellor of the Duchy of Lancaster which executive agencies are currently seeking to relocate from London to provincial towns. [30650]

Mr. Horam: This information is not held centrally: it is a matter for individual departmental Ministers and their agency chief executives.

Charter Week

Mr. Morgan: To ask the Chancellor of the Duchy of Lancaster what are the main events his Department is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* public officials will be playing a part. [30682]

Mr. Horam: The Office of Public Service and Science is planning a number of public service events to coincide with the fourth anniversary of the citizens charter, including:

a reception for users who have nominated organisations for the 1995 charter mark and representatives of the nominated organisations;

the publication of "Charter News";

a consultation and customer satisfaction seminar;

the publication of a guide to consultation;

a conference on the information super-highway; and

an announcement on 1995 charter marks applications.

There will be no additional cost or staff resources required as a result of holding these events in July. The officials concerned will be working on the events as part of their normal duties.

Ministerial Visits

Mr. Simon Hughes: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 21 March, *Official Report*, column *178*, if he will list all those occasions on which he did not give prior warning to hon. Members. [30749]

Mr. David Hunt: I always do my best to give prior warning to hon. Members when I visit their constituencies in an official capacity and I do not have a record of any occasions when the system has failed.

OVERSEAS DEVELOPMENT ADMINISTRATION

Structural Adjustment Programmes

39. **Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to study the social effects of aid programmes tied to structural adjustment programmes. [28775]

Mr. Baldry: ODA has been studying the social effects of structural adjustment for some years, in consultation with the World bank and independently, and will continue to do so.

European Development Fund

40. **Mr. Gapes:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will support moves to budgetise the European development fund. [28776]

Mr. Baldry: We are opposed to budgetisation of the European development fund. This would reduce Government's ability to decide how much we wish to contribute. It would also increase the pressure on the Edinburgh financial ceilings.

European Union Aid

41. **Sir Teddy Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the total

sum spent on overseas aid by the EU in the most recent year for which figures are available; and which committee or Department makes decisions on the issuing of individual grants. [28777]

Mr. Baldry: In 1993, the last year for which figures are available, total European Community overseas assistance was $4287.5 million of which $3637.2 million was net official development assistance to developing countries. Individual spending proposals are assessed by management committees on which ODA represents the UK.

Eastern Europe

42. **Dr. Godman:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the distribution of funds to organisations from the European Union's Poland and Hungary assistance for economic restructuring programme and the know-how scheme. [28778]

Mr. Baldry: The PHARE programme and the know-how fund channel funds through a variety of public and private sector organisations including non-governmental organisations and academic institutions. They are selected on the basis of value for money in helping to achieve the objectives of the two programmes.

Developing World (Debt)

43. **Mr. Brandreth**: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the role on the non-governmental banking sector in the reduction of debt in the developing world; and if he will make a statement. [28779]

Mr. Baldry: There has been effective action to reduce the debt owed by developing countries to commercial banks. Commercial bank debt is no longer the priority issues in solving developing countries' external debt problem.

Poverty Reduction

44. **Mr. Wareing:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of United Kingdom multilateral aid is for poverty reduction. [28780]

Mr. Baldry: Poverty reduction is the highest priority of many of the multilateral agencies to which the UK makes contributions. Because the nature of their programmes varies widely, it is not possible to give precise figures for the proportion of our multilateral aid which is specifically for poverty reduction. However, of the UK's total contribution to multilateral agencies, we estimate that in 1993 more than 60 per cent. was spent in the poorest category of countries—that is, least developed countries as classified by the UN and in other low income countries with an income per head of under $676 in 1992.

Indonesia

Mr. Galbraith: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the intended use of the recent loan to Indonesia; and if he will make a statement. [29318]

Mr. Baldry: The new concessional loan arrangement for Indonesia will be used to support developmentally sound projects up to a cumulative contract value for British goods and services of £80 million. Projects to be funded under the loan are to be identified, but are expected to be in the health, education, water resources and transport sectors.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 3 March, *Official Report*, column *727*, if he will state in respect of each Indonesian police office receiving scholarship training of less than one month, *(a)* the month during which and *(b)* the training establishment at which training took place. [30282]

Mr. Baldry *[holding answer 22 June 1995]:* The training took place in July 1990, July 1991 and July 1992. It was based at the Surrey police headquarters in Guildford.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 19 June, *Official Report*, columns *17–18*, whether the project regarding the regional physical planning project for transmigration in Indonesia included East Timor. [30290]

Mr. Baldry *[holding answer 22 June 1995]:* Yes.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 8 February, *Official Report*, columns *294–95*, if he will state in respect of each Indonesian police officer receiving scholarship training of more than one month *(a)* the date on which the training was completed and *(b)* the training establishment at which the training took place. [30281]

Mr. Baldry *[holding answer 22 June 1995]:*

Year	*Name*	*Date training completed*	*Place*
1990–91	Mr. Yusnar Arsyad, Lt. Colonel	15 December 1990	RIPA, London
	Mr. Adjie Rustarn Ramdja, Major	15 December 1990	RIPA, London
	Mr. Deddy S K, Lt. Colonel	15 December 1990	RIPA, London
	Mr. Medhy Chumadi, Lt.	15 December 1990	RIPA, London
1991–92	Mrs. Minton Mariaty Simanjuntak, Major	12 December 1991	RIPA, London
	Mr. Soekamid, Major	30 September 1992	Salford University
	Mr. Yadi Ermlady, Captain	30 September 1992	Kent University
1992–93	Mr. Soekamid, Major	30 September 1993	Salford University
	Mr. Yadi Ermlady, Captain	30 September 1994	Sheffield Business School
	Ms Pengasihan Gaut, Major	30 November 1992	Thames Valley University

Year	Name	Date training completed	Place
1992–93 *Cont.*	Mr. Adjie Ramdja, Major	7 April 1993	University of Manchester
	Mr. Pepe Tjhhana, Lieutenant Colonel	7 April 1993	University of Manchester
	Mr. Tito Karnavian, First Lieutenant	28 September 1993	Exeter University
1993–94	Mr. Herman Rasyid, Colonel	20 June 1993	Surrey Constabulary

Zaire

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in reducing the number of refugees in Zaire. [29506]

Mr. Baldry: The Government of Rwanda estimate 478,812 refugees have already returned from Zaire. The international community is working to encourage further voluntary refugee repatriation. Improved security in the camps has reduced intimidation. The United Nations High Commissioners for Refugees are considering resuming organised convoys to meet a growing refugee interest in repatriation.

Tehri Dam, India

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received about the fast by Sunderlai Bahuguna in opposition to the construction of the Tehri dam in India; and if he will make a statement. [30219]

Mr. Baldry: None. There is no British Government involvement in this project.

Somalia

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs how much aid has been given in *(a)* money and *(b)* personnel in Somalia over the past 10 years; and if he will make a statement. [29064]

Mr. Baldry: The following tables list total bilateral aid to Somalia for the period 1985 to 1993–94 and person years of technical co-operation personnel, consultants and volunteers wholly or partly funded by ODA.

£000

Year[1]	Total bilateral aid[2]
1985	1,737
1986	3,941
1987	7,292
1987–88	7,746
1988–89	5,783
1989–90	2,635
1990–91	1,916
1991–92	3,025
1992–93	15,804
1993–94	5,509

[1] Information on bilateral aid is available on a calendar year basis up to 1987 and on a financial year basis from 1987–88 onwards.

[2] Includes emergency aid, technical co-operation; programme aid, and the joint funding scheme.

Year	Personnel (person years)
1985	15
1986	15
1987	18
1988	19
1989	22
1990	8
1991	3
1992	1
1993	1

Aid and Trade Project

Mrs. Ann Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs how many aid and trade provision projects are being funded in this financial year in countries with per capita GNP of less than $700. [28781]

Mr. Baldry: Forty-six projects are being funded in 1995–96 in countries with GNP per capita below $700.

Diversification

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of Britain's overseas aid budget is used to combat desertification; and which are the projects involved. [30394]

Mr. Baldry *[holding answer 22 June 1995]:* I refer the hon. Member to the reply I gave to the hon. Member for Birmingham, Selly Oak (Dr. Jones) on 14 June, *Official Report*, column *566*.

China (Abandoned Children)

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what sums *(a)* the International Planned Parenthood Federation, *(b)* the United Nations Population Fund and *(c)* his Department have assigned for assisting the victims of the Chinese population control programme; [29790]

(2) what sums have been assigned by *(a)* the IPPF, *(b)* the UNFPA or *(c)* his Department for the care of orphans and abandoned children in China; [29784]

(3) on what occasions since 1965 *(a)* the IPPF, *(b)* the UNFPA or *(c)* his Department have advised the Chinese Government regarding the provision of care for orphans and abandoned children; [29785]

(4) what is the involvement of *(a)* the IPPF, *(b)* the UNFPA and *(c)* his Department in the funding of Chinese state orphanages. [29789]

Mr. Baldry *[holding answers 20 June 1995]:* Neither the Overseas Development Administration, the United Nations Population Fund nor the International Planned Parenthood Federation provides funding for operating orphanages in China or for the care of abandoned children. The United Nations system's involvement in the care of children comes under the remit of the United Nations Children Fund—UNICEF.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what reports has he received from the IPPF and the UNFPA regarding the condition of children in Chinese state orphanages; and what investigations his Department has conducted; [29788]

(2) what information he has on the standards of medical care for abandoned children in Chinese state orphanages; and if he will make a statement. [29782]

Mr. Baldry *[holding answers 20 June 1995]:* We have not received reports on the conditions of, or the standards in, China's orphanages from the United Nations Population Fund or the International Planned Parenthood Federation.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the links between the Chinese population control programme and the condition of orphans and abandoned children in China; and if he will make a statement. [29787]

Mr. Baldry *[holding answer 20 June 1995]:* We have no reliable analysis of the link between the Chinese population programme and the condition of orphans and abandoned children in China.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the balance between the sexes in respect of abandoned children and orphans in China; to what he attributes it; and if he will make a statement. [29786]

Mr. Baldry *[holding answer 20 June 1995]:* We have not made an assessment of the balance between the sexes in respect of abandoned children and orphans in China.

"Secret Asia: The Dying Rooms"

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will seek a transcript of the Channel 4 programme, "Secret Asia: The Dying Rooms", for his departmental library. [29779]

Mr. Baldry *[holding answer 20 June 1995]:* A copy has been placed in the ODA library.

Bangladesh

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what factors allow his Department to distinguish between funds donated by the Overseas Development Administration to primary health care and family planning in Bangladesh; and for what reasons his Department is unable to make this distinction in respect of the other countries where primary health care donations are made. [28962]

Mr. Baldry *[holding answer 19 June 1995]:* Most health projects funded under the aid programme include, as one of their aims, the promotion of better reproductive health through provision of voluntary family planning, safer motherhood, and sexually transmitted disease services. Given that such services are generally integrated with other aspects of primary health care, it is extraordinarily difficult to identify expenditure which could be classed as primary health care "excluding family planning provision". In the case of Bangladesh, a distinction was made for projects under way in the 1993–94 financial year, although with great difficulty. We have concluded that for our professional staff to undertake further estimates in other countries would consume unreasonable amounts of public servants' time, preventing them from designing new and high-quality primary health care projects.

ATTORNEY-GENERAL

Crown Prosecution Service

33. **Mr. Gerrard:** To ask the Attorney-General what are the criteria used by the Crown Prosecution Service in determining whether a prosecution is in the public interest. [28739]

The Solicitor-General: The criteria are set out in the code for crown prosecutors, which states that a prosecution will usually take place in cases of any seriousness, unless there are public interest factors tending against prosecution which clearly outweigh those tending in favour.

Serious Fraud Office

34. **Mr. Hawkins:** To ask the Attorney-General what plans he has to extend the operations of the Serious Fraud Office. [28740]

The Attorney-General: The revised criteria for allocation of fraud work between the Crown Prosecution Service and the Serious Fraud Office recommended in the Davie report have now been adopted. They are likely to lead over time to a heavier case load for the Serious Fraud Office.

Private Lee Clegg

35. **Sir Michael Neubert:** To ask the Attorney-General what representations he has received in the last month about the case of Private Lee Clegg; and if he will make a statement. [28741]

The Attorney-General: The Law Officers have received no representations in the last month about the case of Private Clegg.

Charter Week

Mr. Morgan: To ask the Attorney-General what are the main events he is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part.

The Attorney-General: The Crown Prosecution Service has contributed to the court service charter for court users. This is due to be published in July to coincide with the fourth anniversary of the citizens charter. The charter has been drawn up as part of officials' normal

duties. It does not involve any additional staff resources or additional costs. No other special events are planned in my departments.

NORTHERN IRELAND

South Eastern Education and Library Board

Mr. Worthington: To ask the Secretary of State for Northern Ireland what shortcomings in the performance of the South Eastern education and library board were revealed by his review of educational administration. [29503]

Mr. Ancram: The proposals for change were based not on the shortcomings of particular education and library boards but on an assessment of the most appropriate administrative structure for education across Northern Ireland.

Mr. Worthington: To ask the Secretary of State for Northern Ireland how many representations he has received about the abolition of the present identity of the South Eastern education and library board; and how many were in favour. [29500]

Mr. Ancram: So far, I have received some 1,300 written responses to the "Proposals for Change" document. These relate to the full range of proposals in the document rather than simply to the proposed merger of Boards. Further written responses are still being received and I am continuing to meet deputations from interested groups.

The responses are being analysed at present and I will write to the hon. Member when the analysis is complete.

Education Administration

Mr. Worthington: To ask the Secretary of State for Northern Ireland (1) what are the administrative staffing costs of the Department of Education in Northern Ireland; [29499]

(2) what personnel with costs, are included in "Proposals for Change" under the term, administrative staffing costs of the education and library boards. [29496]

Mr. Ancram: I refer the hon. Member to the answer I gave the hon. member for Antrim, East (Mr. Beggs) on 5 May, *Official Report*, columns *334-35*.

Mr. Worthington: To ask the Secretary of State for Northern Ireland what proportion of the funding for the education service as a whole the administrative staffing costs of the education and library boards form. [29497]

Mr. Ancram: In 1994–95, the administrative staffing costs of the education and library boards were 2 per cent. of the funding provided for education, including libraries and youth.

Mr. Worthington: To ask the Secretary of State for Northern Ireland which areas of staffing of the Department of Education in Northern Ireland will increase under his "Proposals for Change", and which will decrease; and by how much in each case. [29498]

Mr. Ancram: The functions of the Department of Education for Northern Ireland which would be affected by the proposals for change are set out in the document itself, a copy of which is in the Library.

The effects on staffing will depend on final decisions still to be taken on the extent of any transfers of functions.

Privatisation

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29426]

Sir John Wheeler: Functions within the Northern Ireland Office and Northern Ireland Departments which have been contracted out as a result of market testing are as follows:

Department of Education

This Department contracted out two functions: catering and security at Waterside house for which there were no in-house bids. In these cases, the catering staff did not express an interest in submitting a bid and Waterside house was a newly opened building; therefore, no security staff were previously employed. There are no current plans to contract-out any other functions.

Department of Health and Social Services

This Department contracted out the health and personal social services computer mainframe operations without an in-house bid as the Department judged that the private sector was clearly better equipped to deliver the specific service and had the capacity to invest in new technology. There are no current plans to contract out further functions.

NI Child Support Agency

The following services were contracted out without in-house bids:

Facilities Management
Typing
Telephonists
Receptionist
Cleaning
Security
Post Opening
Messengerial
Porterage
Handyman
Catering
Reprographic
Stationery Store
Off-Site File Store

The provision of these services arose when the agency was set up in April 1993 and there was no existing in-house capacity. There are no current plans to contract out further functions.

Department of the Environment

This Department contracted out the following services without an in-house bid:

Minor road surface dressing and general road maintenance work.

Grounds maintenance at historic monuments and country parks

Secretariats for the Council for Nature Conservation and the Countryside, the Historic Monuments Council and the Historic Buildings Council.

The operation of Castle Archdale caravan site.

In-house bids in these cases were not prevented by lack of expertise.

This Department has currently identified, subject to value for money considerations, the following activities for contracting out.

various roads service provider activities

management of the Marina at Castle Archdale country park and the operation of the small railway at Peatlands country park; and research and analysis work associated with the preparation of area development plans and co-ordination of the Department's property certificate service.

Expertise is available to mount in-house bids.

Northern Ireland Office

This Department contracted out office cleaning, Government car hire and air travel contracts without an in-house bid as no NIO staff previously performed these tasks.

No parts of the remaining Departments and Agencies have been privatised without an in-house bid taking place. Any future contacting out will depend on the outcome of market testing. There are no plans to prevent in-house bids in any future tests.

Secondary Schools

Mr. Worthington : To ask the Secretary of State for Northern Ireland what is the per capita funding for each of the different types of secondary school in Northern Ireland. [29501]

Mr. Ancram: The average per capita costs based on the initial budget allocations in the 1994–95 financial year in the various types of secondary schools were as follows:

	£
Controlled Secondary	2,253
Maintained Secondary	2,231
Controlled Grammar	2,156
Voluntary Grammar	2,211
Grant Maitnained Integrated	2,525

Environmentally Sensitive Areas

Mr. Welsh: To ask the Secretary of State for Northern Ireland what percentage of the total land area of Northern Ireland was designated as environmentally sensitive; what financial provision his Department allocated to environmentally sensitive areas in each of the years 1993–94, 1994–95 and 1995–96; what percentage of the total land area of Northern Ireland will be designated as environmentally sensitive; and what financial provision his Department will allocate to environmentally sensitive areas in each of the years 1996–97 and 1997–98. [29325]

Mr. Ancram: Five areas in Northern Ireland, totalling 220,000 hectares have been designated as environmentally sensitive, representing 16.29 per cent. of the total land area. The financial provision for the years 1993–94, 1997–98 is set out in the table. There are no plans at present to designate any further areas.

1993–94: 750,000
1994–95: 700,000
1995–96: 2,800,000
1996–97: 5,100,000
1997–98: 5,139,000

Agricultural Grant

Mr. Martyn Jones: To ask the Secretary of State for Northern Ireland what is the mean, median and standard deviation for the length of time between receiving a claim and the payment of a claim for each agricultural grant handled by the Northern Ireland Office. [29453]

Mr. Ancram: The following statistics derive from an analysis of all claims paid under the main capital grant schemes in the period from 26 July 1994 to 16 June 1995.

Scheme	*Mean (Weeks)*	*Median (Weeks)*	*Standard deviation (Weeks)*
Agricultural Development Operational Programme Capital Grant Scheme	23.44	21.57	5.05
ADOP Farm Innovation Scheme	25.57	23.00	7.50
Farm and Conservation Grant Scheme—non plan	22.02	19.07	16.37
Farm and Conservation Grant Scheme—plan	24.97	23.21	12.70
Sub-Programme for Agriculture and Rural Development Capital Grant Scheme	13.05	11.28	9.37

Note:

The information relates to all claims including those not properly substantiated when received. Delays in the issue of payments often arise from the need to return a high proportion of claim forms to applicants for further validation.

Further Education Colleges

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will publish any consultation paper on the structure and role of the corporate bodies he is establishing for colleges of further education. [29502]

Mr. Ancram: No decisions have yet been made on the future arrangements for further education.

Housing Policy Review

Mr. Spellar: To ask the Secretary of State for Northern Ireland when he expects to publish the housing policy review. [29758]

Mr. Moss: The housing policy review is in its final stages and a consultative paper is expected to be published during the summer. Following publication, a consultation period of some three months is envisaged.

Departmental Property

Mr. Spellar: To ask the Secretary of State for Northern Ireland what is his Department's estimate of the backlog of maintenance on properties owned by his Department. [29760]

Mr. Moss: The Northern Ireland departments have estiamted their backlog of maintenance work to be in the region of £7.5 million in the current year. This does not take account of any work arising from the implementation

of the recommendations of the report by Sir Reginald Doyle on the Stormont fire and fire safety in Crown buildings.

Firearms

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will list the number of *(a)* firearms certificates held in Northern Ireland, *(b)* shotguns held on such certificates, *(c)* handguns held on such certificates, indicating how many are held by present or past members of the security forces, *(d)* .22 rimfire rifles held on such certificates, *(e)* sporting rifles held on such certificates of a calibre larger than .22 rimfire, *(f)* specialist target shooting rifles held on such certificates and *(g)* other rifles used for target shooting held on such firearms certificates. [29659]

Sir John Wheeler: As at 1 June 1995, there were 88,089 current firearms certificates. The following firearms were held under them:

Shotguns: 85,024

Pistols and Revolvers: 13,020[1]

.22 Rimfire Rifles: 11,225

Greater than .22 calibre Sporting Rifles: 402

Specialist Target Shooting Rifles: 1,537

Other Rifles[2]: 283

Notes:

[1] Information on how many of these handguns are held by serving or former members of the RUC and armed forces could only be provided at disproportionate cost.

[2] Includes miscellaneous target shooting rifles, other than .22 and .303 calibre.

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will list the number of terrorist-related incidents in which firearms were used, the number of other crimes in which firearms were used and the types of firearms used with particular reference to *(a)* handguns, *(b)* assault rifles, *(c)* sub-machine guns and *(d)* other rifle types and shotguns in each of the last five years for which figures are available. [29657]

Sir John Wheeler: The available information is given:

Shooting incidents where terrorist involvement has been established

Year	*Number of incidents*
1990	559
1991	499
1992	506
1993	476
1994	348

Armed robberies (including robberies where the impression of a firearm was given)

Year	*Number of armed robberies*
1990	492
1991	607
1992	739
1993	643
1994	555

Note:

The overwhelming majority of these robberies were terrorist related.

Number of crimes recorded in which firearms (including replica firearms) were used (1990–94 inclusive)

Type of firearm	*1990*	*1991*	*1992*	*1993*	*1994*
Handgun	676	757	958	847	671
Shotgun	86	67	109	60	64
Rifle	86	131	121	129	72
Machine gun	22	19	20	14	41
Other not specified firearm	120	80	25	33	54
Two or more firearms	50	46	60	68	22
Explosive device and firearm(s)	8	13	13	7	8
Total number of crimes	1,048	1,113	1,306	1,158	932

Notes:

1. Explosive device includes bombs, drogue bombs and rocket launchers.

2. Recorded crime data are not collated so as to permit the extraction of non-terrorist crime, except at disproportionate cost.

3. Crime records are not collated so as to allow the disaggregation of weapon categories to show the number of crimes where assault rifles and other types of rifle have been used.

4. In a number of incidents, two or more firearms will have been used. In such cases the incident has been recorded under one firearm category only.

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many legally held firearms have been identified as having been used by those entitled to hold them in the commission of *(a)* terrorist-related crime and *(b)* other crimes in Northern Ireland in each of the last five years for which figures are readily available. [29658]

Sir John Wheeler: This information is not available in the form requested and could be obtained only at disproportionate cost.

Construction Industry

Mr. Spellar: To ask the Secretary of State for Northern Ireland what percentage of GDP in Northern Ireland is accounted for by construction; and what information he has about the equivalent figure in the rest of the United Kingdom. [29759]

Mr. Moss: In 1993 construction accounted for 5.37 per cent. and 5.43 per cent. of GDP in Northern Ireland and the rest of the United Kingdom respectively.

Roads Service

Mr. Spellar: To ask the Secretary of State for Northern Ireland if he will make a statement regarding market testing of the Roads Service agency. [29757]

Mr. Moss: It is planned that the Department of the Environment's Roads Service will become a next steps agency on 1 April 1996. In common with other departmental agencies, it will be expected to move progressively towards becoming a purchaser rather than direct provider of executive services. In this context, the Roads Service agency will be looking to contract out strategically to the private sector many of its existing "provider" activities, subject to value for money considerations. This has resulted in the current suspension of market testing in the Roads Service.

Private Lee Clegg

Mr. Peter Bottomley: To ask the Secretary of State for Northern Ireland when he expects to make a decision and announcement about the release of Private Lee Clegg. [29847]

Sir Patrick Mayhew: I am considering the advice of the Life Sentence Review Board and I have sought the views of the judiciary. I will notify the prisoner of the outcome of my decision as soon as possible.

Charter Week

Mr. Morgan: To ask the Secretary of State for Northern Ireland what are the main events he is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [30683]

Sir John Wheeler: The public service events planned in Northern Ireland to coincide with the fourth anniversary of the citizens charter are:

the publication of health and personal social services performance tables for 1994–95;

the launch of a charter standard statement for community services.

There will be no additional cost or staff resources required as a result of holding these events in July. The officials concerned will be working on the events as part of their normal duties.

HEALTH

Census Statistics

Mr. Hawkins: To ask the Secretary of State for Health if she will list, in rank order, by parliamentary constituency, the proportion of residents who are *(a)* in households headed by someone from the new Commonwealth or Pakistan or *(b)* not identified as white in the most recent census returns. [29560]

Mr. Sackville: This information will be placed in the Library.

Royal Colleges

Mr. Bayley: To ask the Secretary of State for Health what sums of money have been paid each year from 1989 to 1995 from her Department's *(a)* research and development budget and *(b)* other budgets to the (i) Royal College of Surgeons, (ii) Royal College of Physicians, (iii) Royal College of Psychiatrists, (iv) Royal College of Obstetricians and Gynaecologists, (v) Royal College of Radiologists and (vi) Royal College of Anaesthetists. [29355]

Mr. Malone: The information is shown in the tables.

Royal College of Surgeons

Year	Research and development	Medical education £	Clinical audit £
1989–90	—	192,714	25,000
1990–91	—	208,132	160,000
1991–92	—	191,125	316,000
1992–93	—	199,250	378,000
1993–94	17,271	219,228	436,000
1994–95	—	257,896	348,000

Royal College of Physicians

Year	Research and development	Medical education £	Clinical audit £
1989–90	—	143,675	—
1990–91	—	155,169	231,000
1991–92	—	230,220	254,432
1992–93	16,304	277,406	423,706
1993–94	—	300,150	412,320
1994–95	—	339,640	186,000

Royal College of Psychiatrists

Year	Research and development	Medical education £	Clinical audit £
1989–90	—	64,561	—
1990–91	—	90,726	51,000
1991–92	—	109,294	108,000
1992–93	—	117,604	126,000
1993–94	—	119,688	94,574
1994–95	—	127,489	83,000

Royal College of Obstetricians and Gynaecologists

Year	Research and development	Medical education £	Clinical audit £
1989–90	—	95,899	—
1990–91	—	103,579	62,000
1991–92	—	145,597	66,000
1992–93	—	151,184	68,000
1993–94	—	182,221	105,907
1994–95	—	211,936	102,000

Royal College of Radiologists

Year	Research and development	Medical education £	Clinical audit £
1989–90	—	19,632	—
1990–91	—	21,203	70,000
1991–92	—	33,979	62,000
1992–93	—	46,904	79,000
1993–94	—	32,546	70,000
1994–95	—	38,571	75,000

Royal College of Anaesthetists

Year	Research and development	Medical education £	Clinical audit £
1989–90	—	—	80,000
1990–91	—	—	27,000
1991–92	—	69,350	80,000
1992–93	—	64,576	56,000
1993–94	—	84,861	57,000
1994–95	—	94,161	70,000

Notes:

1. For 1989–90 and 1990–91 advances to the anaesthetists from the medical education budget were made as part of the grant to the Royal College of Surgeons. The advances were not separately identified.

2. In addition to the funding shown, moneys have been provided, through those medical royal colleges which are responsible for undertaking, or have oversight of, specific clinical audit projects of national significance. This information could be provided only at disproportionate cost.

Mr. Bayley: To ask the Secretary of State for Health what assessment her Department has made of the impact that funding from her Department to the medical royal colleges has had on *(a)* improving the cost-effectiveness of medical practice, as measured by rigorous randomised controlled trials and *(b)* changing clinical behaviour. [29354]

Mr. Malone: The medical royal colleges have a long and respected history of promoting the highest standards of professional practice, and this role has become even more important with the increasing specialisation of medical care. Improving the clinical effectiveness of services in the NHS is a key goal for my Department. As professional associations, the colleges provide leadership and guidance to their members in this important area. My Department provides funds to support their contribution to medical training and clinical audit in the NHS, in order to help local clinicians and managers provide more effective services.

Oestrogen

Mr. Martyn Jones: To ask the Secretary of State for Health what research her Department has *(a)* commissioned and *(b)* evaluated on the effect of oestrogen on (i) child health and (ii) adult health. [29458]

Mr. Sackville: None.

Tobacco Advertising

Mr. Sheerman: To ask the Secretary of State for Health what action she is taking to counter advertising campaigns from the tobacco industry. [29644]

Mr. Sackville: Advertising campaigns for tobacco are governed by the voluntary agreement between the Government and the tobacco industry. The agreement includes a number of measures which restrict in particular the exposure of children and young people to tobacco advertising. The committee for monitoring agreements on tobacco advertising and sponsorship investigates any complaints alleging breaches of the agreement. If there is found to be a breach, the tobacco company concerned takes immediate remedial action.

Residential Care

Mr. Whittingdale: To ask the Secretary of State for Health what is the average fee charged per week for a resident in *(a)* a residential home and *(b)* a nursing home; and what proportion of this is for nursing care. [29712]

Mr. Bowis: The Department does not collect information on fees charged, but Laing and Buisson have estimated on the basis of their latest—November 1994—survey of independent sector homes that the average weekly fees for elderly residents were £234 and £333 for residential care and nursing homes respectively. No information is available on the proportion of nursing home fees which relates to nursing care.

Mr. Whittingdale: To ask the Secretary of State for Health how many people in *(a)* residential homes and *(b)* nursing homes have preserved rights to income support; and how many in each case are now receiving that benefit. [29713]

Mr. Roger Evans: I have been asked to reply. The information is set out in the table.

	Residential care homes	Nursing homes
Estimated number with preserved rights	154,000	116,000
Number in receipt of higher income support limits	116,200	84,460

Source:

Income support figures—The Quarterly Statistical Enquiry (QSE) November 1994.

Information on people not in receipt of benefit is not collected and the numbers have been estimated from the November 1994 QSE and the Department of Health Statistical Bulletin "Personal Social Services: Residential Accommodation in England 1994".

Paediatric Heart Surgery

Ms Primarolo: To ask the Secretary of State for Health how many paediatric cardiac units perform the "switch" operation. [30030]

Mr. Sackville: This information is not available centrally.

Ms Primarolo: To ask the Secretary of State for Health what factors underlay her Department's decision to set up a protocol covering future performance of all complex cardiac surgery in the United Bristol Healthcare Trust; and if she will list the other paediatric cardiac units similarly treated. [30007]

Mr. Sackville: The Department draw up no such protocol. In response to concerns expressed about the paediatric cardiac surgical service at Bristol Royal Infirmary, the United Bristol Healthcare Trust drew up a protocol on how it should manage the service pending the implementation of previously agreed changes. That protocol was then agreed with South and West regional health authority and the Department.

Ms Primarolo: To ask the Secretary of State for Health how many paediatric cardiac surgeons were registered in each of the last five years. [30006]

Mr. Malone: The available information is shown in the table.

Paediatric Surgeons: whole-time equivalents England at 30 September each year

	1989	*1990*	*1991*	*1992*	*1993*
Consultant	40	40	50	40	50
Senior Registrar	20	20	20	20	20
Registrar	20	20	20	30	30
Totals	80	80	80	90	

Notes:
1. All figures rounded to the nearest 10.
2. The figures in the table may not sum to the total because of rounding.

Ms Primarolo: To ask the Secretary of State for Health if she will list each paediatric cardiac unit in England, indicating for each the number of beds. [30008]

Mr. Sackville: This information is not available centrally.

NHS Trusts

Mr. Spearing: To ask the Secretary of State for Health what was the basis of the figure given as the ordinating capital debt for each national health service trust listed in SI 1955/407; if she will list each relevant component; and what method was used to ensure a common means of assessment of each. [30032]

Mr. Sackville: The originating capital debt of a national health service trust represents the excess of the value of the assets over the sum of the liabilities transferred to it on establishment. The relevant components of the originating capital debt and the method used to ensure a common means of assessment of each are as follows:

Asset/liability	*Means of valuation*
Land	District valuer
Buildings	District valuer
Assets under construction	District valuer
Equipment	Taken from asset registers
Debtors	As stated in the transferring authority's accounts
Creditors	As stated in the transferring authority's accounts
Stocks	As stated in the transferring authority's accounts
Cash imprests	As stated in the transferring authority's accounts

The Valuation Office Agency is appointed by the NHS Executive to act as an independent valuer and uses a standard method of valuation for land and building assets. The value of equipment is taken from an asset register which every health authority and NHS trust must maintain and which is subject to independent audit. The calculation of the current value of equipment in these asset registers is standardised throughout the NHS. Debtors, creditors, stocks and cash imprests are stated in accounts in accordance with generally accepted accounting practice.

In all instances, the values transferring to the trust are agreed and certified by both the transferring authority and the trust and are subject to external audit.

Food Safety

Mr. Martyn Jones: To ask the Secretary of State for Health if she will list the members of *(a)* the Committee on the Medical Aspects of Food Policy, *(b)* the Committee on Mutagenicity of Chemicals in Food and *(c)* the Committee on Toxicity of Chemicals in Food, together with their current employers. [29995]

Mr. Sackville: This information will be placed in the Library.

Consultants

Mrs. Beckett: To ask the Secretary of State for Health what estimate she has made of the percentage expansion of consultant numbers required in each of the next five years to implement the Calman report. [30453]

Mr. Malone: Medical staffing policy aims to ensure an adequate supply of appropriately trained doctors in each speciality. Officials are currently taking advice from the medical profession and national health service managers, through SWAG—the specialist workforce advisory group—to ensure that there are enough doctors in training in each specialty and to assess the anticipated need for consultants as a result of the Calman changes.

GP Lists

Mrs. Beckett: To ask the Secretary of State for Health how many patients have been struck of general practitioners lists in each of the last five years in each region and family health service authority. [30464]

Mr. Malone: I refer the right hon. Member to the reply that I gave her on 25 January 1995, *Official Report*, column *254*.

Health Authority Addresses

Mrs. Beckett: To ask the Secretary of State for Health if she will list the name and address of each family health service authority, district health authority, trust and directly managed unit. [30428]

Mr. Malone: Information on the address of each health authority and trust in England is published annually in the National Health Service Yearbook, copies of which are available in the Library.

NHS Executive (Declaration of Interests)

Mrs. Beckett: To ask the Secretary of State for Health what arrangements are made by the NHS Executive to register interests; and how many interests have been declared by employees of the NHS Executive and her Department. [30438]

Mr. Sackville: The Department's staff rules require that business, financial or other interests which staff or immediate members of their families hold, and which might be influenced or affected as a result of their official position, must be declared to their line manager. Records of such declarations are not available centrally.

Drug Research

Mr. Redmond: To ask the Secretary of State for Health what research the Department has *(a)* commissioned and *(b)* evaluated into a comparison of the effect of Nifedipine GITS and hydrochlorothiazide/amiloride on cardiovascular and cerebrovascular morbidity and mortality; and if she will make a statement. [30474]

Mr. Sackville: This Department has neither commissioned nor evaluated any research in this area.

NHS Trusts (Public Relations)

Mrs. Beckett: To ask the Secretary of State for Health what is the Department's policy with respect to the employment by trust hospitals of press and public relations officers; and if she will make a statement. [30785]

Mr. Malone: It is for individual national health service trusts to determine their own press and public relations needs and ensure they employ the appropriate number of staff to meet these needs.

Hyperactive Children

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health what is her Department's assessment of *(a)* the relevance of attention deficit hyperactivity disorder for problems of school pupil behaviour and aggression, *(b)* the number and percentage of pupils affected by attention deficit disorder and *(c)* the likely degree to which children may inherit attention deficit hyperactivity disorder; and if she will make a statement. [28730]

Mr. Bowis: Attention deficit hyperactivity disorder is one of several possible causes of behavioural problems, including aggression, in school pupils. The number of pupils affected is not available centrally. Recent research suggests that severe hyperkinetic disorder, which is one form of attention deficit hyperactivity disorder, is found in about 1 in 200 children.

The degree to which children may inherit attention deficit hyperactivity disorder is a complex issue, but it is accepted that there is some inherited component.

Mr. Jones: To ask the Secretary of State for Health what plans she has in association with the Department of Education to promote knowledge of attention deficit hyperactivity disorder, together with appropriate training, among child psychiatrists and paediatricians to contribute towards dealing with problems of classroom discipline. [28731]

Mr. Bowis: The handbook on Child and Adolescent Mental Health Services, which we published jointly with the Department for Education in March, includes references to the training of professional groups involved in the treatment of young people with emotional and behavioural disorders. Copies of the handbook are available in the Library.

Royal Berkshire and Battle Hospitals Trust

Mrs. Beckett: To ask the Secretary of State for Health what representations she has received alleging that fundholding patients are being seen ahead of non-fundholding patients with the same clinical problem at the Royal Berkshire and Battle Hospital Trust. [30298]

Mr. Malone: None.

Asthma

Mr. Alex Carlile: To ask the Secretary of State for Health if she will commission research on the relationship between the incidence of asthma and the number of undiagnosed thyroid sufferers; and if she will make a statement. [30265]

Mr. Sackville: I have no plans to commission such research at this time. However, within the Department's centrally commissioned research programme there is a range of projects under way and in planning of relevance to respiratory diseases and especially asthma, with a total estimated value of over £125,000. The Medical Research Council is also funding a large amount of work on asthma, concentrating mainly on the fundamental mechanisms underlying the disease, and some 14 projects supported by grants and work at MRC units are currently under way. In 1993–94, the latest year for which figures are available, the MRC spent £919,000 on research into asthma and a further £1,000,000 on research which may be relevant to the condition.

Mr. Simon Hughes: To ask the Secretary of State for Health how many asthma sufferers are estimated to live in each London borough. [30738]

Mr. Sackville: This information is not available centrally. I refer the hon. Member to the reply that I gave to the hon. Member for Pembroke (Mr. Ainger) on 14 March 1995, *Official Report*, column *553*, for the available information.

General Practitioners' Hours

Mrs. Beckett: To ask the Secretary of State for Health if she has made any analysis of the ballot result of general practitioners on cuts in hours; and, if so, what that analysis is. [30299]

Mr. Malone: No. We shall continue our discussions with general practitioners to ensure that standards of service to patients are maintained.

Ministerial Visits

Mr. Simon Hughes: To ask the Secretary of State for Health, pursuant to her answer of 21 March, *Official Report*, column *130*, if she will list all those occasions during the current parliamentary Session when warning of visits was not given to hon. Members. [30745]

Mr. Sackville: I refer the hon. Member to the reply that I gave him on 21 March 1995, *Official Report*, column *131*. We are aware of one such oversight.

Prescriptions

Mr. Morgan: To ask the Secretary of State for Health what proposals she has to issue guidelines to general practitioners and pharmacists concerning requests by patients for private prescription forms for items whose production and distribution costs are lower than the standard prescription charges. [30678]

Mr. Malone: Guidance to general practitioners on the issue of private prescriptions to national health service patients was issued on 4 May 1994 under FHSL (94) 26, copies of which are available in the Library. Pharmacists are already accustomed to dispensing private prescriptions, so no new guidance is necessary.

Mr. Morgan: To ask the Secretary of State for Health what is her current estimate of the proportion of all prescription-only items in the formulary whose production and distribution cost is lower than the current pre-item prescription charge. [30677]

Mr. Malone: The information could be provided only at disproportionate cost.

Drug Addiction

Mr. Simon Hughes: To ask the Secretary of State for Health how many children under the age of 16 years are currently receiving treatment for any form of drug addiction, giving figures for each region. [30740]

Mr. Bowis: The information is not available centrally in the form requested. Information on the number of children aged under 15 presenting to some drug services for the first time, or after an absence of six months or more, by region, can be found in table 7 of the statistical bulletin, "Drug Misuse Statistics", copies of which are available in the Library.

Ministerial Guidance

Mr. Ron Davies: To ask the Secretary of State for Health what legislative powers she has to issue guidance which is required to be taken into account by courts and tribunals for the purpose of determining legal liability where approval by Parliament is now required; and what such guidance has been issued. [30496]

Mr. Sackville: Numerous enactments—for instance, section 7A of the Local Authority Social Services Act 1970 and section 17 of the National Health Service Act 1977—confer on my right hon. Friend the Secretary of State the power to give to certain public bodies, including local authorities, health authorities and NHS trusts, directions with which those bodies are obliged to comply. Unless contained in a statutory instrument, such directions are not laid before Parliament, but nevertheless have legal consequences.

My right hon. Friend the Secretary of State also gives guidance, falling short of directions, to certain public bodies with respect to their exercise of functions. In some cases, the power to give guidance is expressly recognised in statute—for instance, section 7 of the Local Authority Social Services Act 1970 requires local authorities, when exercising their social services functions, to act under the general guidance of my right hon. Friend the Secretary of State. In certain other cases, guidance is given as part of my right hon. Friend the Secretary of State's general statutory responsibilities; for instance, guidance is issued to health authorities under my right hon. Friend the Secretary of State's general powers in section 2(b) of the National Health Service Act 1970 to do anything which is conducive or incidental to the discharge of a duty imposed by that Act.

Even guidance which is given under express statutory powers does not necessarily require the approval of Parliament. Whether the courts would take account of guidance when determining the legal liability would depend on the matters at issue and the circumstances in which the guidance was given. They would, in appropriate cases, be likely to have regard to guidance given in pursuance of express statutory powers to a body which is required to act under it.

The statutory powers to give directions and guidance have been exercised on a large number of occasions over the years by my right hon. Friend the Secretary of State and her predecessors. If the hon. Member has a particular problem in mind and would care to write to me about it, I will identify such relevant directions or guidance as there may be in existence.

Charter Week

Mr. Morgan: To ask the Secretary of State for Health what are the main events that she is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [30687]

Mr. Malone: There are no new major events planned for Charter Week. A number of events which were already scheduled to take place outside Charter Week have been re-timed to take place during that period. These are the launch of the second set of national health service performance tables and an announcement about a consultation leaflet on the patients charter and NHS services for children and young people. There will be no additional cost or staff resources required as a result of holding these events in July. The officials concerned will be working on the events as part of their normal duties. We are not collecting centrally information about activities in the NHS.

GP Fundholding

Mrs. Beckett: To ask the Secretary of State for Health what was the total of general practitioner fundholder savings in 1994–95. [30758]

Mr. Malone: This information will not be available until final audits are complete.

Mrs. Beckett: To ask the Secretary of State for Health if she will give the amount of general practitioner fundholder savings spent in each year since 1991–92. [30759]

Mr. Malone: This information is not available centrally.

Information Service

Mr. Spearing: To ask the Secretary of State for Health what sums have been authorised and under which vote she has authorised them to be paid for the establishment of a pilot project known as the "Ask-a-Nurse" information service; what arrangement she has made with a named contractor for such a service; what locations are under consideration; and what consultations she has initiated with those professional and statutory bodies providing related services. [27900]

Mr. Malone *[holding answer 12 June 1995]:* The East London and City health authority has spent £25,000 London initiative zone grant on consulting interested parties about the feasibility of setting up a project. London initiative zone expenditure is made from vote 1. Decisions to purchase services are a matter for local health authorities.

HOME DEPARTMENT

Reem Abdulhadi

Mr. Corbyn: To ask the Secretary of State for the Home Department on what charge Reem Abdulhadi is being held; and if he will make a statement. [28736]

Mr. Howard: I understand that Reem Abdulhadi was arrested on 2 June 1995 and charged with unlawfully possessing an explosive substance with intent to endanger life, contrary to section 3(1)(b) of the Explosive Substances Act 1883, and two counts of possessing a firearm and ammunition with intent to endanger life, contrary to section 16 of the Firearms Act 1968. Reem Abdulhadi appeared at Bow street magistrate's court on 5 June and was remanded in custody.

Police Pensions

Mr. MacKinlay: To ask the Secretary of State for the Home Department (1) what plans he has to alter the funding of police pensions to fully funded schemes; and if he will make a statement; [30258]

(2) what would be the transitional cost to Her Majesty's Government if they were to facilitate a change in the financing of police pensions from revenue to fully funded self-financing schemes. [30259]

Mr. Maclean: My right hon. and learned Friend has no plans to alter the police pension scheme to a fully funded scheme.

The current police pension scheme came into operation in 1948. It is based like many other public service pensions scheme on the "pay as you go" principle under which the funding for liabilities is provided as and when those liabilities arise. The transitional cost of creating a fund which would be capable of meeting existing police pensions liabilities, including the present value of future pension benefits accrued to date, has been estimated by the Government Actuary's Department as about £20 billion.

National Lottery

Mr. Nigel Griffiths: To ask the Secretary of State for the Home Department what further representations he has received from charities concerned about a loss of income as a result of the national lottery. [28752]

Mr. Flynn: To ask the Secretary of State for the Home Department what representations he has received concerning losses suffered by charities because of a decline in contributions since the introduction of the national lottery. [28763]

Mr. Nicholas Baker: We have received a number of representations from charitable organisations concerned about a possible loss of income following the introduction of the national lottery. It is too early to assess the effect of the lottery on charitable income. The Government are, however, committed to monitoring any such changes. The National Lottery Charities Board will in any case be a major source of new income for the voluntary sector.

Fire Prevention Units

Mr. Wareing: To ask the Secretary of State for the Home Office how many fire prevention units of local fire authorities have been closed during the past 18 months; and if he will make a statement. [30483]

Mr. Nicholas Baker: We are unaware of any closures during this period.

Mr. Wareing: To ask the Secretary of State for the Home Department what representations he has received in respect of the closure of the fire prevention unit of the Merseyside fire authority; and if he will make a statement. [30484]

Mr. Baker: We have received letters from four hon. Members about proposals by Merseyside fire and civil defence authority to reduce the level of fire prevention work.

It is entirely a matter for the authority how to deploy its resources in this area.

Police Identification

Mr. Madden: To ask the Secretary of State for the Home Department what guidance he has issued concerning requirements on police officers wearing riot gear to display their number; and if he will make a statement. [30548]

Mr. Maclean: I refer the hon. Member to the reply given to a question from the hon. Member for Don Valley (Mr. Redmond) on 7 February 1995, *Official Report*, column *222*.

Charter Week

Mr. Morgan: To ask the Secretary of State for the Home Department what are the main events he is proposing for Charter Week; what is the total costs to public funds; and how many *(a* civil servants and *(b)* other public officials will be playing a part. [30686]

Mr. Howard: The focus of the programme to mark the fourth anniversary of the citizens charter is on local events laid on by local services. No record is being kept centrally of the activities proposed. The UK Passport Agency has, however, contributed to a major article for the July edition of "Charter News" and the agency's regional managers stand ready to participate in joint events arranged through charter networks.

There will be no additional costs or staff resources as a result of these activities taking place in July. The officials concerned will be working on the events as part of their normal duties.

Mrs. Quereshi Bibi

Mr. Madden: To ask the Secretary of State for the Home Department, pursuant to his answer of 26 January 1995, *Official Report*, column *302*, if the sponsor of Mrs. Quereshi Bibi, BV100/25109 was invited to interview at Leeds/Bradford airport on 5 February; and if he will make a statement. [30707]

Mr. Nicholas Baker: The sponsor of Mrs. Quereshi Bibi. BV100/25109, was interviewed as arranged at Leeds/Bradford airport on 5 February.

Police Review

Sir Michael Shersby: To ask the Secretary of State for the Home Department when he will publish the final report of the review of police core and ancillary tasks. [31089]

Mr. Howard: The final report will be published tomorrow and a copy placed in the Library.

Community and Race Relations

Mr. Bernie Grant: To ask the Secretary of State for the Home Department, pursuant to his answer of 14 June 1995, *Official Report*, column *523*, how many staff at the police staff college have received training in race and community relations from the Home Office specialist support unit; when they received this training; and how many were *(a)* civilians and *(b)* police officers. [30727]

Mr. Maclean: There are currently two members of staff who have received training in community and race relations from the specialist support unit; one police officer and one civilian. The training was undertaken in 1989 and 1993 respectively.

Mr. Grant: To ask the Secretary of State for the Home Department, pursuant to his answer of 14 June 1995, *Official Report*, column *524*, how many of the 15 directors of studies at CPTU and line managers at central planning and training unit at Bramshill have been deemed capable of delivering and assessing the delivery of race and community relations training by the Home Office specialist support unit. [30730]

Mr. Maclean: Information is not held in this form. For trainers attending courses provided by the specialist support unit, an assessment is made on an individual basis of the student's competencies during the course, and a written assessment is provided to the student and to the organisation which has requested the student's training.

Mr. Grant: To ask the Secretary of State for the Home Department, pursuant to his answer of 14 June 1995, *Official Report*, column *524*, if the figure of Home Office funding of the support unit for race and community relations training for 1993–94 includes the sum of £60,000 for the salaries of police liaison officers. [30728]

Mr. Maclean: Yes.

Mr. Grant: To ask the Secretary of State for the Home Department how many West Yorkshire police trainers have undergone training at the Home Office specialist support unit; how many are still delivering race and community relations to front line officers; and what research has been conducted into the effectiveness of such training. [30725]

Mr. Maclean: Eleven officers have undergone training in community and race relations at the specialist support unit. Six of those officers are still delivering training in the West Yorkshire police force, including community and race relations training. No specific evaluation of the effectiveness of training has been carried out, but the force relies on the validation of materials produced by the specialist support unit.

Mr. Grant: To ask the Secretary of State for the Home Department, pursuant to his answer of 14 June 1995, *Official Report*, columns *523–24*, who is the Minister with responsibility for ensuring that the provision of police training in race and community relations is effective; and if he will make a statement. [30731]

Mr. Maclean: I have responsibility for police policy matters. It is for the police service itself to ensure that it delivers effective training programmes.

Mr. Grant: To ask the Secretary of State for the Home Department what training in community and race relations is currently received by front-line operational police officers *(a)* nationally and *(b)* in West Yorkshire. [30724]

Mr. Maclean: All new recruits to the police service receive community and race relations training at police training centres as part of their probationer course. Management training courses for inspectors and sergeants include material on community and race relations. In addition, various training is provided by individual police forces.

West Yorkshire police provide race awareness training for all officers; staff at chief inspector and superintendent level have received knowledge based training provided by specialist support unit staff, and a programme of knowledge and skill based training for other ranks is being prepared.

Mr. Grant: To ask the Secretary of State for the Home Department, pursuant to his answer of 14 June 1995, *Official Report*, column *523*, which of the recommendations of Lord Scarman he has taken into account in relation to the employment of civilian staff in race and community relations training. [30721]

Mr. Maclean: The Government recognise the need to provide training in community and race relations issues for officers at all levels and the value of using civilian staff and contributors from the ethnic minority communities in such training. It is for police service managers to determine the content and structure of training courses, with assistance where appropriate from the specialist support unit.

Mr. Grant: To ask the Secretary of State for the Home Department what considerations underlie the change in the level of funding for the Home Office specialist support unit for community and race relations training for the police; and what assessment he has made of the effect on the level of risks of disturbances. [30726]

Mr. Maclean: Considerations include the level of service required by the police service from the unit; the level of training which the police service itself can deliver; and competing demands on expenditure. There continues to be regular contact between the Home Office and the police about the possibility of disturbances.

Mr. Grant: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 May 1995, *Official Report*, column *193*, if he will explain the discrepancy between this figure and the figures given in his answer of 14 June 1995, *Official Report*, column *524*; and if he will make a statement. [30729]

Mr. Maclean: The figures given on 14 June are for the years 1993–94 and 1994–95, as requested. The hon. Member's previous question asked about the reduction in budget for 1995–96. The budget for 1995–96 is £504,000—a reduction of £39,000 on 1994–95.

Asylum Seekers

Mr. Gerrard: To ask the Secretary of State for the Home Department how many Algerian asylum seekers are currently detained in Rochester prison; and how many days each of them has been held in detention. [30378]

Mr. Nicholas Baker: The information requested is shown in the table.

Number of Algerian nationals detained[1] at Her Majesty's Prison Rochester, who had sought asylum, by length of detention on 20 June 1995

Length of detention at Rochester (days)	*Number of detainees*
1 to 10	5
11 to 20	2
21 to 30	7
31 to 40	2
41 to 60	4
61 to 80	2
81 to 100	2
101 to 150	3
150 and over	4
Total	31

[1] Persons detained solely under the powers contained in schedules 2 or 3 of the Immigration Act 1971. In some cases the asylum application will have been lodged subsequent to the applicant being detained. The figures include both detained asylum applicants who applied at ports, and those detained in after-entry enforcement work. These figures include people awaiting the setting of directions for removal following refusal of the application, as well as those whose applications where under consideration or subject to appeal.

Dr. Spink: To ask the Secretary of State for the Home Department how many people have requested asylum on arriving on the Eurostar train at Waterloo station since 1 January. [29627]

Mr. Baker: During the period 1 January–19 June 1995, 173 applications for asylum were received from people arriving at Waterloo on the Eurostar train.

Street Watch Schemes

Mr. Straw: To ask the Secretary of State for the Home Department how many street watch schemes are in operation in England and Wales. [30009]

Mr. Maclean: A total of 41 street watch schemes had been notified to the Home Office as at 21 June.

Women Prisoners (Births)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many women were sentenced to a term of imprisonment within *(a)* a week and *(b)* a month of giving birth for each year since 1990. [30377]

Mr. Michael Forsyth: This information is not collected centrally.

Prison Drugs Testing

Mr. George Howarth: To ask the Secretary of State for the Home Department (1) what is the cost of each mandatory drug test in gaols; [29955]

(2) what proportion of mandatory drug tests in England and Wales have proved positive; [29956]

(3) which was the main drug detected in cases where mandatory drug testing has proved positive; [29957]

(4) what disciplinary action has been taken in cases where mandatory drug testing in prison has proved positive. [29958]

Mr. Michael Forsyth: I refer the hon. Member to the reply given by my right hon. and learned Friend the Secretary of State on 18 May to the hon. Member for Waveney (Mr. Porter), *Official Report*, columns *370–72.*

Prison Security

Mr. Howarth: To ask the Secretary of State for the Home Department when he expects to publish the findings of General Sir John Learmont's inquiry into prison security. [29983]

Mr. Michael Forsyth: My right hon. and learned Friend will publish the report after he has received and considered it.

Prison Food Expenses

Mr. Cox: To ask the Secretary of State for the Home Department what are the daily food expenses allowed per person inmate in prisons in England and Wales. [29543]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Tom Cox, dated 26 June 1995:

The Home Secretary has asked me to reply to your recent Question about the daily food expenses allowed per prison inmate in England and Wales.

Daily food allowances are allocated in three bands according to population sizes as follows:

Population	*Food allowance*
Up to 200	£1.405 per inmate day
201–500	£1.385 per inmate day
501 and above	£1.37 per inmate day

Prison Language Services

Mr. Cox: To ask the Secretary of State for the Home Department (1) if he will list the foreign language prison information packs which are available for prisons in England and Wales; how such information packs are obtained; and if prisons requiring such information packs are required to pay for them; [29539]

(2) if a list is kept in prisons of prison officers who are able to speak a foreign language and if he will make a statement; [59541]

(3) what funding has been made available to the foreign national liaison committee in prisons in England and Wales; [29538]

(4) what system exists in prisons in England and Wales to help foreign nationals who are held in custody on possible immigration offences and who do not wish to make contact with their high commission or embassy. [59542]

Mr. Michael Forsyth: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Tom Cox, dated 26 June 1995:

The Home Secretary has asked me to reply to your recent Questions concerning foreign national prisoners' issues in the Prison Service.

Two foreign language information packs are issued centrally by the Prison Service. These are the Foreign Prisoners' Resource Pack, which is available in 11 languages and the Prisoners' Information Pack, which is available in 14 languages. These are provided to prisons on request. Other foreign language information packs have been produced locally by some establishments and by other agencies, but details are not kept centrally.

Some Prison Service establishments have produced local lists of staff who are able to speak other languages. However, these details are not held centrally and no single comprehensive list exists.

The setting up of any committee to consider issues solely relating to foreign nationals, is a matter for individual establishments, as is any funding.

To assist those held in custody on possible immigration offences, six Immigration Service advisory leaflets are provided for issue on reception to both foreign and Commonwealth nationals held under the Immigration Act 1971.

These leaflets include information about help agencies and are available in a minimum of four languages, although one is available in 11 languages. Further assistance is available from designated prison and probation staff.

Crown Immunity

Mr. Foulkes: To ask the Secretary of State for the Home Department if he will list all areas within *(a)* his Department, *(b)* agencies under his Department's control and *(c)* organisations for which he has ministerial responsibility to which Crown immunity applies; what consideration he has given to removing this; and if he will make a statement. [28656]

Mr. Howard: The reference to Crown immunity in the question is taken to refer to legislation which does not bind the Crown. Certain legislation is expressly applied to the Crown. In most legislation, however, particularly older legislation, there is no such express provision. In those circumstances whether legislation applies to the crown will depend upon the implications to be drawn from the terms and context of the legislation.

Immigration Detainees

Mr. Robert Ainsworth: To ask the Secretary of State for the Home Department what was the total cost in 1994–95 to his Department of detaining persons under Immigration Act powers in *(a)* Immigration Service detention centres, *(b)* Prison Service establishments and *(c)* police cells. [26291]

Mr. Nicholas Baker *[holding answer 25 May 1995]:* The total cost of detaining persons under Immigration Act powers in Immigration Service detention centres in 1994–95 was £11.35 million. Both custodial and in-country escorting costs are included in this figure. The cost of detaining persons under the Act in Prison Service establishments cannot be obtained without disproportionate cost since accounting systems do not distinguish between Immigration Act detainees and those on remand or serving a prison sentence. In the year 1994–95 the police charged the Immigration Service £993,000 for the use of police cells and for escort duties.

In appropriate cases, the immigration department recovers costs from carriers under schedule 2 of the Immigration Act 1971.

Child Abduction

Sir John Stanley: To ask the Secretary of State for the Home Department what steps he is taking to ensure that the removal of travel controls and documentation for EU nationals travelling between EU countries does not lead to an increased risk of child abduction from the United Kingdom. [30386]

Mr. Nicholas Baker *[holding answer 22 June 1995]:* Operational responsibility at ports and airports for identifying children who may have been abducted is a matter for the police. The Immigration Service gives every assistance, where embarkation controls make this practicable, to draw to the attention of the police departing children who may be in this category. As the under-Secretary of State, my hon. Friend the Member for Bexhill and Battle (Mr. Wardle), announced on 15 December 1993, *Official Report*, column *655*, in response to a question from my hon. and learned Friend the Member for Burton (Sir. I Lawrence), embarkation controls are not routinely carried out on purely intra-EU traffic except where there is reason to believe that someone of interest to the police in connection with serious crime is likely to leave the country by a particular route.

Where a child is successfully abducted to a country which is a signatory to the Hague convention, an extradition warrant may be issued. If the country is not a signatory to the convention, the existing channels of communication and co-operation between the relevant police forces are used to seek the return of the abducted child.

NATIONAL HERITAGE

Public Spending

6. **Mr. Jenkin:** To ask the Secretary of State for National Heritage who in his Department is responsible for the Government's fundamental review of public spending; and if he will make a statement. [28747]

Mr. Dorrell: I am responsible for the review, which has involved a thorough examination of how the Department employs its programme expenditure.

National Lottery

12. **Mr. David Evans:** To ask the Secretary of State for National Heritage how many millionaires the national lottery has created to date. [28754]

Mr. Dorrell: I understand that there have been 69 prizes of over £1 million, but some of these have been shared.

18. **Mr. Nigel Evans:** To ask the Secretary of State for National Heritage what representations he has received about using lottery money to aid arts students. [28761]

Mr. Dorrell: In addition to my hon. Friend's correspondence on this subject, my Department has received one other representation, from one of his constituents.

19. **Sir Teddy Taylor:** To ask the Secretary of State for National Heritage what amount was raised in the most recent week for which figures are available from the national lottery and from scratch cards. [28762]

Mr. Dorrell: Income from the national lottery into the national lottery distribution fund for the week to Tuesday 20 June totalled £28.8 million. I understand that approximately 60 per cent. of ticket revenue comes from the on-line lottery game and 40 per cent. from scratch cards.

20. **Mr. William O'Brien:** To ask the Secretary of State for National Heritage when he last met the chairmen of the national lottery distributing bodies to discuss procedure; and if he will make a statement. [28764]

Mr. Dorrell: I meet the chairman of the national lottery distributing bodies frequently to discuss a wide range of lottery-related issues. Last week I met the chairman of the London-based distributors in my capacity as chairman of the Millennium Commission.

21. **Mr. Mudie:** To ask the Secretary of State for National Heritage if he will list the sports bodies in West Yorkshire to which grants from the national lottery have been awarded, indicating the amounts given. [28765]

Mr. Sproat: The Sports Council has made seven awards to sports bodies in West Yorkshire:

	£
Slazenger Sports and Social Club, Wakefield	100,000
Yarnbury Rugby Club, Leeds	35,000
Cumberworth Cricket Club, Kirklees	31,380
Todmorden Cricket Club, Calderdale	26,396
Roundhay Lawn Tennis Club, Leeds	13,169
Hillside Tennis Club, Kirklees	9,100
Keighley RUFC, Bradford	8,165
Total	223,210

I understand that a further 23 applications from sports bodies in West Yorkshire are under consideration.

Mr. Austin Mitchell: To ask the Secretary of State for National Heritage what assessment he has made of the way in which lottery funds have been spent to date; and if he will show the total amount spent and a list of the grants made to date to projects which indisputably benefit socio-economic groups who have contributed most of the money. [26865]

Mr. Dorrell: To date, 486 projects have been awarded national lottery funds of £95 million. I have today placed a full list of the projects that have received awards in the Libraries of both Houses. People in all socio-economic groups are enjoying playing the national lottery and will benefit from these lottery-supported projects.

Mr. Hardy: To ask the Secretary of State for National Heritage how many grants have been made from national lottery income to local authorities in respect of projects which would otherwise be met from normal local authority income; and if he will list each of these cases. [30025]

Mr. Dorrell *[holding answer 22 June 1995]:* It is the Government's policy that national lottery funding should be additional to other forms of public expenditure. The 11 distributing bodies will take this into account when making individual funding decisions.

Tourism

16. **Mr. Barry Field:** To ask the Secretary of State for National Heritage what studies the tourism industry has made of the effect the daylight saving campaign would have on United Kingdom tourism. [28759]

Mr. Sproat: The Daylight Extra Group produced a survey in 1994 which estimated that additional earnings of £1 billion would be generated for UK tourism by a move to single/double summer time.

22. **Sir David Knox:** To ask the Secretary of State for National Heritage if he will make a statement on tourism in the midlands. [28766]

Mr. Dorrell: Tourism makes a substantial contribution to the economy in the midlands, providing 240,000 jobs and generating revenue of at least £900 million.

The midlands will benefit, as will other regions, from Government initiatives to assist the tourism industry to become more competitive. These were announced in the document "Tourism: Competing with the Best", published by my Department earlier this year.

Island Games, Gibraltar

23. **Mr. Mackinlay:** To ask the Secretary of State for National Heritage if he will make a statement on Her Majesty's Government's involvement in the island games to be held in Gibraltar in July. [28767]

Mr. Sproat: The Governor of Gibraltar, Field Marshall Sir John Chappell GCB CBE, will represent Her Majesty's Government at the opening of the island games.

Music Industry

24. **Mr. Whittingdale:** To ask the Secretary of State for National Heritage what his Department is doing to promote the British music industry. [28768]

Mr. Dorrell: My Department supports the development and the wider availability and appreciation of music in this country through the Arts Council of England and the regional arts boards. The council will spend more than £42 million on music in 1995–96, as well as the funding disbursed by regional arts boards at a more local level. My Department is also the major sponsor of National Music Day. In addition, the Department of Trade and Industry has undertaken a range of measures in support of the commercial music industry in this country.

Channel 4

25. **Sir Michael Neubert:** To ask the Secretary of State for National Heritage when he next expects to meet the chairman of the Independent Television Commission to discuss matters concerning Channel 4. [28769]

Mr. Dorrell: I have no plans to meet the chairman of the Independent Television Commission to discuss Channel 4.

Regional Theatre

26. **Mr. Jamieson:** To ask the Secretary of State for National Heritage what plans he has to meet the Theatre Managers Association to discuss the implications of the Arts Council's consultation paper on regional theatre. [28770]

Mr. Dorrell: I have no such plans.

27. **Mr. McCartney:** To ask the Secretary of State for National Heritage when he expects to respond to the National Heritage Committee's third report of session 1994–95, HC 276, on relations between rugby union and rugby league. [28771]

Mr. Sproat: My Department responded to the National Heritage Select Committee's report on 31 May and a copy of the response was placed in the Library on 22 June.

Angling

Mr. Hall: To ask the Secretary of State for National Heritage what representations he has received within the last six months with regard to angling. [28753]

Mr. Sproat: I have received a small number of representations on angling.

Charter Week

Mr. Morgan: To ask the Secretary of State for National Heritage what are the main events that he is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [30684]

Mr. Dorrell: My Department is not proposing to hold any specific events itself for Charter Week, but it firmly supports the initiative and the progress made by our sponsored bodies in terms of public service and accountability. The Imperial War Museum, which won the award in 1994, will be hosting a display on the charter mark and its function. No additional cost or staff resources will be required.

Mar Lodge

Mr. Austin Mitchell: To ask the Secretary of State for National Heritage what consideration the national heritage memorial fund gave to consulting the Scottish people before buying Mar Lodge. [26847]

Mr. Dorrell: This is a matter for the national heritage memorial fund,which is an independent body. I have asked the chairman to write to the hon. Members and to place copies of his letters in the Libraries of the House.

Arts and Heritage Funding

Mr. Callaghan To ask the Secretary of State for National Heritage if he will make a statement on the effect of inflation on arts bodies over the past two years. [30977]

Mr. Dorrell: The Arts Council received an increase of over £5 million this year. Taken with increased attendances and low inflation, this has helped arts organisations to sustain a lively arts scene throughout the country.

Mr. Callaghan: To ask the Secretary of State for National Heritage what will be the rate of increase of Government support for the arts and heritage over the next two years. [30976]

Mr. Dorrell: The Department of National Heritage annual report 1995 shows my Department's forward expenditure plans for 1996–97. A copy of the report is in the Library. My Department has not yet announced detailed allocation of its provision for 1997–98.

Royal Opera House

Sir Thomas Arnold: To ask the Secretary of State for National Heritage what is his latest estimate of the cost of the Royal Opera House development plan. [28758]

Mr. Dorrell: The Royal Opera House development project is currently estimated to cost £193.8 million. A further £20 million is likely to be needed to cover transitional costs during the period of closure.

Cricket

Mr. Harry Greenway: To ask the Secretary of State for National Heritage what support his Department is giving to English cricket at national, local and school levels; and if he will make a statement. [29063]

Mr. Dorrell: The Government are keen to encourage young people to participate in sport, including cricket. In 1994–95, the Sports Council, which is funded by the Department of National Heritage, gave grants of £187,500 to the Cricket Council, £37,500 to the Women's Cricket Association and £13,334 to the English Schools Cricket Association. Cricket projects are also eligible for funding from the sportsmatch scheme and for national lottery funding from the Sports Council.

DEFENCE

Royal Military Police

Mr. Key: To ask the Secretary of State for Defence on how many occasions and on what dates in each of the last 12 months the Royal Military police have stopped *(a)* military and *(b)* civilian vehicles on the A345 road between Salisbury and Amesbury; at what time of day; on what grounds; and what was the outcome on each occasion. [30099]

Mr. Soames: My Department has no record of the Royal Military police stopping any vehicles on the A345 during the last 12 months, but if the hon. Member wishes to write to my noble Friend the Under-Secretary of State for Defence with full details of any alleged incidents, we will ensure that the matter is thoroughly investigated.

Contaminated Land

Mr. Matthew Taylor: To ask the Secretary of State for Defence (1) if he will list every contaminated site owned by his Department, together with the total area covered; [29844]

(2) what is his estimate of the cost of cleaning up contaminated land owned by his Department. [29841]

Mr. Soames: Information on the total number of Ministry of Defence sites with contamination problems and on possible decontamination costs is not readily available and could be obtained only at disproportionate cost. I refer the hon. Member to the answer given on 18 April, *Official Report*, column *126*, by my right hon. Friend the Minister of State for Defence Procurement to the hon. Member for South Shields (Dr. Clark).

Land Sales

Mr. Matthew Taylor: To ask the Secretary of State for Defence how much land owned by his Department has been sold off in each of the last five years. [29909]

Mr. Soames: The information is not held in the form requested and could be obtained only at disproportionate cost. The total net figure of land and foreshore holdings in the UK, in thousand hectares, in each of the last five years is as follows:

1991: 242.8

1992: 243.4

1993: 242.5

1994: 241.9

1995: 240.3

RAF Woodvale (Noise Pollution)

Mr. Pickthall: To ask the Secretary of State for Defence what measures he is taking to reduce the noise pollution created by training aircraft from RAF Woodvale, over West Lancashire. [29846]

Mr. Soames: A broad range of measures has been introduced to minimise any noise disturbance caused by military training aircraft operating from RAF Woodvale over west Lancashire. For example, flight paths are dispersed over as wide an area as possible avoiding populated areas, and aircrews are regularly briefed on the need to conduct their operations with consideration for those on the ground. The volume of military flying training from RAF Woodvale, which generally ceases by 5 pm, is kept to the minimum commensurate with service needs.

Astra

Mr. Cousins: To ask the Secretary of State for Defence on what date a schedule of documents removed from the Astra group of companies was prepared by his Department's police. [29719]

Mr. Soames: The Police and Criminal Evidence Act 1984 requires a police officer receiving property into Ministry of Defence Police possession to record it as soon as practicable. There is no one schedule of documents removed from the Astra group of companies by the MDP. The individual schemes were prepared between March 1990 and July 1992.

Mr. Cousins: To ask the Secretary of State for Defence when his Department's police began their investigations into the Astra group of companies; and on what date those investigations were wound up. [29724]

Mr. Soames: Investigations by the Ministry of Defence police into the Astra group of companies began in February 1990. The inquiries closed in January 1993.

General Sir Donald Isles

Mr. Cousins: To ask the Secretary of State for Defence if he will set out the periods of service and the nature of duties with his Department of General Sir Donald Isles; and whether, as part of his duties, General Sir Donald Isles had any functional supervision of, or responsibility for, Mr. Gordon Foxley. [30061]

Mr. Freeman: Major General Donald Isles served in the general staff in the Ministry of Defence from 1968 to 1971; in the Royal Armaments Research and Development Establishment from 1971 to 1972; as director of munitions with the British defence staff in Washington from 1972 to 1975; as director of munitions with the British defence staff in Washington from 1972 to 1975; and as Director General Weapons (Army) in the Ministry of Defence from 1975 to 1978, responsible for managing the procurement of a wide range of weapons systems for the Army. In the last of these appointments, he was a senior line manager to Mr. Gordon Foxley, who was at that time an assistant director in his organisation.

International Military Services Ltd.

Mr. Cousins: To ask the Secretary of State for Defence if IMS Ltd, and its subsidiaries have gone into liquidation. [30092]

Mr. Freeman: International Military Services Ltd. ceased trading in July 1991 but will not be wound up until all its outstanding obligations have been discharged.

Debt Collection

Mr. Cousins: To ask the Secretary of State for Defence, pursuant to his answer of 20 December, *Official Report*, column *1167*, if he will update the number of collection visits; what was the value of the items; what was the nature of the items which were the cause of the debt collection visits; and whether that expenditure was incurred in this country or the countries specified. [29555]

Mr. Freeman: This is a matter for the chief executive of the Defence Accounts Agency. I have therefore asked him to reply.

Letter from M. A. Rowe to Mr. Jim Cousins, dated 26 June 1995:

On 15 June 1995 you asked the Secretary of State for Defence, pursuant to his answer of 15 December 1994, Official Report, Column 1167, if he will update the number of collection visits; what was the value of the items; what was the nature of the items which were the cause of the debt collection visits; and whether that expenditure was incurred in this country or the countries specified. This matter falls to me, in the absence of the Chief Executive of the Defence Accounts Agency, for reply.

The only visit to add to the list provided in December is one to Belgium on 30 March 1995. As in the previous cases, this visit was to deal with the debt owed by the customer, both in Belgium and in the UK.

I regret that I am unable to provide details of the amounts owed and the services provided as this is a matter of confidentiality between Her Majesty's Government and their customers.

Naval Refits

Mr. Denham: To ask the Secretary of State for Defence (1) in what circumstances shipyards other than Rosyth will be entitled to bid to undertake refits of Hunt and Sandown class minehunters in the period up to the year 2005; [30938]

(2) what further review he has undertaken of the allocation of future refits of Hunt and Sandown class minehunters as part of his consideration of the possible deferment of the transfer of nuclear refit work from Rosyth to Devonport; and if he will make a statement; [30942]

(3) what circumstances prevailing at the time of individual refits he intends to take into account when determining which shipyards should undertake the refit of Hunt and Sandown class minehunters; [30940]

(4) how he intends to fulfil the commitment referred to in his oral statement of 24 June 1993, Official Report, columns 447-50, to ensure that the cost of refits to Hunt and Sandown class minehunters in the period up to 2005 are fair and reasonable; [30939]

(5) what further review he has undertaken of the allocation of future refits of Hunt and Sandown class minehunters as part of his consideration of the possible privatisation of Rosyth; and if he will make a statement. [30941]

Mr. Freeman: The Government's policy on the refitting of Hunt class vessels remains as set out in my right hon. and learned Friend's statement to the House on 24 June 1993, Official Report, columns 447-50. Refits of Sandown class vessels are included in the allocated programme of refits to be undertaken at the royal dockyards. No review of this policy has been undertaken in the context of the planned privatisation of Rosyth or the on-going assessment of docking facilities for nuclear submarines. The precise details of the allocated programme are subject to the circumstances prevailing at the time of individual refits, including operational factors and the needs of other vessels. My Department has considerable information on market rates for refits and maintenance work on a wide variety of vessels. Under our "No Acceptable Price, No Contract" pricing initiative our policy is not normally to place a contract until we are satisfied that the price is fair and reasonable.

Mr. Devlin: To ask the Secretary of State for Defence what funds for submarine refitting have been diverted from Faslane to Devonport; and what factors underlay this policy. [30038]

Mr. Freeman: None. Submarine refits are not undertaken at Faslane.

Privatisation

Mr. McNamara: To ask the Secretary of State for Defence if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29419]

Mr. Freeman: Ministry of Defence activities, including those of Defence agencies, which have been privatised or contracted out without an in-house bid during the last three years under my Department's "Competing for Quality" programme are listed. Information concerning the lack of expertise in individual business areas which might have prevented in-house bids is not held centrally, and could be provided only at disproportionate cost.

The decision on whether to mount a market test with an in-house bid depends on the circumstances of the business in question. For example, the Department may consider that the private sector is better equipped to delivery a specific service, has better understanding of market needs or specialist expertise, or has a capacity to invest in new technology. Similarly, a strategic decision to contract out without an in-house bid could be taken where an activity is relatively small and peripheral to the Department's functions, leading to the conclusion that in-house provision of the service would detract from our ability to concentrate on our core functions. There is also a general presumption in favour of strategic contracting out of new services where there is no existing in-house operation, subject to management and value for money considerations.

It is not yet known what defence support business activities will in future be contracted out to the private sector. This will depend on the outcome of feasibility studies which determine how activities can best be exposed to competition from the private sector, and the results of the subsequent competitions.

Activities exposed to the "Competing for Quality" process between 1 April 1992 and 31 March 1995 which were contracted out with no in-house bid being made.

Gardening, Royal Marine School of Music, Deal

Harrier Aircraft Service Support, HMS Heron

Helicopter Maintenance and Engineering Support, HMS Osprey, HMS Heron and HMS Seahawk

Simulator Helicopter Control Operations, HMS Osprey

Wireless Stations (Operation and Maintenance), Inskip and Crimond

Works Services, HMS Seahawk

Work Services, HMS Dolphin

Bielefield bakery

Catering strategy study, UK Land Forces

Central Engineer Resources, Plant Hire, Long Marston

Food distribution in BAOR

Food distribution in rear combat zone (BAOR)

Freight Service, Germany

Line of Communications—Freight Service, (Low Countries)

Mobile Civilian Artisan Groups, Germany

NAAFI food study

Verbatim Court Records, Salisbury

Air Weapons Range, Rosehearty

Electronic Warfare training tasks, 360 Sqn, RAF Wyton

Engineering and Supply (multi-activity contract), RAF Scampton

Government Pipeline and Storage System, (Operation and Maintenance)

Parachute Transport Flight, RAF Hullavington

RAF/RN Elementary Flying Training, RAF Topcliffe

Repair of Defence Accommodation Stores, RAF Quedgeley

Station Engineering Management Aid, (Maintenance Analysis and Computing Division), RAF Swanton Morley

Support for Parachute Training

The Queen's Flight, (engineering support) RAF Northolt

Curtain manufacture, British Forces Hong Kong

Domestic Services, MOD Police, Wethersfield

Food supply, British Forces, Hong Kong
Furniture repair, British Forces, Hong Kong
School bus service, British Forces Hong Kong
Support Services, Akrotiri, Cyprus
Support Services, British Forces Hong Kong
Work services Maintenance, Cyprus, Gibraltar, Falkland Islands, Belize
Atomic Weapons Establishment, Aldermaston
Combat Systems Information Management Team
Data entry, Met Office, Bracknell
Guarding, Abbey Wood
Relocation Reconnaissance Visits, Bristol

Bett Review

Sir Michael Marshall: To ask the Secretary of State for Defence what work is in hand in analysing the independent review by Mr. Michael Bett of "Service Career and Manpower Structures and Terms of Service"; and when he expects to respond to the recommendations of that review. [30667]

Mr. Soames: We have conducted an initial examination of Sir Michael Bett's proposals. The aim, as foreshadowed in my statement of 5 April, *Official Report*, column *1143*, has been to identify the interrelationships between the different elements of the recommendations, and to form a view on the work required before decisions can be taken. This initial examination has confirmed that Sir Michael's proposals merit detailed study and development. The next phase of work has now been set in hand. As well as considering a range of wider management issues, we are conducting major and detailed studies into pay and structures and job evaluation; career structures, incentives and pensions; allowances and charges; rank structures; mobility, stability, sociological assumptions, accompanied service and housing; personnel strategy; and administration and pay schemes.

This work will require a substantial amount of effort and time, and the studies will need to be developed into an overall strategy. I intend to have completed this process and to make a definitive statement on the way ahead in the spring of 1996. I shall keep the House informed of progress.

Ministerial Visits

Mr. Simon Hughes: To ask the Secretary of State for Defence, further to his answer of 21 March, *Official Report*, columns *117-18*, which visit it was that was not notified to hon. Members. [30747]

Mr. Soames: The visit in question was to a number of naval and Royal Marine establishments in the Plymouth area.

EDUCATION

Classroom Behaviour Difficulties

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Education what representations she has received from the general secretary of the National Association of Head Teachers regarding classroom behaviour difficulties; what assessment has been made of the role of attention deficit disorder in contributing to such problems; and if she will ensure a study of this field by her Department. [29913]

Mr. Forth: My right hon. Friend has received a number of representations from the National Association of Head Teachers about behaviour and discipline in schools. She has now invited the association to meet her to discuss what additional action might be taken to support schools in this area.

I understand that my right hon. Friend the Secretary of State for Health is providing the hon. Member with such information as is available about the assessment of attention deficit hyperactivity disorder in contributing to pupils' behavioural problems. This Department has no plans to commission any further studies.

Special Educational Needs

Mr. Berry: To ask the Secretary of State for Education (1) how many special educational needs tribunals have been heard to date; [30612]

(2) what proportion of special educational needs tribunals has related to parents' wishes to have their child educated in the independent or non-maintained sector; [30613]

(3) what is the total amount of public money diverted to the independent or non-maintained sector as a result of decisions of special educational needs tribunals; [30614]

(4) if she will provide an annual report on the outcomes of special educational needs tribunals. [30615]

Mr. Forth: I understand from the president of the special educational needs tribunal that 170 tribunal hearings have taken place.

The decisions of tribunals are entirely independent of the Department. I have therefore asked the president to write to the hon. Member about the questions relating to the independent and non-maintained sectors.

The president of the tribunal will provide an annual report to the Secretary of State, a copy of which will be placed in the Library.

Examination Results

Mr. Simon Hughes: To ask the Secretary of State for Education if she will list the number of 16-year-olds in each local education authority in England who have left school with fewer than five GCSE passes above C grade for each of the last seven years. [30734]

Mr. Forth: Information on school leavers is no longer collected by the Department. The attached table lists the percentage of 15-year-old pupils, at the start of the academic year, achieving fewer than five GCSE passes above grade C in maintained schools, including grant-maintained and special schools, in each local education authority area in England for the last three years.

Percentage of 15-year-old pupils achieving fewer than five GCSEs at grade C or above

LEA	*1992*	*1993*	*1994*
Camden	65.4	62.5	59.4
Greenwich	76.7	74.0	73.0
Hackney	80.6	76.3	77.3
Hammersmith	73.1	72.1	68.1
Islington	80.5	80.0	78.1
Kensington and Chelsea	71.9	69.2	65.5

Percentage of 15-year-old pupils achieving fewer than five GCSEs at grade C or above

LEA	1992	1993	1994
Lambeth	81.8	78.9	78.0
Lewisham	74.8	74.6	72.9
Southwark	84.9	81.8	81.7
Tower Hamlets	84.0	81.1	81.3
Wandsworth	73.8	71.9	70.9
Westminster	76.1	73.4	74.9
Barking	84.5	80.5	72.4
Barnet	57.2	54.5	48.9
Bexley	65.7	61.0	59.7
Brent	71.2	67.5	65.1
Bromley	55.7	54.8	50.8
Croydon	62.0	62.2	62.8
Ealing	73.2	72.2	67.8
Enfield	67.6	62.8	59.6
Haringey	76.0	75.3	71.6
Harrow	50.3	55.5	51.6
Havering	61.6	58.6	57.5
Hillingdon	64.8	63.5	62.3
Hounslow	65.1	64.6	59.7
Kingston upon Thames	53.7	47.6	48.4
Merton	66.8	66.3	66.6
Newham	79.3	78.0	77.0
Redbridge	62.7	59.5	53.5
Richmond upon Thames	57.5	55.3	50.0
Sutton	54.4	49.9	47.1
Waltham Forest	74.2	68.9	69.9
Birmingham	74.9	73.1	69.6
Coventry	67.2	66.6	65.7
Dudley	64.9	62.0	58.6
Sandwell	78.1	77.9	72.7
Solihull	58.3	55.9	52.0
Walsall	68.6	69.9	67.7
Wolverhampton	75.3	70.4	70.4
Knowsley	83.7	83.4	78.7
Liverpool	78.5	75.2	75.0
St. Helens	69.5	67.4	64.5
Sefton	63.1	55.9	54.9
Wirral	63.4	60.6	60.3
Bolton	64.7	62.2	58.1
Bury	59.5	53.8	54.4
Manchester	81.4	79.5	76.8
Oldham	72.9	67.4	67.9
Rochdale	74.0	70.0	67.7
Salford	74.8	70.4	70.9
Stockport	59.3	54.2	51.4
Tameside	70.1	68.3	65.8
Trafford	63.4	59.1	55.9
Wigan	60.7	58.5	58.3
Barnsley	75.9	75.5	70.2
Doncaster	72.3	68.2	66.3
Rotherham	70.3	65.8	65.2
Sheffield	70.8	66.5	64.4
Bradford	77.3	74.7	73.3
Calderdale	67.0	66.4	63.2
Kirklees	68.5	64.6	62.7
Leeds	68.7	66.3	63.8
Wakefield	72.2	68.8	64.4
Gateshead	71.5	66.3	66.4
Newcastle upon Tyne	73.1	69.6	69.7
North Tyneside	65.3	62.7	58.8
South Tyneside	70.1	68.2	64.5
Sunderland	71.8	69.4	70.0
Isles of Scilly	42.9	25.0	32.0
Avon	63.9	62.8	59.9
Bedfordshire	65.1	61.9	59.7
Berkshire	59.1	55.9	51.8
Buckinghamshire	56.4	53.2	50.6
Cambridgeshire	60.5	58.9	56.7
Cheshire	58.9	55.6	53.0
Cleveland	70.2	68.7	65.2
Cornwall	61.9	58.3	54.0
Cumbria	62.5	59.5	56.6

Percentage of 15-year-old pupils achieving fewer than five GCSEs at grade C or above

LEA	1992	1993	1994
Derbyshire	63.9	62.2	59.1
Devon	62.2	59.5	57.1
Dorset	59.3	55.7	50.7
Durham	68.2	65.7	65.4
East Sussex	59.9	57.9	56.7
Essex	63.2	61.0	58.6
Gloucestershire	57.2	55.2	53.7
Hampshire	60.6	58.4	55.7
Hereford and Worcester	62.1	59.6	56.2
Hertfordshire	56.4	55.1	52.4
Humberside	69.2	68.8	66.2
Isle of Wight	64.9	64.8	59.5
Kent	63.0	61.0	59.6
Lancashire	63.5	60.6	58.9
Leicestershire	66.8	62.4	60.7
Lincolnshire	63.4	61.1	57.4
Norfolk	64.5	61.3	59.9
North Yorkshire	57.2	52.6	51.0
Northamptonshire	63.8	62.0	61.1
Northumberland	62.1	59.1	58.7
Nottinghamshire	70.2	66.9	65.4
Oxfordshire	58.7	55.2	53.7
Shropshire	59.6	56.8	52.7
Somerset	57.2	56.1	52.6
Staffordshire	66.8	63.5	61.9
Suffolk	61.0	56.5	55.9
Surrey	55.7	53.0	52.2
Warwickshire	63.0	60.2	57.4
West Sussex	53.8	52.8	49.6
Wiltshire	59.8	57.3	54.5

Mr. Hughes: To ask the Secretary of State for Education if she will list the percentage of those students who remain at school or college to take A-levels who have failed to complete two or more of their A-levels in each of the last 15 years for each local education authority. [30742]

Mr. Forth: This information is not available.

Mr. Hughes: To ask the Secretary of State for Education if she will list, by local education authority, the number of 16-year-olds in each local education authority in England who have left school with no formal qualifications for each of the last five years. [30735]

Mr. Forth: Information on school leavers is no longer collected by the Department. The table lists the percentage of 15-year-old pupils, at the start of the academic year, achieving no GCSE passes in maintained schools, including grant-maintained and special schools, in each local education authority area in England for the last three years.

Percentage of 15-year-old pupils with no passes at GCSE

LEA	1992	1993	1994
Camden	13.5	10.7	11.3
Greenwich	15.7	12.5	14.6
Hackney	18.3	11.2	11.5
Hammersmith	16.7	11.0	11.3
Islington	23.7	18.1	14.8
Kensington and Chelsea	13.5	6.6	12.3
Lambeth	24.1	20.8	16.0
Lewisham	13.5	10.7	9.1
Southwark	19.7	12.5	14.6
Tower Hamlets	20.5	14.8	11.9
Wandsworth	12.1	11.4	12.5
Westminster	13.0	11.2	12.5

Percentage of 15-year-old pupils with no passes at GCSE

LEA	1992	1993	1994
Barking	13.2	9.9	10.7
Barnet	9.9	7.2	6.3
Bexley	6.3	5.0	6.4
Brent	10.3	9.8	7.0
Bromley	8.0	5.0	4.5
Croydon	6.8	7.4	8.6
Ealing	12.5	11.6	9.1
Enfield	8.2	6.3	6.3
Haringey	18.7	15.3	12.4
Harrow	2.4	5.0	5.2
Havering	5.7	4.1	6.3
Hillingdon	18.0	6.5	7.7
Hounslow	9.7	9.6	10.0
Kingston upon Thames	6.5	6.9	7.7
Merton	10.0	8.8	9.7
Newham	17.1	12.1	12.0
Redbridge	7.6	6.1	5.3
Richmond upon Thames	8.1	5.6	7.4
Sutton	5.7	5.5	5.6
Waltham Forest	8.6	7.6	9.3
Birmingham	13.4	12.4	13.1
Coventry	8.2	8.8	9.3
Dudley	4.0	4.0	6.4
Sandwell	9.9	9.7	10.9
Solihull	3.4	3.5	3.5
Walsall	9.9	9.4	9.9
Wolverhampton	10.2	7.7	11.0
Knowsley	19.5	20.7	20.2
Liverpool	16.6	16.5	16.3
St. Helens	10.3	8.4	8.6
Sefton	7.9	8.3	7.6
Wirral	7.9	7.1	9.7
Bolton	9.5	9.0	9.0
Bury	6.3	3.4	3.4
Manchester	23.0	20.1	19.6
Oldham	13.1	10.8	12.0
Rochdale	15.8	11.8	11.2
Salford	11.2	12.8	13.9
Stockport	6.0	4.6	5.7
Tameside	8.3	6.8	8.0
Trafford	7.5	6.1	8.0
Wigan	6.0	5.1	6.6
Barnsley	9.9	9.2	11.3
Doncaster	10.9	9.1	12.3
Rotherham	7.0	6.1	10.1
Sheffield	11.9	9.5	10.6
Bradford	12.2	11.5	11.2
Calderdale	9.7	7.3	9.4
Kirklees	8.9	8.6	9.5
Leeds	10.5	10.0	11.4
Wakefield	8.9	8.0	9.5
Gateshead	9.4	10.7	12.1
Newcastle upon Tyne	13.9	14.0	17.5
North Tyneside	8.9	7.7	8.7
South Tyneside	7.3	6.9	8.7
Sunderland	7.9	9.0	9.9
Isles of Scilly	0.0	0.0	0.0
Avon	7.0	6.1	6.9
Bedfordshire	5.4	5.2	5.5
Berkshire	6.6	5.3	5.4
Buckinghamshire	8.8	4.9	5.1
Cambridgeshire	6.4	6.2	6.7
Cheshire	6.4	5.1	5.6
Cleveland	11.0	10.4	11.1
Cornwall	4.7	3.8	3.5
Cumbria	7.0	5.6	6.8
Derbyshire	5.6	4.9	6.1
Devon	5.5	4.7	5.1
Dorset	4.3	4.3	4.5
Durham	7.4	7.0	9.4
East Sussex	6.1	6.5	7.2
Essex	6.3	6.0	6.4
Gloucestershire	4.9	4.3	4.4

Percentage of 15-year-old pupils with no passes at GCSE

LEA	1992	1993	1994
Hampshire	6.4	5.2	5.2
Hereford and Worcester	6.3	5.3	6.0
Hertfordshire	6.5	5.7	5.4
Humberside	8.5	8.4	10.1
Isle of Wight	2.7	4.2	4.6
Kent	7.7	6.0	6.4
Lancashire	8.6	7.3	7.8
Leicestershire	7.5	6.1	6.9
Lincolnshire	6.0	5.8	6.6
Norfolk	6.5	5.7	6.7
North Yorkshire	4.9	3.7	5.3
Northamptonshire	5.3	4.7	5.3
Northumberland	6.1	5.8	8.2
Nottinghamshire	8.1	7.3	9.0
Oxfordshire	6.4	4.6	6.7
Shropshire	3.2	3.8	3.9
Somerset	4.6	3.1	3.8
Staffordshire	7.4	5.9	7.7
Suffolk	3.9	3.4	3.7
Surrey	5.7	5.0	4.9
Warwickshire	4.9	4.7	5.8
West Sussex	5.0	4.1	5.1
Wiltshire	4.1	3.5	4.5

Mr. Hughes: To ask the Secretary of State for Education how many 16-year-olds in each London borough have left school with fewer than five GCSE passes above grade C for each of the last seven years. [30743]

Mr. Forth: Information on school leavers is no longer collected by the Department. The attached table lists the percentage of 15-year-old pupils, at the beginning of the academic year, achieving fewer than five GCSE passes above grade C in maintained schools, including grant maintained and special schools, in each London borough for the last three years. The available data on school leavers for earlier years were not robust enough to be analysed at the individual borough level.

Percentage of 15-year-old pupils achieving fewer than five GCSEs at grade C or above London boroughs

LEA	1992	1993	1994
Camden	65.4	62.5	59.4
Greenwich	76.7	74.0	73.0
Hackney	80.6	76.3	77.3
Hammersmith	73.1	72.1	68.1
Islington	80.5	80.0	78.1
Kensington and Chelsea	71.9	69.2	65.5
Lambeth	81.8	78.9	78.0
Lewisham	74.8	74.6	72.9
Southwark	84.9	81.8	81.7
Tower Hamlets	84.0	81.1	81.3
Wandsworth	73.8	71.9	70.9
Westminster	76.1	73.4	74.9
Barking	84.5	80.5	72.4
Barnet	57.2	54.5	48.9
Bexley	65.7	61.0	59.7
Brent	71.2	67.5	65.1
Bromley	55.7	54.8	50.8
Croydon	62.0	62.2	62.8
Ealing	73.2	72.2	67.8
Enfield	67.6	62.8	59.6
Haringey	76.0	75.3	71.6
Harrow	50.3	55.5	51.6
Havering	61.6	58.6	57.5
Hillingdon	64.8	63.5	62.3
Hounslow	65.1	64.6	59.7
Kingston upon Thames	53.7	47.6	48.4
Merton	66.8	66.3	66.6

Percentage of 15-year-old pupils achieving fewer than five GCSEs at grade C or above London boroughs

LEA	1992	1993	1994
Newham	79.3	78.0	77.0
Redbridge	62.7	59.5	53.5
Richmond upon Thames	57.5	55.3	50.0
Sutton	54.4	49.9	47.1
Waltham Forest	74.2	68.9	69.9

Key Stages (Tests and Tasks)

Mr. Simon Hughes: To ask the Secretary of State for Education what was the total cost of producing, administering, marking and providing supply cover for the tests and tasks for key stages *(a)* 1, *(b)* 2 and *(c)* 3, in each year since 1990. [30733]

Mr. Forth: The information by financial year for development, printing and distributing the tests and tasks is as follows:

£ million

	Key stage 1	Key stage 2	Key stage 3
1989–90	1.9	—	1.8
1990–91	2.9	—	3.7
1991–92	2.5	0.01	3.8
1992–93	2.5	0.2	5.6
1993–94	2.2	2.9	6.5
1994–95	1.2	2.2	2.5
Total	13.2	5.3	23.9

The costs of external marking of the test scripts of pupils at key stages 2 and 3 in 1994–95 were £3.4 million and in 1995–96 an estimated £18.6 million. In addition, my Department is supporting 60 per cent. of the estimated £8 million costs of auditing the marking of the tests and tasks for key stage 1 in 1995–96.

I refer the hon. Member to the reply I gave about supply cover costs on 6 June, *Official Report*, column *11*.

Nursery Voucher Scheme

Mr. William O'Brien: To ask the Secretary of State for Education (1) when she intends to introduce the nursery voucher scheme; and what will be the level of allowances made to parents; [30811]

(2) what plans she has to ensure that all four year-olds have the opportunity of a place in a nursery under the Government's nursery voucher plan. [30787]

Mr. Forth: My right hon. Friend has been considering a range of options for implementing the Prime Minister's commitment to provide, over time, a pre-school place for every four-year-old whose parents wish to take it up. A voucher system is one option under consideration for funding the commitment. An announcement on the new policy will be made soon.

Funding Agency for Schools

Mr. Blunkett: To ask the Secretary of State for Education what guidelines are issued to the Funding Agency for Schools on declarations of members' interests. [30945]

Mr. Robin Squire: The Department wrote to the then chief executive-designate of the Funding Agency for Schools on 15 March 1994, requesting that the agency set up and maintain a register of members' interests. That register is available for public inspection at the agency's headquarters at Albion wharf, York.

Standard Assessment Tests

Mr. Simpson: To ask the Secretary of State for Education what policies her Department has for assessing pupils of too low an academic standard to take the formal standard assessment test. [30644]

Mr. Forth: Teachers formally assess the school work of all seven, 11 and 14-year-olds in English, mathematics and science. Practical classroom-based national curriculum tasks are provided for teachers to administer where they feel it is appropriate.

Mr. Simpson: To ask the Secretary of State for Education what representations she has received concerning standard assessment tests *(a)* in total and *(b)* from people in Nottinghamshire; and what proportion of these representations was critical of the test. [30626]

Mr. Forth: We do not have a breakdown of all representations received.

Mr. Simpson: To ask the Secretary of State for Education what has been the total cost of administering the standard assessment tests for *(a)* seven-year-olds *(b)* 11-year-olds and *(c)* 14-year-olds. [30635]

Mr. Forth: The costs of developing, writing, printing and distributing the tests and tasks between 1989–90 to 1994–95 are as follows:

(a) seven-year-olds: £13.2 million

(b) 11-year-olds: £5.3 million

(c) 14-year-olds: £23.9 million.

Grant-Maintained Schools

Mr. Simpson: To ask the Secretary of State for Education (1) what are her Department's stipulations for a school to be considered for grant-maintained status; [30648]

(2) on how many occasions her Department's stipulations for a school applying for grant-maintained status have been bypassed; and which were the schools involved; [30640]

(3) in what instances a school applying for grant-maintained status can bypass any of the stipulations for grant-maintained status issued by her Department. [30634]

Mr. Robin Squire: Country and voluntary schools apply for grant-maintained status only where the results of a ballot of parents held in accordance with sections 28 to 30 of the Education Act 1993 shows a majority of votes cast in favour of seeking such status for the school. The governing bodies of such schools are required to publish proposals in accordance with section 32 of the Act. There is no provision for these statutory requirements to be waived. When considering applications for grant-maintained status, my right hon. Friend considers proposals on their individual merits, taking into account all relevant factors.

Mr. Simpson: To ask the Secretary of State for Education (1) how much is the total value of grants and bonuses awarded to the grant-maintained schools in *(a)* 1993–94 and *(b)* 1994–95; and what is the estimated budget for grants and bonuses to be awarded to grant-maintained schools in 1995–96; [30633]

(2) what is the amount that has been awarded in grants and bonuses to schools in Nottinghamshire that are grant-maintained. [30636]

Mr. Squire: Responsibility for the calculation of grants for grant-maintained schools has been a matter for the Funding Agency for Schools since April 1994. The FAS also holds information on grants for earlier years. I have asked the chairman of the Funding Agency to write to the hon. Member.

Mr. Simpson: To ask the Secretary of State for Education what representations she has received concerning grant-maintained status *(a)* in total and *(b)* from existing grant-maintained schools; and what proportion of these representations was critical of grant-maintained schools. [30625]

Mr. Squire: My right hon. Friend receives a wide variety of representations on this subject from many sources, including grant-maintained schools. No GM school has criticised grant-maintained status, nor suggested that it would wish to revert to its former status, through several have sought further improvements to the benefits that GM status brings.

Mr. Clifton-Brown: To ask the Secretary of State for Education if she will make it her policy to establish a direct link between standard spending assessments and the common funding formula for grant- maintained schools. [29649]

Mr. Squire: The common funding formula already takes as its starting point the education standard spending assessment for the local authorities in which it operates. This is adjusted to give a total for secondary schools which is allocated through a simple formula to provide actual budgets for grant-maintained schools and notional budgets for LEA schools. Where a local education authority, through its scheme for the local management of schools, funds its own schools at levels higher than those implied by the CFF, the budgets of GM schools are increased by the same proportion. This link to LEA decisions was triggered in Gloucestershire in 1994–95, but not in 1995–96.

Mature Students Grants

Ms Primarolo: To ask the Secretary of State for Education who is entitled to claim the mature students grant allowance; what plans she has to discontinue this allowance; and if she will make a statement. [30512]

Mr. Boswell: The older students' allowance is payable under the current Education (Mandatory Awards) Regulations 1994 as part of a means-tested mandatory award. Students who are aged 26 and over at the start of their course and who meet an earning threshold are eligible. Most students starting new courses from 1 September 1995 will not be eligible for the allowance but transitional arrangements will protect the position of students who were in full-time further or higher education prior to that date.

Advertising Agencies

Mr. Simpson: To ask the Secretary of State for Education what has been the total amount spent on outside advertising agencies in her Department in each year since 1979 including 1995 to date. [30632]

Mr. Boswell: The expenditure figures for advertising, including press, television and radio by the Department for the financial years since 1979 are provided:

	£000
1979–80	224.9
1980–81	18.5
1981–82	164.4
1982–83	10.6
1983–84	16.2
1984–85	29.7
1985–86	22.5
1986–87	786.8
1987–88	393.2
1988–89	677.8
1989–90	307.3
1990–91	2,965.9
1991–92	3,255.5
1992–93	1,119.6
1993–94	1,442.2
1994–95	147.1

In the current financial year, 1995–96, the Department has not spent any money on advertising to date.

Schools (Funding)

Mr. Simpson: To ask the Secretary of State for Education what representations she has received concerning the funding of schools for 1995–96 *(a)* in total and *(b)* from people in Nottinghamshire. [30647]

Mr. Robin Squire: The Department receives many letters and other representations about all aspects of school funding, some of which from Nottinghamshire.

School Meal Services

Sir Irvine Patnick: To ask the Secretary of State for Education if she will list in ascending order the difference between income and expenditure for school meal services for all metropolitan districts in each of the last seven years. [29985]

Mr. Robin Squire: The table gives the total net expenditure on the school catering service for all metropolitan districts from 1987–88 to 1993–94, the latest year for which figures are available. The figures are not necessarily comparable because over the seven years, returns were not received from all authorities.

School catering services 1987–88 to 1993–94

£000

	1987–88	1988–89	1989–90	1990–91	1991–92	1992–93	1993–94	Net expenditure Total
Solihull	1,747	1,220	1,204	1,331	1,442	1,340	1,216	9,834
Bury	1,351	1,435	1,027	1,574	1,729	1,388	2,328	11,183
Trafford	1,504	1,551	1,385	1,846	1,881	1,987	1,785	12,297
Rotherham	1,199	1,286	1,463	2,402	2,255	2,117	2,100	13,194
Oldham	2,629	2,374	n/a	2,136	7	n/a	5,897	13,396
St. Helens	2,038	1,810	1,797	1,819	2,011	2,065	1,978	13,860
Calderdale	2,755	1,755	1,597	1,681	2,035	2,032	1,954	14,190
Gateshead	2,223	1,614	1,902	2,044	2,133	2,213	2,354	14,873
Stockport	2,192	2,255	2,020	2,450	2,532	2,661	2,210	16,676
South Tyneside	2,083	2,280	1,826	3,017	2,108	2,661	2,421	16,789
Tameside	3,287	2,415	1,840	2,435	2,522	2,669	1,882	17,407
Salford	n/a	n/a	2,967	4,180	3,790	3,464	3,372	18,128
Wigan	2,675	2,339	2,589	2,573	2,781	2,948	2,354	18,618
Rochdale	3,160	n/a	2,567	2,960	3,077	3,207	3,312	18,637
Wolverhampton	n/a	2,184	2,418	3,365	3,670	3,768	3,800	19,541
Dudley	2,770	2,798	3,236	2,454	2,848	2,741	2,546	19,725
North Tyneside	3,014	2,915	2,414	2,795	3,275	3,598	3,054	21,457
Barnsley	2,668	2,496	2,873	2,878	3,637	3,481	3,204	21,607
Sefton	2,879	2,672	3,135	3,377	3,399	3,275	3,685	22,765
Bolton	2,701	2,524	3,120	3,311	3,630	3,701	3,765	23,101
Sunderland	4,697	3,126	2,638	3,053	4,345	2,516	2,507	23,276
Coventry	3,063	2,728	2,970	3,204	3,512	3,657	4,041	23,506
Knowsley	3,195	3,835	4,276	3,074	3,480	3,040	3,075	24,315
Wakefield	3,827	n/a	n/a	4,752	4,883	5,053	6,269	25,168
Wirral	4,112	4,526	3,419	3,770	3,816	3,394	3,462	26,843
Doncaster	3,887	3,357	3,518	3,588	4,057	3,726	4,402	26,906
Sandwell	3,375	3,062	3,446	4,600	4,009	4,241	4,139	27,205
Newcastle upon Tyne	4,186	3,714	4,663	4,715	4,681	4,886	4,965	32,201
Walsall	3,992	4,099	4,966	3,661	4,005	9,217	3,043	33,318
Sheffield	n/a	6,982	4,054	5,907	5,873	5,981	5,622	34,792
Kirklees	5,543	5,003	4,109	5,081	6,806	5,573	5,463	37,960
Liverpool	7,896	6,240	6,443	6,197	6,572	6,380	6,784	46,853
Bradford	6,372	5,750	6,185	7,095	9,723	8,869	3,821	48,195
Leeds	7,508	7,520	6,381	7,205	9,041	7,535	6,653	52,226
Manchester	6,957	n/a	n/a	11,175	13,022	10,814	11,531	53,851
Birmingham	14,967	10,845	11,276	13,147	16,425	16,368	16,974	100,332

Note:
n/a = not available.

Child Employment Officers

Ms Estelle Morris: To ask the Secretary of State for Education (1) if she will publish a table listing the number of specialist child employment officers working for local education authorities together with *(a)* the number of registered and *(b)* the estimated number of all compulsory school age children in paid employment for each year from 1979; [30202]

(2) if she will list the local education authorities which employ specialist child employment officers; and which local education authorities combine their statutory obligations to register the employment of school children with other education welfare services. [30215]

Mr. Forth: This information is not available centrally.

Teaching Entrants

Mr. Simpson: To ask the Secretary of State for Education how many teachers have started teaching during 1994–95 and in each year since 1979 *(a)* nationally, *(b)* in Nottinghamshire. [29916]

Mr. Robin Squire: The table provides the numbers of full-time new entrants to teaching for the years that are available.

Full-time new entrant[1] teachers in the maintained nursery, primary and secondary sectors

31 March	England and Wales	Nottingham LEA
1979	25,493	—
1980	21,652	—
1981	16,283	—
1982	13,190	—
1983	13,269	—
1984	12,809	—
1985	11,137	—
1986	11,458	195
1987	12,486	200
1988	12,272	188
1989	13,411	220
1990	14,652	205
1991	14,947	202
1992	15,645	261
1993	16,044	244

[1] Those in full-time service at 31 March of the year shown who were not in service the previous year and have less than one year's service.
[2] —Not available.
Source: Database of teacher records.

Teacher Training

Mr. Simpson: To ask the Secretary of State for Education what percentage of people who completed teacher training courses chose not to look for teaching work *(a)* within the first six months of qualifying, *(b)* within a year of qualifying and *(c)* within 18 months of qualifying when qualifying in 1994–95 and in each year since 1979. [29912]

Mr. Robin Squire: The information requested is not available.

Mr. Simpson: To ask the Secretary of State for Education how many people have completed teacher training courses in 1994–95 and in each year since 1979 *(a)* nationally and *(b)* in Nottinghamshire.

Mr. Squire: The table provides the number of people successfully completing initial teacher training courses leading to qualified teacher status for the years that are available.

Year	*England and Wales*	*Nottinghamshire*
1983–84	12,700	318
1984–85	13,102	358
1985–86	13,774	382
1986–87	14,115	419
1987–88	15,564	454
1988–89	15,547	445
1989–90	15,969	419
1990–91	17,244	471
1991–92	20,481	537
1992–93	22,771	622

Source: Database of Teacher Records.

Mr. Simpson: To ask the Secretary of State for Education how much has been spent on publicity concerning teacher training in 1994–95 and in each year since 1979. [29910]

Mr. Squire: The teaching as a career—TASC—unit was established in 1987 with the objective to promote teaching as a career and provide information and advice on teaching and teacher training. The functions of the TASC unit were taken on by the Teacher Training Agency in October 1994. Total DFE expenditure on TASC, and expenditure on the information and promotional activities of the Teacher Training Agency, since April 1987 was as follows:

1987–88: £493,398

1988–89: £913,166

1989–90: £931,631

1990–91: £1,448,383

1991–92: £1,548,631

1992–93: £1,360,556

1993–94: £1,021,770

1994–95: £1,106,966

In addition, the Department, in conjunction with TASC, ran teacher recruitment advertising campaigns in 1990 and 1991. The expenditure on these campaigns was as follows:

1990–91: £2,199,900

1991–92: £2,383,700

Expenditure on publicity for teacher training before 1987 is not separately identifiable within the Department's total expenditure on publicity.

Mr. Simpson: To ask the Secretary of State for Education what percentage of people who completed teacher training courses found teaching jobs *(a)* within the first six months of qualifying, *(b)* within a year of qualifying and *(c)* within 18 months of qualifying in 1994–95 and in each year since 1979. [29913]

Mr. Squire: Information is not available in the precise form required but estimates made from teacher's service details show the following:
Of those successfully completing courses of initial teacher training leading to qualified teacher status in England and Wales in the calendar year 1984, 76 per cent. were known to be in teaching service as at 31 March 1985 and 76 per cent. in service as at 31 March 1986. Of those completing training in the calendar year 1991, 78 per cent. were known to be in service as at March 1992 and 77 per cent. in service as at March 1993.

Teaching service includes both full-time and part-time service in any school in England and Wales plus full-time and some part-time service in public sector further and higher education in England and Wales but excluding the old university sector.

This is the earliest and most recent data available. Information for the intervening years could be provided only at disproportionate cost.

Mr. Simpson: To ask the Secretary of State for Education how many people have embarked on teacher training courses in 1994–95 and in each year since 1979 *(a)* nationally and *(b)* in Nottinghamshire. [29915]

Mr. Squire: The information requested is as follows. Comparable data prior to 1982–83 are not available.

Year	*England and Wales*	*Nottinghamshire*
1982–83	16,928	497
1983–84	16,218	481
1984–85	16,707	486
1985–86	16,725	446
1986–87	16,945	447
1987–88	19,180	475
1988–89	20,183	467
1989–90	21,757	589
1990–91	23,795	650
1991–92	28,792	657
1992–93	31,980	762
1993–94	33,215	794
1994–95	31,494	737

Mr. Simpson: To ask the Secretary of State for Education what is the total budget for teacher training in 1994–95; and what it is for each year since 1979. [29911]

Mr. Squire: Allocations by the Higher Education Funding Council for England in respect of courses of initial teacher training were as follows:

Academic year	*Allocation £ million*
1992–93	82.1
1993–94	107.3
1994–95	155.9

In addition, Department for Education allocations to schools running the school centred initial teacher training scheme totalled £1.3 million for 1993–94, and £4.8 million for 1994–95.

These do not include the costs of fees, met for most students by a mandatory award, or student support for those on courses of initial teacher training.

Funding of higher education was brought under one body for the first time in 1992. Information for earlier years is not available in the form requested.

These figures do not include expenditure on the in-service training of teachers.

Teacher Redundancies

Mr. Simpson: To ask the Secretary of State for Education how many teachers have been made redundant during 1994–95 and in each year since 1979 *(a)* nationally, *(b)* in Nottinghamshire and *(c)* in Norfolk. [29917]

Mr. Robin Squire: Information on the number of teachers made redundant is not centrally held.

Teacher Recruitment

Mr. Simpson: To ask the Secretary of State for Education what projects are currently being run by her Department which have the objective of recruiting new teachers. [29923]

Mr. Robin Squire: Responsibility for promoting teacher recruitment is now a matter for the Teacher Training Agency. However, the following three projects due to end within this financial year are still being funded by the Department.

Manchester university school of biological sciences—taster courses to encourage biochemistry undergraduates into teaching.

The Open university—the development of course materials for a distance learning PGCE in music.

Bradford and Ilkley community college—compact with local secondary schools to encourage ethnic minorities into teaching.

SCOTLAND

Edinburgh Royal Infirmary

Mr. McAllion: To ask the Secretary of State for Scotland what discussions his Department has had with representatives of the British Linen Bank Group relating to the development of the proposed new Edinburgh royal infirmary; to what extent those discussions have included the construction and the management of hospital facilities and hospital services; and what facilities and services are being considered. [27932]

Lord James Douglas-Hamilton: Scottish Office officials have met representatives of a number of private sector financial institutions, including the British Linen bank, construction companies and other organisations to discuss private finance issues. No meetings have taken place with representatives of the British Linen Bank Group specifically to discuss the royal infirmary of Edinburgh. The briefing documents prepared by the royal infirmary of Edinburgh NHS trust and issued to interested parties describes the scheme as being for the design, building and financing of the new hospital facility, together with the operation of a range of non-clinical support services. Staff involved in providing clinical services will continue to be employed by the trust.

Executive Search Agencies

Mr. McMaster: To ask the Secretary of State for Scotland if he will list the occasions on which his Department has employed executive search agencies to recruit for direct or indirect employment in each of the past five years, including for employment in agencies, trusts, quangos and other arms-length bodies which are funded by his Department; what was the value of each assignment; and if he will make a statement. [28564]

Mr. Lang: The occasions on which my Department employed agencies to conduct executive searches are set out. The value of individual contracts is a matter of commercial confidentiality, but the total cost was approximately £300,000. The list does not include occasions when such agencies have conducted open recruitment competitions without search on behalf of my Department.

My Department commissions executive searches when it considers that the particular post will be difficult to fill and where suitable candidates are likely to be in current employment and therefore may not be expected to respond to press advertisement of the open recruitment competition.

Year	*Appointment*
1991	—
1992	Director of Finance, Scottish Prison Service
1993	Chief Executive, NHS management executive
1994	Director of Human Resources NHS management executive
	Director of Finance, NHS management executive
	Director of Finance, NHS management executive (re-run competition)
	Chief Executives (3), new water authorities
1995 (to date)	Director of Finance and Planning, East of Scotland Water Authority
	Director of Human Resources, East of Scotland Water Authority
	Legal Adviser, East of Scotland Water Authority
	Director of Operations, North of Scotland Water Authority
	Director of Human Resources, North of Scotland Water Authority
	Head of Public Affairs, North of Scotland Water Authority
	Director of Finance, North of Scotland Water Authority
	Legal Adviser, North of Scotland Water Authority

Floods

Mr. McMaster: To ask the Secretary of State for Scotland what assessment his Department has made of the aftermath of the floods in Paisley and Johnstone since February 1995, excluding the visits he and his Ministers paid to the area before then; what benchmark he has used to assess the effect to people's lives and the need for new flood prevention measures since the floods; how such assessments have involved or resulted in the consultation of flood victims; when he next plans to revisit the area to discuss the longer-term impact of flooding on the lives of people'; and if he will make a statement. [28571]

Sir Hector Monro: The effects of the floods have been full considered by the Scottish Office and by Ministers. However, the assessment of flood prevention needs in Paisley and Johnstone is essentially for Strathclyde regional council. An internal report by the council has concluded that it would not be practicable for it to undertake any further major flood prevention works. Indeed, the council has undertaken only one scheme in its 20 years' existence, despite the wide powers available under the Flood Prevention (Scotland) Act 1961 and the availability of Government grant.

For the Government's part, we have already proposed a number of measures to enhance the statutory and planning framework so that councils may take well-informed decisions on flooding matters in the light of local concerns and the public interest.

Glasgow Regeneration Alliance

Mr. David Marshall: To ask the Secretary of State for Scotland how much funding has been given in each of the last three years to each of the local employment companies covered by the Glasgow regeneration alliance areas. [29278]

Lord James Douglas-Hamilton: Funding for the local economic development companies in Glasgow comes from a variety of sources, including the local authorities, Glasgow Development Agency, urban programme and European structural funds. The information is not held centrally.

Devolution

Mrs. Ray Michie: To ask the Secretary of States for Scotland what recent representations his Department has received in favour of *(a)* devolution and *(b)* regional parliaments; and if he will make a statement. [29626]

Mr. Lang: In the period 1 January 1995 to 31 May 1995 my Department has received 43 representations in favour of devolution and none in favour of regional parliaments.

Assisted Places Scheme

Mrs. Fyfe: To ask the Secretary of State for Scotland if he will list those schools which have participated in the assisted places scheme in the past five years, and the number of placements for each school per year. [29708]

Lord James Douglas-Hamilton: The information for the last five school sessions is as follows:

Participating schools	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Aberlour House	8	7	10	11	9
Albyn School	23	20	18	19	24
Ardvreck School	2	3	3	5	6
Beaconhurst School	6	6	10	13	9
Belhaven Hill School	3	3	2	1	2
Belmont House School	20	23	23	26	25
Blairmore School	5	4	3	School closed	
Butterstone School	4	5	2	4	5
Cargilfield School	4	4	4	'4	4
Clifton Hall School	7	7	8	7	6
Craigclowan School	9	9	9	12	10
Craigholme School	39	36	38	'45	45
Crawfordton House School	6	6	6	6	6
Croftinloan School	4	5	6	6	4
Dollar Academy	68	59	71	72	72
Drumley House School	5	3	3	2	2
Edinburgh Academy	48	50	52	54	54
Fernhill School	29	30	34	'34	30
Fettes College	32	33	40	39	35
Fort Augustus School	33	34	28	School closed	
George Heriot's School	236	247	247	250	255
George Watson's College	243	238	234	238	248
Glasgow Academy	37	89	98	98	90
Glenalmond College	30	33	33	38	41
Gordonstoun School	26	29	28	'28	31
Hamilton College	12	14	15	14	14
High School of Dundee	182	180	197	196	194
High School of Glasgow	38	39	45	49	48
Hutcheson's Grammer School	135	138	152	157	163
Keil School	66	67	66	65	69
Kelvinside Academy	58	67	80	85	87
Kilgraston School	51	53	59	52	54
Kilquhanity School	18	18	20	20	11
Lathallan School	5	5	6	6	6
Laurel Bank School	54	53	53	60	63

Participating schools	1990–91	1991–92	1992–93	1993–94	1994–95[1]
Lomond School	39	44	49	54	54
Loretto School	31	33	35	33	33
Merchiston Castle School	60	62	65	[1]68	65
Morrison's Academy	164	168	169	[1]157	140
New Park School	3	3	4	5	4
Oxenfoord Castle School	11	13	11	School closed	
Park Lodge School	nil	1	1	nil	nil
The Park School	72	68	68	69	68
Rannoch School	28	30	31	35	38
Robert Gordon's College	63	64	[1]63	[1]64	70
Rudolph Steiner School, Edinburgh	56	57	59	63	57
St. Aloysius College	160	166	165	172	168
St. Columba's School	32	42	39	36	33
St. Denis and Cranley School	30	28	31	29	31
St. George's School	20	25	29	31	42
St. Leonard's School	31	35	37	36	37
St. Margaret's School, Aberdeen	19	22	22	20	20
St. Margaret's School, Edinburgh	68	70	72	71	74
St. Mary's School	4	1	2	2	4
Stewart's Melville College and the Mary Erskine School	274	276	282	296	284
Strathallan School	42	42	46	47	46
Wellington School	48	44	55	[1]54	51
Westbourne School	60	Amalgamated with Glasgow Academy			

[1] Provisional figures pending receipt of audited returns from schools.

Mrs. Fyfe: To ask the Secretary of State for Scotland how many assisted place pupils sat A-level examinations in each of the past five years. [29710]

Lord James Douglas-Hamilton: The information is given.

School session	Number of assisted place pupils
1990–91	69
1991–92	79
1992–93	84
1993–94	91
1994–95	[1]—

[1] Information not yet available.

Charter Week

Mr. Morgan: To ask the Secretary of State for Scotland what are the main events he is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [30681]

Mr. Lang: The Scottish Court Service agency will publish information about their performance against service standards during 1994–95 and several health boards are to launch revised local charters during Charter Week. These events were anyway due to take place at this time and there is therefore no additional cost to public funds. Information on the numbers of civil servants and public officials participating in Charter Week is not available.

NHS (Private Sector Involvement)

Mr. Donohoe: To ask the Secretary of State for Scotland, pursuant to his answer of 29 March, *Official Report*, column *702*, if he will make a statement indicating what specific provision within *(a)* Dundee Teaching Hospital NHS trust, *(b)* the Grampian Healthcare NHS trust, *(c)* the Law Hospital NHS trust, *(d)* the Hairmyres and Stonehouse NHS trust, *(e)* the Royal Infirmary of Edinburgh NHS trust, *(f)* the Western General Hospital NHS trust hospital, *(g)* the Greater Glasgow Community and Mental Health Services NHS trust and *(h)* the South Ayrshire Hospital NHS trust is being considered for private finance initiatives; what companies have been consulted on the possible provision of these facilities; and what is the value of the services being considered under the private finance initiative and the current position as regards the formal conclusion of contracts between the NHS trusts and the potential investor in the facilities. [29688]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* The following schemes are in progress at the trusts listed, each of which involves a private finance element.

Dundee Teaching Hospital NHS trust—equipment for the new accommodation at Ninewells hospitals into which services provided at Dundee royal infirmary will be transferred.

Grampian Healthcare NHS trust—the preparation of a proposal for Grampian health board to provide clinical facilities including GP beds in Stonehaven, which has been offered by the board to open competition.

Law hospital, Hairmyres and Stonehouse, and the Royal Infirmary of Edinburgh NHS trusts—provision of new facilities to replace the existing hospitals.

Western General Hospitals NHS trust—extensive new build, refurbishment and alterations on current site.

Greater Glasgow Community and Mental Health NHS trust—an inpatient facility for the acute mentally ill at Stobhill.

South Ayrshire Hospital NHS trust—the preparation of a proposal for Ayrshire and Arran health board to provide specified clinical facilities in East Ayrshire, which has been offered by the board to competition between Ayrshire trusts.

Four NHS trusts have advertised in the *Official Journal* of the European Communities seeking private sector partners and all have shortlisted, or are in the process of shortlisting, tenderers. The shortlist for the Royal Infirmary of Edinburgh NHS trust contains three consortia—BICC/BET/Royal Bank of Scotland; Laing/Miller Group/British Linen bank; Wimpey/Serco Services/Impreglio SpA, Morrison Construction. Greater Glasgow Community and Mental Health NHS trust consists of four consortia—British Linen bank/McAlpine/Serco; Royal Bank of Scotland/Balfour Beatty/Initial; Henry Boot/Quayle Munro/Trigon; Laing/Nikko bank. The Western General Hospital and Hairmyres and Stonehouse NHS trusts have not announced their shortlists. None of the schemes has yet reached the stage of concluding contracts. The value of the services will not be known until final proposals have been received from the consortia.

Crown Immunity

Mr. Foulkes: To ask the Secretary of State for Scotland if he will list all areas within *(a)* his Department, *(b)* agencies under his Department's control and *(c)* organisations for which he has ministerial responsibility to which Crown immunity applies; what consideration he has given to removing this; and if he will make a statement. [28646]

Mr. Lang *[holding answer 15 June 1995]:* An Act of Parliament is presumed not to bind the Crown unless the contrary intention is clearly stated, or there is necessary implication that the Crown is to be bound. The Government's policy on Crown immunity—as set out in Cm 1599—"The Citizen's Charter—Raising the Standard"—is that Crown immunity is being progressively reduced, as legislative opportunities arise. In the meantime, Crown bodies are expected to behave as though they were bound by regulations.

Council Tax Appeals

Dr. Godman: To ask the Secretary of State for Scotland how many appeals are outstanding in *(a)* Inverclyde, *(b)* Strathclyde and *(c)* Scotland as a whole in respect of the valuation of properties for council tax. [27311]

Mr. Kynoch *[holding answer 13 June 1995]:* The available information relates to all classes of proposal to change the valuation list made to assessors and subsequent appeals, and is available only for regions and for Scotland as a whole. At March 1995, the latest date for which information is available, there were 5,974 outstanding proposals/appeals lodged in Strathclyde and 14,422 in Scotland.

AGRICULTURE, FISHERIES AND FOOD

Live Animal Exports

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many sheep in a consignment exported from Shoreham on the Northern cruiser on 17 May were dead on arrival in Dieppe; what was the cause of death; how many sheep gave birth during the journey; how many sheep died during the unloading and how; whether any prosecutions are to be brought in respect of any sheep that died and any sheep that were transported contrary to the prohibition of the Welfare of Animals during Transport Order 1994 on the transportation of an animal which is likely to give birth during transport; and if he will make a statement. [27105]

Mrs. Browning: The French authorities have reported that two sheep were dead on arrival at Dieppe and that one gave birth during the journey. The Ministry is supporting the local authority in investigations into these matters.

Parliamentary Questions

Mr. McMaster: To ask the Minister of Agriculture, Fisheries and Food what percentage of parliamentary questions, which would have been answered directly by him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28498]

Mr. Jack: I refer the hon. Member to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 21 June 1995, *Official Report*, column *241*.

Agricultural Grants

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what is the mean, median and standard deviation for the length of time between receiving a claim and the payment of a claim for each agricultural grant handled by his Department. [29454]

Mr. Jack: The information requested could be provided only at disproportionate cost. Targets for the payment of claims for grants and subsidies are set out in the Ministry's regional customer service standard "Commitment to Service". A revised edition was published in January 1995. For details of performance against targets, I refer the hon. Member to the reply given to my hon. Friend the Member for Havant (Mr. Willetts) on 20 July 1994, *Official Report*, column *356*.

Similar details on performance for 1994–95 will be announced later this year. I should emphasise that for many schemes Community rules prescribe dates for submission of applications and payment of eligible claims. These vary between individual schemes.

Privatisation

Mr. McNamara: To ask the Minister of Agriculture, Fisheries and Food if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29424]

Mr. Waldegrave: I refer the hon. Member to the replies given to my hon. Friends the Members for Darlington (Mr. Milburn) and for Barking (Ms Hodge) on 16 December 1994, *Official Report*, columns *867–68* and 8 June 1995, *Official Report*, columns *313–18* inclusive.

Market testing, strategic contracting out and efficiency review exercises either in process or yet to start cover information technology service provision from the information technology directorate; staff training; the management maintenance and operations of the fisheries research vessels at DFR Lowestoft; IT services—other than that provided by the ITD—HQ reprographic services; non-scientific services, CSL; national food survey; training services procured from ATB landbase; fisheries aerial surveillance; and the national diet and nutrition survey, with Department of Health. In addition, it is intended that some elements of the industry development press and industry relations and marketing directorate functions of the Meat and Livestock Commission will be market tested.

For the future it is not possible to predict in advance of recommendations following structural, strategic or management reviews which services or functions will be contracted out. Contracting out without an in-house bid can occur when my Department judges that the private sector is clearly better equipped to deliver a specific service, has a better understanding of market needs or has a capacity to invest in new technology. This has been true, for example, in some cases of information technology services provision. Where an activity may be relatively small and peripheral to my department's functions, a strategic decision to contract out could also be taken. Decisions over whether services are most effectively discharged in-house or contracted out are taken in light of one of my Department's stated aims-namely, to ensure the best use of internal resources in support of the Ministry's business.

Milk

Mr. John Marshall: To ask the Minister of Agriculture, Fisheries and Food what has been the change of cost of milk to the milk processing industry since the introduction of Milk Marque; and what assessment he has made of the change in employment in the dairy and milk processing industry since then. [29513]

Mr. Jack: It is not possible to make a general comparison between the price of milk for processing under the old and new milk marketing arrangements because of the different selling systems involved and the variety of contracts now on offer by Milk Marque. Some companies have announced restructuring plans since 1 November 1994, but most of the job losses are in the bottling and distribution of liquid milk where the principal factor is the intense competition from supermarkets rather than deregulation.

Advisory Committees

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food if he will list the members of *(a)* the Advisory Committee on Novel Foods, *(b)* the Advisory Committee on Pesticides and *(c)* the Food Advisory Committee together with their current employers. [29996]

Mrs. Browning: The current membership of the committees is as follows:

(a) Advisory Committee on Novel Foods and Processes

Professor D. C. Burke, CBE, BSc, PhD, HonLLD, DL (Chairman)

Vice Chancellor, University of East Anglia

Professor G. E. Adams BSc, PhD, DSc, FACR

Director, MRC Radiobiology Unit, Oxford

Professor P. J. Aggett MSc, MB, ChB, FRCP(L)(E)(G), DCH

Head of the Department of Nutrition, Diet and Health, Institute of Food Research, Norwich Laboratory, Norwich

Professor A. T. Atkinson BSc, PhD

Retired-Former Deputy Director, PHLS Centre for Applied Microbiology and Research, Porton Down

Professor H. M. Dick CBE, MD, FIBiol, FRCP, FRCPath, FRSE

Department of Medical Microbiology, Ninewells Hospital and Medical School, Dundee

Dr. M. J. Gasson BSc, PhD

Head, Genetics and Microbiology Department, Institute of Food Research, Norwich

Professor W. P. T. James CBE, MA, MD, DSc, FRCP (London and Edinburgh), FRSE

Director, Rowett Research Institute, Aberdeen

rofessor D. A. Ledward MSc, PhD, FIFST

Professor of Food Science, University of Reading

Professor B. J. Miflin BSc, MS, PhD

Director of Research, Institute of Arable Crops Research, Rothamsted Experimental Station

Mrs. H. Millar MA, FRSA

Adult Education Department, University of Glasgow

Professor B. E. Moseley OBE, MSc, PhD

Retired-Former Head of Reading Laboratory, Institute of Food Research Reading

Rev. J. Polkinghorne MA, PhD, ScD, FRS

The President, Queens' College, Cambridge

Dr. P. J. Rodgers MA, DPhil

Zeneca Bioproducts, Billingham, Cleveland

Professor T. Sanders BSc, PhD

Head of Department of Nutrition and Dietetics, Kings College, London

Professor J. E. Smith BSc, MSc, PhD, DSc, FIBiol, FRSE

Head of Applied Microbiology Division, University of Strathclyde

Professor R. Walker BSc, PhD, FRSD, CChem, FIFST

Professor of Food Science, University of Surrey

Professor H. F. Woods BSc, BM, BCh, DPhil, FFPM, FRCP (London and Edinburgh)

Head of Department of Medicine and Pharmacology, Royal Hallamshire Hospital, Sheffield and Dean of the Faculty of Medicine, University of Sheffield

(b) Advisory Committee on Pesticides

Professor Sir Colin Berry DSc, MD, PhD, FRCPath, FFPM, FRCP (Chairman)

Professor of Morbid Anatomy, and Dean of the London Hospital Medical College.

Professor Geoffrey Sagar CBE, BA, MA, DPhil (Oxon) (Deputy Chairman)

Professor of Agriculture Botany and Vice Principal of the University College of North Wales.

Dr Andree Carter BSc, MISoilSci, MIWEM

Principal Research Officer and Laboratory Manager at the Soil Survey and Land Research Centre, Cranfield Institute of Technology.

Professor Nicola Cherry MD, PhD, FFOM

Professor and Director at the Centre for Occupational Health at the University of Manchester's Faculty of Medicine.

Professor Michael Claridge MA, DPhil, FIBiol, FLS, FRES

Head of School and Professor of Entomology, University of Wales, Cardiff.

Professor Anthony Dayan BSc, MD, FRCP, FRCPath, FFPM, FIBiol

Professor of Toxicology and Director of the DH Toxicology Laboratory, St. Bartholomew's Hospital Medical College, University of London.

Mr John Leahy MA(Oxon), CChem, MRSC

Retired—Formerly General Manager of the Severn Trent Laboratories.

Professor Donald L. Lee BSc, PhD(Cantab), FIBiol, FRSA

Professor of Agricultural Zoology, University of Leeds.

Dr. Alexander Proudfoot BSc(Hons), MB, ChB, FRCP, FRCPE

Consultant physician, Edinburgh Royal Infirmary and Director of the Scottish Poisons Information Bureau.

Dr. Eve Roman BSc, PhD

Staff Scientist at the Imperial Cancer Research Fund Cancer Epidemiology Unit, Oxford.

Mr. Roger Tayler BSc(Agric), Postgrad Dip Agric(Reading), NDA, CBiol, MIBiol

Senior Tutor in the Faculty of Agriculture and Food and Senior Lecturer in crop production, Department of Agriculture, University of Reading.

Professor Paul Webster BSc, PhD, FBIM, FRSA

Department of Agricultural Economics at Wye College, University of London.

(c) Food Advisory Committee

Professor Sir Colin Campbell LLB (Chairman)

Vice Chancellor, University of Nottingham

Professor Douglas Georgala CBE, PhD, FIFST (Deputy Chairman)

Independent Scientific Consultant. Formerly Director of the Institute of Food Research

Dr. Margaret Ashwell OBE, BSc, PhD, FIFST, FRSH

Independent Scientific Consultant. Formerly of the British Nutrition Foundation

Mr. Robin Evans BSc, MChemA, CChem, FRSC, AIFST

Public Analyst, Tayside Regional Council

Mrs. Joy Hardinge BSc, FIFST

Head of Legislation (Flavours and Ingredients), Quest International

Mr. Roger Manley OBE, FITSA

County Fair Trading and Advice Officer, Cheshire County Council

Miss Patricia Mann FCAM, FIPA, CMInst, FRSA

Director of External Affairs, J. Walter Thompson Company Ltd.

Mr. Tom Martin BSc, MIFST, FIBrew

Technical Director, Carlsberg-Tetley Brewing Ltd.

Mr. Tom Miller BSc, FIFST, FRSH, MHCIMA

Technical Services Manager, Whitbread plc

Mrs. Jill Moore OBE

Vice-Chairman of the National Federation of Consumer Groups and Member of the Meat and Livestock Commission's Consumer Committee

Dr. Richard Pugh BSc, PhD, CChem, FRSC, FIFST, FRSA

Technical Director, Tesco Stores Ltd.

Professor Christopher Ritson BA (Econ), MAgr Sc

Professor of Agricultural Marketing, University of Newcastle-Upon-Tyne

Ms Barbara Saunders BA

Freelance consultant on consumer policy

Mr. Philip Strachan MA Cantab, FIFST

External Technical Relations Adviser, Colman's of Norwich

Professor Frank Woods BSc, BM, BCh, DPhil, FFPM, FRCP(London and Edinburgh)

Head of the Department of Medicine and Pharmacology, Royal Hallamshire Hospital and Dean of the Faculty of Medicine, University of Sheffield

Intervention Grain

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food what steps Her Majesty's Government are taking to ensure that Spanish pig farmers are not being given a competitive advantage through the purchase of cut-price barley from intervention stocks. [30554]

Mr. Jack: The sale of United Kingdom intervention barley to Spain is one of a package of similar special measures intended to alleviate feed grain shortages caused by the drought in this region. The UK and certain other member states remain strongly opposed to the supply of subsidised grain below the prevailing market or intervention price but were overruled on this occasion.

Ministerial Visits

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 21 March, *Official Report*, column *157*, if he will list all those occasions during the current parliamentary Session when he did not give prior warning to hon. Members. [30748]

Mr. Waldegrave: I always do my best to give prior warning to hon. Members when I visit their constituencies in an official capacity.

Meat Levies

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what would be the total revenue raised for the Meat and Livestock Commission if animal exporters had paid the current levies on each animal exported in *(a)* 1993 and *(b)* 1994. [31014]

Mr. Jack: Total revenue due to the MLC from levies from all sources, including exported live animals, for the years ending 31 March 1993 and 1994 was £29 million and £29.9 million.

Early Retirement

Mr. Milburn: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 3 May, *Official Report*, column *226*, if he will provide comparable details on civil service early retirement packages on grounds of inefficiency. [29285]

Mr. Jack *[holding answer 19 June 1995]:* Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years' salary can be made in specific cases where a Department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over age 55, this may be forgone in favour of immediate payment of the accrued superannuation benefits which would otherwise be preserved for payment at retiring age. There have been 23 departures on inefficiency grounds in the past five years. Details for the Ministry and its agencies are as follows:

	Annual compensation payment to age 60 (rate pa)	Superannuation lump sum	Lump sum compensation payment £	Compensation in lieu of notice £
1990–91	nil	nil	8,708.79	nil
1991–92	nil	nil	45,393.76	nil
1992–93	nil	nil	nil	nil
1993–94	nil	nil	51,316.94	11,969
1994–95	nil	nil	96,677.28	663.6

Fishing Subsidies

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food how much subsidy has been given to the United Kingdom in each of the last three years from the European Community for fishing; and what is the forecast of funding to the United Kingdom for each of the next three years. [28163]

Mr. Jack *[holding answer 19 June 1995]:* As explained in my reply to my hon. Friend the Member for South Hams (Mr. Steen) on 6 June, *Official Report*, column *6*, changes have taken place in the way these subsidies are provided. Prior to 1994, European aid to the fishing industry was financed under a variety of different sections of the EC budget and it is not possible to identify separately all the expenditure relating to fishing. If comparable figures are extracted from the same EC sources as my earlier reply then the statistics for UK would be as set out in table 1. However, we have more detailed information from departmental records for decommissioning of vessels, promotion activities, marketing and processing, vessel grants, market support—calender year—and aid to sea fisheries committees for enforcement and this is set out in the upper part of table 2. From 1994 onwards, the financial instrument for fisheries guidance came into force, amalgamating the various fisheries structures and marketing and processing regulations. The figures in the lower part of table 2 shown the amount of Community funding available for the investment set out in the relevant UK programmes for objective 1, 5(a) and PESCA. They include measures for the benefit of aquaculture. An additional £2.4 million—1995–96—and £2.2 million—1996–97 and 1997–98—is forecast for sea fisheries committee enforcement, and market support measures.

Table 1: Elements of European Community financial assistance to the UK fishing industry

Calendar year	MECU	£ million
1992[1]	7.7	6.5
1993[1]	2.3	1.9
1994[2]	20.61	17.3
1995	20.60	17.3
1996	20.62	17.3
1997	20.61	17.3
1998	20.63	17.3

Table 2

Financial/Calendar Year	Mecu	£ million
1992–93[3]	*7.35	6.18
1993–94[3]	*13.98	11.76
1994–95[3]	*13.97	11.75

Table 2

Financial/Calendar Year	Mecu	£ million
1994[3]	20.61	17.23
1995[4]	25.67	21.46
1996	28.29	23.65
1997	29.29	24.49
1998	28.12	23.51

[1] Figures taken from European Court of Auditor's Annual Reports copies of which are in the House Libraries.
[2] Figures from 1994 onwards include expenditure plans which are contained in the UK sectoral plan 1994–1999 for objective 5(a)'Fisheries', copies of which are in the House Libraries.
[3] Excludes promotion, and the marketing and processing awards under EC regulation 355/77, the majority of which were paid prior to 1994 and financed under the European agricultural guidance and guarantee fund, guidance section (Agriculture).
[4] Approximate conversion rate.
[5] Includes estimated figures for reimbursement for decommissioning.
[6] Figures from 1995 onwards include expenditure plans for the PESCA initiative for fish diversification projects which are contained within the UK operational programme 1995–1999 as submitted to Brussels for approval.

WALES

Earnings (Hotels)

Mr. Barry Jones: To ask the Secretary of State for Wales what is his estiamte of the average wage in the hotel industry in Wales. [29630]

Mr. Gwilym Jones: There are no reliable estimates of average wage rates in the hotel industry in Wales.

Examination Papers

Mr. Win Griffiths: To ask the Secretary of State for Wales what was the cost expressed in present day prices of the publication of examination papers in GCSE and pre-GCSE equivalent examinations in *(a)* 1964, *(b)* 1974, *(c)* 1984 and *(d)* 1994; and what assessment he has made of the level of reading age required to be able to understand the questions set. [29595]

Mr. Richards: Comparative publication costs for GCSE and equivalent pre-GCSE examinations for the relevant periods are not available; the Joint Council for GCSE Examination Groups commissioned research into reading age standards for GCSE papers in 1991. The findings were considered in the development of subsequent GCSE examination papers.

Gipsy Representations

Mr. Barry Jones: To ask the Secretary of State for Wales what recent representations he has received from local authorities and from hospital trusts concerning gipsies; and if he will make a statement. [29636]

Mr. Gwilym Jones: I have received a number of letters from Clwyd county council about gipsy sites in Clwyd. No representations have been received from hospital trusts.

Mental Hospital Discharges

Mr. Barry Jones: To ask the Secretary of State for Wales how many people were discharged from mental hospitals in each of the last 10 years. [29633]

Mr. Richards: The number[1] of discharges—including deaths—from mental illness hospitals and mental illness units within other hospitals are as follows:

	Number
1984	13,111
1985	14,207
1986	13,825
1987	13,702
1988	14,080
1989	14,479
1990	14,668
1991–92	16,236
1992–93	16,342
1993–94	17,006

Data prior to 1991–92 is not strictly comparable with later years, since the data collection system changed on 1 April 1991.

[1]It should be noted that the data relates to discharges and deaths during the year and not to individual patients; patients discharged more than once during the year will therefore be included in the data upon each discharge.

Wepre CP School

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he will take to ensure enhanced staffing at the Wepre CP schools language unit; and if he will make a statement. [30168]

Mr. Richards: Staffing at the language unit is a matter for the local education authority.

Wrexham–Birkenhead Railway

Mr. Barry Jones: To ask the Secretary of State for Wales what proposals he has for discussions with Regional Railways concerning the improved service on the Wrexham–Birkenhead line; and if he will make a statement. [30167]

Mr. Gwilym Jones: Welsh Office officials discussed this railway line when they met the director of Regional Railways (North West) on 15 June. Regional Railways has no plans to change the service on this line.

Schools Inspections

Mr. Barry Jones: To ask the Secretary of State for Wales how many HM inspectorate inspections were made in *(a)* 1991 and *(b)* 1994 of (i) high schools and (ii) primary/infant schools for each local education authority area. [30169]

Mr. Richards: This is a matter for Her Majesty's chief inspector to deal with and I have arranged for him to write to the hon. Member.

Environmental Industries Commission

Mr. Llew Smith: To ask the Secretary of State for Wales what plans he has to meet the Environmental Industries Commission; and what proportion of United Kingdom exports of environmental technologies and services he assesses can be met by Welsh companies. [30521]

Mr. Gwilym Jones: There are no plans to meet representatives of the organisation known as the Environmental Industries Commission Ltd. Overseas markets for environmental technologies and services are important to Welsh companies in that sector. However it is impossible to say what proportion of United Kingdom exports can be met by Welsh companies since the size of the market and an individual company's capacity to export will vary from day to day.

Rhondda Borough Council

Mr. Wigley: To ask the Secretary of State for Wales when he received a copy of the Audit Commission report entitled "Rhondda Borough Council: Audit of Accounts of 1993–94 Renovation Grants—Report of Investigations into the Operation and Management of the System and on the Results of Investigations into Alleged Irregularities"; and what action he plans to take. [30616]

Mr. Gwilym Jones: The Welsh Office received a copy of the report from Rhondda borough council on 22 June.

Under part VIII of the Local Government and Housing Act 1989, local authorities are charged with the administration of the renovation grants scheme. It is for the council to act on the findings of the district auditor's report and to implement the agreed recommendations. Papers have been passed to the police. The Welsh Office will keep in close touch with the district auditor about any implications for the payment of Government subsidy.

Sheep Dips

Mr. Ron Davies: To ask the Secretary of State for Wales what advice his Department has issued on the safe use by farmers and farm workers of organophosphorus sheep dips. [30962]

Mr. Gwilym Jones: The Government have issued numerous press releases and guides for information, the latest being the revised booklet on sheep dipping published in March this year.

Mr. Davies: To ask the Secretary of State for Wales what guidance his Department has issued to Welsh farmers about the use of pyrethoid based sheep dips in preference to organophosphorus sheep dips. [30964]

Mr. Jones: The current booklet giving advice on sheep dipping provides information on the reasons for treating sheep and which licensed products are effective against particular parasites. The information includes alternatives to organophosphorus dips, but no specific advice has been given as this is a matter for individual farmers to decide in the light of their particular circumstances and in consultation with their veterinary adviser.

Mr. Davies: To ask the Secretary of State for Wales what research his Department has undertaken in the last five years into possible links between organophosphorus sheep dips and *(a)* physical and *(b)* mental health problems; and what was the outcome. [30963]

Mr. Jones: Government agricultural research and development relating to Wales and England is undertaken by the Ministry of Agriculture, Fisheries and Food. The Welsh Office discusses research and development programmes with the Ministry of Agriculture before they are implemented. The Government have accepted the recommendation of the veterinary products committee for

epidemiological studies into possible long-term effects of using organophosphorus sheep dips, and proposals for studies are currently being considered.

Mr. Ron Davies: To ask the Secretary of State for Wales what research his Department has undertaken in the last five years evaluating the effectiveness of protective clothing worn by farmers and farm workers when using organophosphorus sheep dips; and what was the outcome. [30961]

Mr. Jones: Research on the effectiveness of protective clothing used whilst dipping sheep has been undertaken by the Health and Safety Executive. It was found that where protective clothing was worn it reduced exposure very substantially in comparison with situations where it was not worn. Information on the use and care of protective clothing is set out in the Government's guidance on sheep dipping.

Suicides

Mr. Ron Davies: To ask the Secretary of State for Wales how many farmers and farm workers have committed suicide in Wales in each of the last 10 years. [30983]

Mr. Gwilym Jones: The information requested is shown in the following table.

Deaths of farmers and farm workers recorded as suicide

	Farmers	*Farm workers*
1983	12	2
1984	12	3
1985	6	6
1986	17	2
1987	2	2
1988	9	2
1989	7	0
1990	10	1
1991	8	2
1992	4	0
1993[1]	9	2

[1] In 1993 Office of Population Censuses and Surveys made changes to the coding and data collection system which may have affected the numbers of deaths for many causes, including suicides.

School Leavers

Mr. Flynn: To ask the Secretary of State for Wales how many young people in Wales who left school at 16 years in 1994 are currently *(a)* registered for vocational training courses, *(b)* in employment and *(c)* receiving bridging allowance. [31020]

Mr. Gwilym Jones: The information requested is not collected centrally.

ENVIRONMENT

Offshore Installations

Mr. Foulkes: To ask the Secretary of State for the Environment what factors led to the United Kingdom signing the United Nations law of the sea convention in relation to the abandonment of offshore oil and gas installations. [28924]

Mr. Atkins: The United Kingdom did not sign the United Nations convention on the law of the sea. Part XI—on mining the deep seabed—contained provisions unacceptable to the United Kingdom and most other industrialised states. An agreement adopted in July 1994 resolved these problems before the convention entered into force in November 1994. My hon. Friend the Member for Morecambe and Lunesdale (Sir M. Lennox-Boyd) announced to the House on 20 July 1994 the United Kingdom's intention to accede to the convention. The provisions of the convention which deal with artificial islands, installations and structures on the continental shelf are consistent with the policies and legislation of the United Kingdom.

Yorkshire Dales National Park (Quarrying)

Mr. Gordon Prentice: To ask the Secretary of State for Environment what representations he has received from the Council for National Parks and others concerning his decisions not to call in the planning application to extend quarrying at Swinden in the Yorkshire Dales national park. [30379]

Sir Paul Beresford: To date, no representations has been received from the Council for National Parks concerning the Secretary of State's decision not to call in this planning application. Two representations expressing concern about the decision have been received from members of the public.

Planning Inquiries

Mr. Devlin: To ask the Secretary of State for the Environment when planning inquiries Nos. N/P/R0715/219/94/5 and N/P/B2925/174/94/1 are expected to conclude. [30037]

Sir Paul Beresford: The public inquiry into the Berwick Hills project in Middlesborough—Ref No. N/P/R0715/219/94/5—was held in September 1994. The inspector's report was received in January 1995 and is under consideration. It is hoped to issue a decision in mid-July.

The public inquiry into the proposed superstore at Fewsters depot, Hexham—Ref No. N/P/B2925/174/94/1—was held in October 1994. The inspector's report was received in December 1994 and is under consideration. It is hoped to issue a decision this month.

Local Government Ombudsman

Mr. David Nicholson: To ask the Secretary of State for the Environment, pursuant to his answer of 19 June, column *132*, how many representations he has received since 1 January 1994 *(a)* asserting that the local government ombudsman service is no longer needed and *(b)* asserting that it works unsatisfactorily. [30270]

Mr. Curry: Since 1 January 1994 we have received more than 200 written representations expressing some dissatisfaction about the operation of the local government ombudsman service, including some 20 questioning the need for the service.

Recycled Aggregate

Mr. Spellar: To ask the Secretary of State for the Environment if he will make a statement on the Government's policy in respect of substituting recycled aggregate for newly quarried material. [30431]

Sir Paul Beresford: The Government's policy on the use of secondary and recycled materials in place of primary aggregates is set out in minerals planning guidance note 6—MPG6—on aggregates provision in England. This explains that recycling is a key policy in pursuance of sustainable development, and sets targets—40 million tonnes per year by 2001 and 55 million tonnes per year by 2006—for the increased use of recycled material in the construction industry.

Police Authorities

Mr. Mackinlay: To ask the Secretary of State for the Environment if he will end the capping of police authorities for the year 1996–97. [30257]

Mr. Robert B. Jones: I shall consider capping criteria for 1996–97 in the context of decisions on next year's local government finance settlement.

Severn Trent Water

Mr. Alex Carlile: To ask the Secretary of State for the Environment what assessment he has made as to the extent to which savings made by Severn Trent Water plc are being proportionally passed on to consumers in terms of prices; and if he will make a statement. [30263]

Mr. Atkins: This is a matter for the Director General of Water Services, who has published his views on the sharing of benefits from greater efficiency by the water companies.

Right-to-buy Scheme

Mr. Simon Hughes: To ask the Secretary of State for the Environment how much money has been spent by his Department advertising the right-to-buy scheme; and how many properties have been purchased under the scheme in each of the last 10 years. [30737]

Mr. Robert B. Jones: The information requested on the costs of advertising the right-to-buy scheme—including the costs of printing booklets, leaflets and posters—is as follows:

Financial year	*£ thousands*
1984–85	1,341
1985–86	266
1986–87	670
1987–88	25
1988–89	75
1989–90	66
1990–91	1
1991–92	45
1992–93	972
1993–94	321
1994–95	42
April to June 1995	27

The numbers of properties purchased under the scheme is as follows:

Calendar year	*Local authorities*	*New towns*	*Housing associations*	*Total*
1985	76,319	663	1,451	78,433
1986	73,767	556	2,791	77,114
1987	84,007	792	2,046	86,845
1988	128,566	1,091	3,323	132,980
1989	139,722	1,332	3,700	144,754
1990	92,995	365	3,369	96,729
1991	51,414	177	1,871	53,462
1992	41,445	166	669	42,280
1993	41,248	180	666	42,094
1994	43,116	45	831	43,992

Mr. Simon Hughes: To ask the Secretary of State for the Environment how many properties purchased from local authorities under right to buy have been for sale for over 18 months. [30736]

Mr. Robert B. Jones: This information is not available.

Homelessness

Mrs. Ann Winterton: To ask the Secretary of State for the Environment (1) what proportion of all new secure local authority lettings has been allocated to households accepted as homeless under part III of the Housing Act 1985 in each year since 1985; [30526]

(2) what proportion of all new housing association lettings has been allocated to households accepted as homeless under part III of the Housing Act 1985 in each year since 1985. [30527]

Mr. Curry: The available information for England, which relates to financial years, is given in the table:

	New secure local authority lettings		*Housing association lettings (excluding transfers)*[1]	
	Total (000s)	*Percentage to homeless households*	*Total (000s)*	*Percentage to homeless households*
1984–85	229	20	49	n/a
1985–86	236	24	51	n/a
1986–87	232	25	52	n/a
1987–88	229	28	54	n/a
1988–89	223	28	57	n/a
1989–90	208	31	60	n/a
1990–91	215	35	62	14
1991–92	207	39	69	21
1992–93	204	39	90	25
1993–94	213	35	112	25

n/a = not available

[1] Figures for housing association lets in 1988–89 and earlier are estimates based on England and Wales data.

Source:

Local authority—Annual Housing Investment Programme (HIP1) returns.

Housing association—annual HAR10/1 returns.

Mrs. Winterton: To ask the Secretary of State for the Environment what proportion of repossessed owner-occupiers was accepted by local authorities for permanent rehousing under part III of the Housing Act 1985 in the last 12 months for which figures are available. [30529]

Mr. Robert B. Jones: The data provided by local authorities on the numbers of households for which they accept responsibility to secure permanent accommodation accepted under the homelessness provisions of the Housing Act 1985 include information on the main reason for the homeless households' loss of their last settled home. Eight per cent.—10,230—of households accepted in England in the 12 months ending March 1995 were as a result of mortgage arrears; cases where the mortgage arrears led to repossession are not separately identified.

Mrs. Winterton: To ask the Secretary of State for the Environment what proportion of new lettings by private landlords in the most recent 12 months for which figures are available would have been of suitable size and rent for the average household accepted as homeless by local authorities under part III of the Housing Act 1985. [30531]

Mr. Jones: The size and composition of households accepted as homeless are not recorded centrally, nor is the rent they could afford unaided. The rents of households on low incomes, however, can be met by housing benefit.

The most recent figures available are for 1993–94, when about half of all new lettings by private landlords were accessible to the public and in self contained accommodation with three or more rooms—including bedrooms.

These estimates are from the 1993–94 survey of English housing. Like all estimates from sample surveys, they are subject to sampling error.

Mrs. Winterton: To ask the Secretary of State for the Environment what analysis with regard to any additional expenditure local authorities may incur in implementing and administrating the proposed new duties towards homeless people as announced by the Minister for Housing on 18 July 1994, *Official Report*, columns 25–34 and if he will place this information in the Library. [30528]

Mr. Jones: In his statement to the House last July, *Official Report*, columns 25–34, the then Minister for Housing, my right hon. Friend the Member for Ealing, Acton (Sir G. Young), said that the Government estimated that the cost of the proposals for reform of the homelessness legislation would be broadly neutral, although it would depend on the timing of legislation and its interpretation. We are still analysing the likely financial effects of the proposals.

Mrs. Winterton: To ask the Secretary of State for the Environment how many submissions he has received from private landlords in response to (a) the consultation paper "*Access to Local Authority and Housing Association Tenancies*" published in January 1994 and (b) announcement on the proposed arrangements for homeless people by the Minister for Housing on 18 July 1994 *Official Report*, columns 25–34, and what percentage was (i) in support and (ii) opposed to the proposal that homeless households should be rehoused in the private sector. [30530]

Mr. Jones: Nine responses to the consultation paper were classified as being from private landlords. Three of these were supportive of our proposal that local authorities could discharge their duty by placing homeless households directly with private sector landlords. Correspondence about the 18 July 1994 announcement was not recorded separately from general correspondence.

Mrs. Winterton: To ask the Secretary of State for the Environment what proportion of homeless applicants has been accepted for permanent housing by local authorities under the provisions of part III of the Housing Act 1985 in each year since 1985. [30525]

Mr. Curry: The information requested is not available. Data are collected from local authorities on applications/inquiries made but the data areas not reported on a common basis—they reflect differing local administrative practices—and cannot, therefore, be used for national or regional estimates of applications/inquiries.

Preston Farm, Stockton-on-Tees

Mr. Devlin: To ask the Secretary of State for the Environment if he will estimate how many people now work on Teesside development corporation's Preston farm site in Stockton-on-Tees. [30649]

Sir Paul Beresford: It is estimated that 1,400 people now work on the Preston farm site.

Cash Incentive Schemes

Mr. Simon Hughes: To ask the Secretary of State for the Environment how much money has been made available to each London borough to operate the tenants' cash incentive scheme in each of the last five years; and if he will make a statement. [30739]

Mr. Robert B. Jones: The table provides information on the supplementary credit approvals issued to local authorities in London during this period. No SCAs were issued in 1993–94. With the approval of the Secretary of State, local authorities may also use their own resources to fund cash incentive schemes.

In the period 1989–90 to 1993–94 the cash incentive scheme has created over 6,000 vacancies for reletting in London and has enabled the same number of London households to buy their own home.

£000s

London Borough	*1991–92*	*1992–93*	*1994–95*	*1995–96*	*Total*
Barnet	454	250	500	750	1,954
Bexley	—	360	110	320	790
Brent	2,220	2,000	520	1,920	6,660
Bromley	1,000	—	—	—	1,000
Camden	725	1,000	1,500	1,500	4,725
City of London	—	100	110	150	360
Croydon	3,000	1,000	1,420	2,200	7,620
Ealing	2,661	1,000	350	1,710	5,721
Enfield	2,000	400	700	800	3,900
Greenwich	—	500	460	1,240	2,200
Hackney	1,000	840	689	2,250	4,779
Hammersmith and Fulham	860	300	450	1,750	3,360
Haringey	1,870	725	820	2,430	5,845
Harrow	1,288	500	450	1,000	3,238
Havering	267	100	100	300	767
Hillingdon	2,006	1,700	810	1,000	5,516
Hounslow	1,570	500	380	1,000	3,450
Islington	2,750	2,300	610	2,385	8,045
Kensington and Chelsea	1,673	750	180	400	3,003

£000s

London Borough	1991–92	1992–93	1994–95	1995–96	Total
Kingston upon Thames	700	300	400	300	1,700
Lambeth	1,140	1,000	540	565	3,245
Lewisham	540	450	180	565	1,735
Merton	684	500	270	445	1,899
Newham	—	500	630	800	1,930
Redbridge	433	150	450	350	1,383
Richmond upon Thames	884	1,000	500	1,000	3,384
Southwark	825	250	149	2,385	3,609
Sutton	1,164	720	297	770	2,951
Tower Hamlets	580	500	310	700	2,090
Waltham Forest	1,000	100	810	1,000	2,910
Wandsworth	2,565	500	750	1,000	4,815
Westminster	2,250	700	840	1,735	5,525
Total	38,109	20,995	16,285	34,720	110,109

National Park Authorities

Mr. Morley: To ask the Secretary of State for the Environment how many responses he has had in relation to his consultation on a proposed amendment to the membership of national park authorities as currently proposed in the Environment Bill *[Lords]*; if he will list those organisations that responded; and if he will list those who supported the proposed amendment and those who did not.

Mr. Atkins: Responses received by my Department up to 23 June 1995 have been deposited in the Library of the House, except for those where respondents indicated that they should not be made publicly available.

United Nations Environment Programme

Mr. Llew Smith: To ask the Secretary of State for the Environment, pursuant to his reply to the hon. Member for Finchley (Mr Booth), *Official Report*, 15 June, columns *612-13*, if he will place in the Library a copy of the United Nations Environment Programme's refocused work priorities; and if he will arrange for copies of other countries' submissions to the Commission on Sustainable Development to be placed in the Library. [31060]

Mr. Atkins: I have arranged for copies of the United Nations Environment Programme's refocused programme of work to be placed in the Library.

The Department does not as a matter of course receive copies of other countries' reports to the Commission on Sustainable Development. However, I have arranged for copies of a matrix summary produced by CSD to be placed in the Library. The summary covers the reports of 44 countries, which were received in time to be included, on the thematic issues being reviewed at this year's CSD session

Local Authority Housing

Mr. Denham: To ask the Secretary of State for the Environment if he will publish an analysis showing the cash sum received by a local authority and the effects on its *(a)* capital receipts and *(b)* total borrowing if a local authority were to repurchase a local authority leasehold property valued at (i) £30,000 in 1986 or (ii) £20,000 in 1982 and sold at full discount, and it is repurchased for (1) the original sale price or (2) the original sale price uprated in line with inflation. [30790]

Mr. Robert B. Jones: There will be no implications for capital receipts whether the flat is repurchased at the original sale price or the original sale price uprated in line with inflation.

The expenditure on repurchasing property will be capital expenditure for the purposes of part IV of the Local Government and Housing Act 1989. Capital expenditure may be financed out of credit approvals, usable capital receipts or revenue.

Mr. Denham: To ask the Secretary of State for the Environment if he will make a statement listing the construction types of local authority leasehold properties which are not normally mortgageable under current market conditions; and if he will estimate the total number of such properties which have been sold under right-to-buy legislation and voluntary sales by local authorities. [30792]

Mr. Jones: Decisions on mortgage lending are for the commercial judgment of, and vary between, individual lenders.

Mr. Denham: To ask the Secretary of State for the Environment if he will place in the Library a copy of all the responses received to the consultation on the leasehold exchange scheme and the extension of mortgage indemnified by local authorities. [30794]

Mr. Jones: I will place a list of respondents in the House Library. Copies of individual responses can be obtained from the Department of the Environment central library.

Mr. Denham: To ask the Secretary of State for the Environment what assessment he has made of the number of council leaseholders who will be eligible for assistance under *(a)* the leasehold exchange scheme and *(b)* the extended powers of local authorities to issue mortgage indemnities. [30791]

Mr. Jones: *(a)* Research carried out for my Department in 1994 showed that, of 168,000 leaseholders who had bought council flats, under 2 per cent. had difficulty in reselling. The number eligible for the exchange sale scheme will depend on how many people meet the criteria set out in the regulations which were laid before Parliament on 19 June.

(b) Mortgage indemnities are designed to facilitate lending in areas where lenders are otherwise reluctant to operate. It is for each authority to decide in the light of the individual circumstances of each case whether a mortgage indemnity would be appropriate.

Mr. Denham: To ask the Secretary of State for the Environment what estimate he has made of the average mortgage which will be required by a council leaseholder seeking to take advantage of the leasehold exchange scheme. [30793]

Mr. Jones: None. This would depend on a wide range of factors including individual leaseholders circumstances and the arrangement made between them and their local authorities.

Mr. Denham: To ask the Secretary of State for the Environment what regulations exist limiting total value of loans which can be identified by a local authority; what estimate he has made of the total value of loans indemnified by local authorities; and what assessment he has made of the extent to which local authorities' ability to extend mortgage indemnities will be restricted by the level of their existing indemnities on loans for those and other purposes. [30795]

Mr. Jones: There are no regulations limiting the total value of loans which can be indemnified by a local authority under section 442 of the Housing Act 1985. Estimates based on local authorities' returns to my Department indicate that in the period 1 April 1986 to 31 December 1994, local authorities entered into indemnity agreements with a total value of £48 million in respect of over 2,600 properties, and that in the same period some 90 agreements with a total value of just under £1 million were invoked. There is no obvious reason why local authorities' ability to enter into further indemnity agreements should be restricted by the level of existing agreements.

Sustainable Development

Mr. Luff: To ask the Secretary of State for the Environment if he will make a statement on the latest meeting of the United Kingdom round table on sustainable development.

Mr. Gummer: The third meeting of the UK round table was held on 15 June under the co-chairmanship of myself and Professor Sir Richard Southwood. The round table focused on transport, energy and mechanisms to secure environmental improvements. It concentrated on obstacles to sustainability and how these could be removed.

The round table decided to launch five projects:

i. defining a sustainable transport sector. Charles Secrett of Friends of the Earth will take the lead in preparing a definition, taking account of environmental, economic and social factors;

ii. a freight study. Roderick Paul, Chairman of the CBI's Environment Committee, will chair a working party looking at minimising freight journeys and where goods are transported, how to limit the environmental impact;

iii. a city-region project. A city or large town will be chosen as a demonstration project. The round table will work with local interests to devise and implement proposals to reduce traffic. Work will be steered by a group chaired by Professor Sir Richard Southwood, co-chairman of the round table;

iv. competition in energy supply. A round table subgroup, chaired by Barbara Young, chief executive of RSPB, will examine how the competitive market for the supply of gas and electricity can deliver objectives of sustainable development;

v. environmental auditing. A group chaired by the hon. Sara Morrison, a director of GEC, will carry out a study to identify, and assess the extent of best practice.

Proposed Environment Agency

Mr. John Marshall: To ask the Secretary of State for the Environment what progress is being made on the boundaries to be adopted by the proposed environment agency. [31199]

Mr. Atkins: The Environment Agency Advisory Committee has now submitted recommendations to Ministers on the boundaries of the agency. Copies of the recommendations have been placed in the Libraries of both Houses. I will announce shortly the Government's decision on EAAC's recommendations.

Brent Spar

Mr. Dobson: To ask the Secretary of State for the Environment if he will list, for the period January 1991 to June 1995, all meetings held and all correspondence or other documentation received or sent between Ministers or officials in his Department with any of the Royal Dutch/Shell group of companies or any of its subsidiaries, including the Shell Petroleum Co. Ltd. UK, in which options for the future of the Brent Spar installation were mentioned, giving for each separate meeting or documentation *(a)* the date on which the meeting was held, the correspondence or documentation received or correspondence or documentation sent, *(b)* a full list of attendees at each meeting or authors and recipients of the correspondence or documentation, and *(c)* the topics discussed at the meeting or title and nature of the correspondence or documentation; and if he will place copies of each piece of correspondence or documentation in the Library. [31002]

Mr. Gummer: Since the statutory responsibilities for the Government decisions on the disposal of the Brent Spar lie elsewhere, my Department was not involved directly in exchanges with Royal Dutch Shell or its subsidiaries. However, a representative of Shell UK saw the head of the UK delegation to the preparatory meetings for the North sea conference on 2 June, immediately before that conference, to explain Shell's views and gave him copies of some papers which Shell had made public.

Mr. Dobson: To ask the Secretary of State for the Environment at what time and date and by what method Ministers or officials in his Department were first made aware of the decision by Shell UK to abandon plans to dispose of the Brent Spar installation by deepwater disposal. [31005]

Mr. Gummer: My office first learned of the decision of Shell UK from a telephone call followed by a facsimile from the company of their press release in the afternoon of Tuesday 20 June. My office immediately informed me.

Mr. Dobson: To ask the Secretary of State for the Environment if he will list, for the period January 1991 to June 1995, all meetings held and all correspondence or other documentation received or sent between Ministers or officials in his Department and Ministers or other representatives of other foreign Governments in which options for the future of the Brent Spar installation were mentioned, giving for each separate meeting or documentation *(a)* the date on which the meeting was held, the correspondence or documentation received or correspondence or documentation sent, *(b)* a full list of attendees at each meeting or authors and recipients of the correspondence or documentation, and *(c)* the topics discussed at the meeting or title and nature of the correspondence or documentation; and if he will place copies of each piece of correspondence or documentation in the Library. [31003]

Mr. Gummer: Communications between Governments are conventionally sent and received in confidence.

Written Answers to Questions

Tuesday 27 June 1995

FOREIGN AND COMMONWEALTH AFFAIRS

Majority Shareholdings

Mr. Byers: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those companies in which the holder of his office is a majority shareholder which *(a)* are currently in existence and *(b)* have been wound up in the past five years. [25716]

Mr. Goodlad *[holding answer 22 May 1995]:* None.

Gibraltar

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs which European directives he has requested the Government of Gibraltar to give effect to in the last 12 months; in which cases they have failed to do so; what have been the consequences of these failures and what sanctions are available to him in the case of these failures. [30457]

Mr. David Davis: As in any other part of the EU, the Government of Gibraltar must implement all applicable EU legislation. I welcome the Chief Minister of Gibraltar's recent public undertakings to implement by the end of this year the backlog of legislation which as arisen. We are providing help with that process.

European Parliament

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs what were the costs at current prices of the European Parliament for each of the last 10 years. [30500]

Mr. David Davis: The costs at current prices of the European Parliament for each of the last 10 years were:

	Sterling £ million	*ECU million*	*ECU Exchange rate*
1994	515	666	1.2924
1993	497	638	1.2845
1992	450	614	1.3620
1991	380	545	1.4284
1990	358	497	1.4000
1989	319	465	1.4886
1988	337	486	1.5051
1987	338	449	1.4190
1986	296	409	1.4946
1985	210	336	1.6981

Former Yugoslavia

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received in respect of war crimes committed against the Serb population in Croatia and Bosnia-Herzegovina. [31138]

Mr. Douglas Hogg: There have been allegations of war crimes committed against all sides in the conflict in former Yugoslavia. We regularly pass information on possible war crimes to the international tribunal in the Hague.

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 27 June. [29364]

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 15 June 1995. [29366]

Mr. Newton: I have been asked to reply.

My right hon. Friend the Prime Minister is currently in Cannes attending the European Council.

Prisoners of War

Mr. Winnick: To ask the Prime Minister what was his response to the delegation which met him on 21 June concerning former British prisoners of war held by the Japanese; and if he will make a statement. [31135]

Mr. Newton: I have been asked to reply.

My right hon. Friend the Prime Minister expressed his very great sympathy for all that the former prisoners had endured. While recalling the Government's view of legal position, he said that he had discussed the matter with successive Japanese Prime Ministers and would continue to pursue it. He agreed to ask his Japanese counterpart if he would meet representatives of the former prisoners when they visit Japan next month.

Northern Ireland

Mr. Winnick: To ask the Prime Minister, what recent discussions he has had with the Secretary of State for Northern Ireland about the peace process; and if he will make a statement. [31140]

Mr. Newton: I have been asked to reply.

The Prime Minister has frequent discussions about all aspects of the situation in Northern Ireland with my right hon. and learned Friend.

Nuclear Testing

Mr. Llew Smith: To ask the Prime Minister what consideration was given during the G7 summit in Halifax, Canada to raising with the French President the matter of public concern over nuclear testing.

Mr. Newton: I have been asked to reply.

My right hon. Friend the Prime Minister discussed nuclear testing with President Chirac on other occasions. It was not considered necessary to do so at Halifax.

TRANSPORT

East London River Crossing

Mr. Lidington: To ask the Secretary of State for Transport how he proposes to develop the options for additional Thames crossings in east London identified in the Thames gateway planning framework. [31492]

Mr. Norris: A Consultation Document, "River Crossings to the East of Tower Bridge", was published today by the Government office for London. This seeks the widest possible views on the form and priorities for crossings, with the aim of identifying buildable schemes which have a broad degree of consensus.

I will place a copy in the Libraries of both Houses.

Transport Council

Mr. Lidington: To ask the Secretary of State for Transport, what was the result of the Transport Council in Luxembourg on 19th and 20th June. [31493]

Dr. Mawhinney: The Transport Council met in Luxembourg on 19 and 20 June. My right hon. Friend the former Secretary of State for Wales and I represented the United Kingdom.

The Council adopted conclusions on aviation relations with the USA. At my insistence, these require the Commission to carry out a thorough analysis to show whether a better result for all member states could realistically be produced by negotiations at Community level and to define the common interest.

The Council reached a common position on guidelines on trans-European networks in transport and on a draft directive on interoperability of the high-speed train network. In the case of the guidelines on trans-European networks, a unanimous decision was required in the face of objections by the Commission.

The Council reached a common position on a regulation on implementation of the international safety management code on the safety and management of vessels. The regulation provides for early mandatory application of the code from 1 July 1996 to all roll-on roll-off passenger ferries using EU ports.

The Council adopted a directive on the collection of harmonised statistics on the carriage of passengers and goods by sea and on vessel movements.

The Council held an orientation debate on alternative proposals for more effective recording equipment in road vehicles, in the light of member states' commitment to improve the enforcement of legislation on drivers' hours. At the end of an inconclusive debate the presidency called for further work to be carried out to assess the relative costs and benefits of the alternatives.

The Council discussed Commission proposals to relax the constraints on the hire of road haulage vehicles for international operations. Most member states saw substantial difficulties in the proposals as they stand. The Committee of Permanent Representatives was invited to carry out further work on them in the light of the Council's discussion.

The Transport Commissioner, Mr. Kinnock, made an interim progress report on the Commission's exploratory talks with Hungary, Romania and Bulgaria on possible road transport agreements with the Community.

The Council discussed proposals by the Commission for liberalisation of ground handling services at Community airports. It agreed that the Committee of Permanent Representatives should continue work on the proposal in the light of the debate.

The Council also agreed conclusions on research in the transport sector, on the mutual acceptance of aviation products and on maritime relations with third countries. A resolution was adopted calling for further work on the development of telematics and automatic tolling systems for use in road transport.

Marine Safety

Mr. Flynn: To ask the Secretary of State for Transport, pursuant to his answer of 15 June, *Official Report*, column *618*, what is the estimated time necessary for full evacuation in a real emergency from The Viking. [30301]

Mr. Norris *[holding answer 26 June 1995]:* This is an operational matter for the Marine Safety Agency. I have asked the chief executive to write to the hon. Member.

Letter from R. M. Bradley to Mr. Paul Flynn, dated 27 June 1995:

The Secretary of State for Transport has asked me to reply to your Question about the estimated time to carry out a full evacuation in a real emergency from the roll on-roll off passenger ferry "The Viking".

The vessel, now understood to be named "Peder Olsen", is not on the United Kingdom Register; the information requested is not, therefore, available. I can confirm, however, that agreed international provisions require the evacuation of all personnel to be accomplished within 30 minutes.

Mr. Flynn: To ask the Secretary of State for Transport what is the estimated time for evacuation from a roll-on roll-off ferry with carrying *(a)* 600, *(b)* 650 and *(c)* 700 passengers. [30233]

Mr. Norris *[holding answer 26 June 1995]:* This is an operational matter for the Marine Safety Agency. I have asked the chief executive to write to the hon. Member.

Letter from R. M. Bradley to Mr. Paul Flynn, dated 27 June 1995:

The Secretary of State for Transport has asked me to reply to your Question about the estimated time for evacuation from a roll on-roll off ferry carrying 600, 650 and 700 passengers.

I would refer you to the answer given on 9 May in a written reply to your Question reference PQ 1649/94/95. It is a requirement that all persons onboard a vessel could be evacuated within 30 minutes.

Mr. Flynn: To ask the Secretary of State for Transport what is the estimated time for evacuation from the CONDOR 11 catamaran when at full capacity; and what is the evacuation procedure. [30234]

Mr. Norris *[holding answer 26 June 1995]:* This is an operational matter for the Marine Safety Agency. I have asked the chief executive to write to the hon. Member.

Letter from R. M. Bradley to Mr. Paul Flynn, dated 27 June 1995:

The Secretary of State for Transport has asked me to reply to your Question about evacuation from the catamaran CONDOR 11.

The CONDOR 11 is provided with marine evacuation systems. Following a decision to abandon ship, passengers will be directed to use these to enter the life-rafts. The estimated time for evacuation of all personnel is 12 minutes.

Motorway Congestion

Mr. Meacher: To ask the Secretary of State for Transport (1) what is his Department's policy on restricting access to any motorway during episodes of traffic congestion; to which motorways this policy has been applied in practice in the last six months; and whether it is his intention to extend such a policy to the M25; [30657]

(2) what is his Department's policy on restricting access to the M5 during episodes of traffic congestion; on how many occasions restrictions have been necessary in the last six months; and if he will list the junction numbers of the entry points which have been closed on each of the last three occasions. [30658]

Mr. Watts: These are operational matters for the Highways Agency. I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Michael Meacher, dated 27 June 1995:

The Minister for Railways and Roads, Mr. John Watts, has asked me to reply to your Parliamentary Questions asking about policy on restricting access to motorways during episodes of traffic congestion.

My Department has no general policy of restricting access to motorways during episodes of traffic congestion. The police, who are responsible for the day to day operation of motorways, may control access from time to time, particularly to enable them to deal more effectively with the aftermath of accidents and incidents.

A system of "ramp metering" as introduced on the southbound entry slip road to the M6 at junction 10 in 1986, and has since been extended to cover the northbound entry slips at junction 10, both entry slips at junction 9, and the southbound entry slips at junctions 5 and 7. Traffic signals control the rate at which traffic enters the motorway to smooth flows at peak periods.

The southbound entry slip road at junction 16 on the M5 has been closed since mid-April because of major maintenance. It is due to reopen within the next two weeks. Appropriate diversion routes are in place.

OVERSEAS DEVELOPMENT ADMINISTRATION

Scientists

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) how many scientists were directly employed by the ODA in each year since 1983; [29864]

(2) how many qualified scientists there are in each grade in the Overseas Development Administration. [30217]

Mr. Baldry: The number of ODA posts, including those in the Natural Resources Institute, requiring a natural science or social science qualification, by grade, since 1983 are:

Grade	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
CSO	1	1	1	0	0	0	0	0	0	0	0	0	0
DCSO	3	3	3	3	3	4	4	4	4	3	3	4	4
SPSO	11	11	14	12	11	14	16	15	17	20	22	20	18
PSO	45	40	41	41	44	31	28	31	53	82	86	87	93
SSO	56	59	59	62	66	53	52	57	71	81	80	69	70
HSO	60	55	57	50	47	50	49	53	60	65	61	53	50
SO	40	32	28	28	26	31	25	25	38	35	29	26	27
ASO	21	20	19	19	15	17	10	13	19	19	22	18	15
G5	7	9	9	8	9	9	9	9	9	9	9	10	8
G6	36	44	41	41	39	40	42	42	45	48	45	49	50
G7	35	34	34	32	32	32	36	36	36	33	35	36	32
SEO	0	0	0	0	1	1	0	0	0	0	0	1	1
Total	315	308	306	296	293	282	271	285	352	395	392	373	368

Note:

CSO Chief Scientific Officer (now Home Civil Service (HCS) Grade 4).

DCSO Deputy Chief Scientific Officer (now HCS Grade 5).

SPSO Senior Principal Scientific Officer (now HCS Grade 6).

PSO Principal Scientific Officer (now HCS Grade 7).

SSO Senior Scientific Officer.

HSO Higher Scientific Officer.

SO Scientific Officer.

ASO Assistant Scientific Officer.

G5 Home Civil Service Grade 5.

G6 Home Civil Service Grade 6.

G7 Home Civil Service Grade 7.

SEO Senior Executive Officer.

In addition, ODA employs other scientists on short-term contracts to work on the overseas aid programme, figures for which are not collected centrally.

TREASURY

Mortgage Tax Relief

Mr. Sheerman: To ask the Chancellor of the Exchequer what would be the value of the £30,000 mortgage tax relief if it had been increased in line with inflation from the time of its inception. [29638]

Sir George Young: As a result of lower mortgage interest rates the average mortgage holder is over £130 a month better off than five years ago. The £30,000 limit on mortgage interest relief was introduced in 1983–84. If this limit had been indexed in line with the change in the retail prices index, the limit for 1995–96 would be £53,000.

Inflation

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer why he has decided to drop the Government's previous commitment to aim for a long-term rate of inflation of 2 per cent. or less. [30003]

Mr. Nelson: The Government's commitment to permanently low inflation is unchanged. In his Mansion House speech on 14 June my right hon. and learned Friend the Chancellor laid down precise guidelines for the day to day operation of policy. Interest rates will be set consistently to achieve inflation of 2½ per cent. or less, which should ensure that inflation will remain within the range 1 to 4 per cent. This would put us on course to achieve one of the best performances in Europe.

Council Tax

Mr. Foulkes: To ask the Chancellor of the Exchequer what prior information he was given about the appeal by the Inland Revenue on the separate assessment for council tax purposes of annexes of houses set aside for elderly relatives; if the appeal was undertaken with his approval; what action he proposes to take as a result; and if he will make a statement. [30021]

Mr. Nelson *[holding answer 22 June 1995]:* Officials of the Valuation Office Agency briefed me on this issue earlier in the year. It is for the VOA and its legal advisers to consider whether to appeal to the High Court in council tax cases and the chief executive decided to do so in these cases.

The Government will study the full text of the judgment as soon as it is available, in order to decide what action may be necessary. Our current understanding is that it affects only a small number of cases where there is an unresolved dispute as to whether a property contains one dwelling or more than one dwelling for council tax purposes. The ruling, as we understand it pending full examination of the transcript, does not mean that thousands of families caring for elderly relatives are likely to face additional back-dated council tax bills. The High Court has not said that either annexes generally or the particular annexes which were the subject of these cases are liable to separate council tax. It has merely said that the valuation tribunals concerned took irrelevant factors into account in taking their decisions and has remitted the cases to the tribunals for reconsideration.

The Government do not believe, and the judgment does not appear to suggest, that families should be penalised for sharing their home with an elderly relative or relatives.

Housing Market and Retail Sales

Mr. Barry Field: To ask the Chancellor of the Exchequer what studies his Department has carried out on the effect on retail sales of *(a)* an upturn, *(b)* a standstill and *(c)* a fall in the housing market. [30417]

Mr. Nelson: Treasury officials frequently review evidence on the relationship between consumer spending and real house prices. Most studies show a positive association, not least because factors such as actual and expected income and interest rates tend to drive both in the same direction.

Gilt-edged Stock

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if he will consider extending the consultation period for the recent proposals to change the taxation of gilt-edged stock. [31248]

Sir George Young: We considered the timetable for consultation very carefully before announcing the proposals in the Revenue's consultative document, as my foreword makes clear. We concluded that the period proposed struck the best available balance between the need to allow scope for consultation and to minimise uncertainly. That remains our view.

Mr. Bruce: To ask the Chancellor of the Exchequer what plans he has to bring proposals to the House in relation to the reform of taxation of gilt-edged stock. [31247]

Sir George Young: My hon. Friend the Minister of State announced the publication of an Inland Revenue consultative document in reply to the hon. Member for Southport (Mr. Banks) on 25 May 1995 *Official Report*, column *712*. Copies were placed in the Library of the House. We will announce our decision whether to proceed shortly after the period for consultation closes at the end of this month. Any consequent legislative proposals will come before the House in the normal way.

Mr. Bruce: To ask the Chancellor of the Exchequer what steps he will take to protect personal investors in gilt-edged stocks from the retrospective tax consequences of the recent proposals to reform the taxation of gilt-edged stock; and if he will make a statement. [31249]

Sir George Young: The proposals would not have retrospective effect: they would apply only to gains or losses building up in the future.

The consultative document on the possible reform of the taxation of gilts and bonds suggests that there should be a sizeable threshold for private investors below which only interest would be taxable. It seeks views on the size and form of this threshold. The Government envisage that the threshold would be set at a level high enough to ensure that the overwhelming majority of personal investors were below it.

Most current personal holders of gilts would, if anything, be likely to benefit from the reform: the accrued income scheme which taxes accrued interest on disposals of gilts, would be abolished; and in addition, for those above the threshold, losses on disposals of gilts would attract tax relief. We will, though, be carefully considering representations on how the transition to the new regime might best be handled if the reform goes ahead.

DUCHY OF LANCASTER

Civil Service Pension Fund

Mr. McNamara: To ask the Chancellor of the Duchy of Lancaster if the proposed privatisation of the administration of the civil service pension fund will require secondary legislation. [31265]

Mr. Horam: The Government propose, following an efficiency scrutiny of administration of the PCSPS, to permit Departments to market test administration of the scheme. Parliamentary approval for this intended course of action will be sought. I expect shortly to make a statement on the matter. Occupational pension arrangements for civil servants will continue to be provided through the PCSPS.

Civil Service College

Mr. Congdon: To ask the Chancellor of the Duchy of Lancaster what key targets have been set for the Civil Service College for the current year. [31155]

Mr. Horam: I have set the following targets for the Civil Service College in 1995–96:

1. to break even in accrual accounting terms without a central payment from Cabinet Office (OPSS);
2. to earn £700,000 from consultancy;
3. to attract 8,000 students at grade 7 and above;
4. to attract 1,000 students from the private sector;
5. to earn 80 per cent. of course evaluations in the two highest of six categories.

EMPLOYMENT

Consultants

Mr. Ian McCartney: To ask the Secretary of State for Employment how much money has been spent by the Health and Safety Executive in employing private sector consultants in support of its market testing and contracting out programme; and for what purposes. [29214]

Mr. Oppenheim: In the period from 1992 to 1993, the Health and Safety Executive has spent a total of £386,759 on private sector consultancy in support of its market testing and contracting out programme.

These consultants have been used to support in-house teams in constructing their bids, and to advise the HSE on the various aspects of particular procurements.

To date, the gross saving for market testing and contracting out is £2.68 million.

Safety Regulations

Mr. Cummings: To ask the Secretary of State for Employment how many prosecutions for infringement of safety regulations have been brought before the courts over the last five years in each region. [29358]

Mr. Oppenheim: The number of prosecutions—measured by the number of informations laid—by the Health and Safety Executive's field operations division for infringement of safety regulations in each of the last five years in each HSE region is shown in the following table:

Proceedings instituted by HSE's Field Operations Division Inspectorates for breaches of health and safety legislation

	Informations laid				
HSE Region	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*
Wales and South West	266	214	193	157	113
Home Counties	315	216	265	257	223
London and South East	305	256	278	235	179
Midlands	571	552	635	626	531
Yorkshire and North East	458	486	526	383	326
North West	272	301	319	234	240
Scotland	360	253	191	226	158
Total	2,547	2,278	2,407	2,118	1,770

A breakdown by region is not available in respect of other HSE inspectorates or local authorities.

Food Industry

Mr. Cummings: To ask the Secretary of State for Employment how many prosecutions for infringement of health and safety regulations related to the food manufacturing industry have taken place in each region in each of the last five years. [29918]

Mr. Oppenheim: The number of prosecutions—measured by the number of informations laid—by the Health and Safety Executive for infringement of health and safety legislation by the food manufacturing industry as defined by standard industrial classification in each region in each of the last five years is shown in the following table:

	Informations laid				
HSE Region	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*
Wales and South West	14	6	12	3	12
Home Counties	38	1	16	17	8
London and South East	16	3	11	12	21
Midlands	19	12	17	16	15
Yorkshire and North East	8	32	21	14	28
North West	12	22	10	16	15
Scotland	9	9	6	16	15
Total	116	85	93	94	114

Youth Training

Mr. Frank Field: To ask the Secretary of State for Employment how many people attended and left the YT programme in each year of its operation including those who left before the completion of the programme. [30034]

Mr. Paice: The information requested is given in the following table. Information on leavers is available only from 1992–93.

Number of youth training programme starts and leavers

Great Britain Financial year	*Starts*	*Leavers*
1990–91	347,800	—
1991–92	290,400	—
1992–93	286,700	278,000
1993–94	290,300	284,300
1994–95	303,700	298,500

Notes:
1. Numbers include youth credits starts and leavers.
2. Leavers information is not available for 1990–91 or 1991–92.

Source:
Employment Department, the Welsh Office and the Scottish Office.

RJB Mining

Mr. Redmond: To ask the Secretary of State for Employment if he will list the sums paid by Barnsley/Doncaster TEC to RJB Mining for miners that have been re-employed for retraining purposes. [30471]

Mr. Paice: The information requested relates to a contract between a training and enterprise council and one of its providers and is therefore commercial in confidence. TECs are private companies limited by guarantee, funded by the Government to provide training which best meets the needs of the local community. TECs are free to decide with whom they contract, taking into account the needs of the local labour market.

Redundancy Notifications

Mr. Burden: To ask the Secretary of State for Employment what percentage of total notifications to his Department of impending redundancies under section 193 of the Trade Union and Labour Relations (Consolidation) Act 1992 did not fully meet the requirements of that section in each of the last five years. [30705]

Mr. Oppenheim *[holding answer 26 June 1995]:* The information is as follows:

Year	*Per cent.*
1990	27
1991	27
1992	31
1993	23
1994	22

Mr. Burden: To ask the Secretary of State for Employment what inquiries are considered to be appropriate for his Department to make when an employer is alleged to have failed to notify impending redundancies to the Department under the terms of section 193 of the Trade Union and Labour Relations (Consolidation) Act 1992. [30703]

Mr. Oppenheim *[holding answer 26 June 1995]:* The Department seeks details of proposals from an employer who is alleged to have failed to notify and, if appropriate, an explanation of the reasons for such failure.

Mr. Burden: To ask the Secretary of State for Employment how many instances there have been of an employer failing on more than one occasion to comply with, or fully comply with, the notice requirements of section 193 of the Trade Union and Labour Relations (Consolidation) Act 1992 in the last five years. [30706]

Mr. Oppenheim *[holding answer 26 June 1995]:* This information is not available.

Mr. Burden: To ask the Secretary of State for Employment what were the six most common kinds of failure by employers to meet fully the requirements of section 193 of the Trade Union and Labour Relations (Consolidation) Act 1992 concerning notification of impending redundancies to his Department in each of the last five years. [30704]

Mr. Oppenheim *[holding answer 26 June 1995]:* Reasons for non-compliance are not separately recorded. The most common reason would be failure to give the minimum notice required by section 193(1) or (2) of the Act.

Sick Building Syndrome

Mr. Chidgey: To ask the Secretary of State for Employment what estimate he has made of the annual cost to the British economy of sick building syndrome. [29238]

Mr. Oppenheim: Sick building syndrome is not a diagnosable disease. There is no reliable information on the numbers who might be affected by it and it is not possible, therefore, to estimate the annual cost to the British economy.

Mr. Chidgey: To ask the Secretary of State for Employment what research his Department is currently funding into the cause of sick building syndrome; and what will be the cost to public funds of that research. [29239]

Mr. Oppenheim: The Health and Safety Executive published a full review of sick building syndrome research in August 1992 and issued guidance for employers on 23 May 1995.

Remploy

Mr. Spring: To ask the Secretary of State for Employment what targets Remploy has been set in its 1995–96 annual performance agreement. [31483]

Miss Widdecombe: I have written to the chairman of Remploy approving the 1995–96 annual performance agreement between the Department and the company. This agreement covers the year from 1 April 1995. It has been negotiated by the chief executive of the Employment Service on behalf of my right hon. Friend, the Secretary of State. The targets are:

the average number of disabled people employed by Remploy Ltd. will be at least 9,200;

of which more than 7,200 on average must be employed in factories;

at least 125 disabled employees will move from Remploy factories to Interwork having been employed there for at least one year, or from Interwork or factories to open employment;

the unit cost of Interwork should be no more than £4,500;

Remploy Ltd. will keep within a unit cost target (operating deficit per disabled worker) of £10,400;

Choices programme to be in place in every factory.

I have today arranged for the text of the annual performance agreement to be placed in the Library.

HEALTH

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Health what percentage of parliamentary questions, which would have been answered directly by her or her Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28486]

Mr. Sackville: Ministers are accountable to Parliament for all matters concerning their agencies. Written parliamentary questions concerning matters which have been delegated to the chief executive of an executive agency in its framework document, normally receive a reply from the Minister to the effect that he or she has asked the chief executive to reply direct to the Member by letter. The chief executive's letter is published in *Hansard* below the Minister's reply.

Residential Care

Mr. Foulkes: To ask the Secretary of State for Health, pursuant to her answer of 19 April 1995, *Official Report*, column *131*, what is the information for England for 1993–94 for both income and expenditure in respect of the placement of old people in residential care and nursing homes. [28941]

Mr. Bowis: The data with which to update my answer of 19 April to 1993–94 have recently become available. I shall place an updated table in the Library shortly.

Hypertension

Mr. Redmond: To ask the Secretary of State for Health what research her Department carried out into hypertension intervention in high risk patients; what have been the findings; and if she will make a statement. [30002]

Mr. Sackville: The available research is summarised in the "Health of the Nation" publications. "Assessing the Options: CHD and Stroke" and "Key Area Handbook: Coronary Heart Disease and Stroke" and the publication "Health Care Needs Assessment" which contain information on hypertension and which have been placed in the Library.

The main agency through which the Government support biomedical and clinical research is the Medical Research Council, which receives its grant in aid from the office of my right hon. Friend the Chancellor of the Duchy of Lancaster. The MRC is an independent body deciding what research to support on its own expert judgment.

Soya Milk

Mr. Martyn Jones: To ask the Secretary of State for Health what plans her Department has to make *(a)* soya milk infant formula feeds and *(b)* other foods with high oestrogen and phytoestrogen contents designed for under five-year-olds available by prescription only. [29991]

Mr. Sackville: None.

Mr. Jones: To ask the Secretary of State for Health what research has been *(a)* started and *(b)* completed on phytoestrogen in soya milk following the 1992 recommendations of the committee on toxicity of foodstuffs. [29992]

Mr. Sackville: Since 1992, when the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment last considered phytoestrogens, the Ministry of Agriculture, Fisheries and Food has commissioned two studies which include analysis of soya milk and infant formula. These have not been completed. In addition, a surveillance project measuring levels of oestrogens in the diets of infants, toddlers and young children will start shortly.

Private Nursery Schools

Mr. Jim Cunningham: To ask the Secretary of State for Health what proposals she has received from Coventry's education department regarding the safety of children at private nursery schools with fewer than five pupils; and what action will be taken on those proposals. [30205]

Mr. Bowis: The chairman of Coventry's education and training committee and other councillors have recently jointly written to the Secretaries of State for Education and for Health about the registration of independent nursery schools. Registration of independent schools which have five or more pupils of school age is a matter for the Department for Education. The Department of Health is responsible for the framework for the registration with local authorities of other day care services for young children. The Secretaries of State for Education and for Health keep the arrangements for ensuring appropriate standards of child care and education in all settings under regular review.

Peri-operative Deaths

Ms Primarolo: To ask the Secretary of State for Health if the paediatric cardiac unit doctors in Bristol have taken part in the National Confidential Inquiry into Peri-operative Deaths audit in each of the last 10 years. [30005]

Mr. Sackville: The information is not available. The National Confidential Inquiry into Peri-operative Deaths is an independent organisation.

Blood Transfusions

Mrs. Beckett: To ask the Secretary of State for Health what plans she has to develop a service of autologous blood transfusion. [30419]

Mr. Sackville: We recognise the value of autologous transfusion for those patients where the procedures are applicable. In appropriate cases it can provide a useful supplement to the supply of blood from voluntary donors which the National Blood Service supplies to our hospitals. The medical profession is aware of autologous transfusion and advice is available from medical staff of

the National Blood Service and hospital consultant haematologists. Selection of patients for this procedure has to be undertaken with extreme care to avoid any possible clinical risk to that patient.

Heart Defect HCM

Mrs. Beckett: To ask the Secretary of State for Health how many people have been recorded as dying of the heart defect HCM. [30422]

Mr. Sackville: I refer the right hon. Member to the reply that I gave the hon. Member for Thurrock (Mr. Mackinlay) on 20 December 1994, *Official Report*, column *1149*.

Mrs. Beckett: To ask the Secretary of State for Health which European countries have screening programmes for the heart defect HCM. [30423]

Mr. Sackville: This information is not available centrally.

NHS Executive Staff

Mrs. Beckett: To ask the Secretary of State for Health what guidance there is for staff of the NHSME speaking in debates on the NHS reforms. [30424]

Mr. Sackville: The Department's staff rules require that permission must be sought from the Department's information division before a civil servant supplies any information, material or comment to the media, other outside bodies or individuals.

Hospital Treatment Statistics

Mrs. Beckett: To ask the Secretary of State for Health how many finished consultant episodes there were in each of the last five years. [30426]

Mr. Sackville: Information for the years 1989–90 to 1993–94 is available in Department of Health statistical bulletin 12/94, "NHS hospital activity statistics: England 1983 to 1993–94", copies of which are available in the Library.

Infection in Hospitals

Mr. Redmond: To ask the Secretary of State for Health what research her Department has carried out in respect of a national prevalence survey of infection in hospitals; and if she will make a statement. [30473]

Mr. Sackville: A national prevalence survey of infection in hospitals was carried out in 1993–94. The detailed results are expected later this year.

The Department continues to fund a number of research and audit studies aimed at providing a basis for improving practice. Within the next three months we shall be placing a contract to set up a national surveillance system for hospital-acquired infection.

Solihull Hospital

Mr. Mills: To ask the Secretary of State for Health if she will release funds to allow Solihull hospital to continue as a separate hospital with full facilities including children's wards and an accident and emergency unit. [30638]

Mr. Sackville: Allocation of funds to health authorities is a matter for the appropriate regional health authority. It is then the responsibility of health authorities to use this funding to purchase relevant and efficient local health services. Solihull health authority is responsible for ensuring effective provision of services for the people of Solihull. My hon. Friend may wish to contact Mr. Robert Fordham, chairman of Solihull health authority, for further information.

Mr. Mills: To ask the Secretary of State for Health if she will discuss with the regional health authority the possibility of restoring Solihull hospital to full trust status in the near future; and if she will make a statement. [30637]

Mr. Sackville: We have no such plans.

Male Reproductive Health

Mr. Martyn Jones: To ask the Secretary of State for Health what research is being undertaken on male reproductive health and environmental chemicals with oestrogenic effects. [30539.]

Mr. Sackville: No research is being undertaken in this area by the Department.

Health Promotion in Schools

Mr. Martyn Jones: To ask the Secretary of State for Health what progress has been made in setting up a pilot network of health-promoting schools as described in "The Health of the Nation;" and what her Department's budget has been for this project in the current year. [30545]

Mr. Sackville: England formally entered a European network of health-promoting schools in September 1993. The 16 pilot schools which make up the English network are currently involved in a wide variety of health education and health promotion activities, involving not only the school community but also external agencies. A number of schools have established European links with the wider European network of schools.

The Department of Health will contribute approximately £400,000 to the project for the current year.

Consultant Numbers

Mrs. Beckett: To ask the Secretary of State for Health what was the percentage change in full-time equivalent consultant numbers by region in 1991–92, 1992–93 and 1993–94. [30454]

Mr. Malone: The available information is shown in the table. Data for 1993–94 are not yet available.

Consultants by region: annual percentage change (whole-time equivalent); England as at 30 September 1990–93

Percentage

	1990–91	*Percentage change 1991–92*	*1992–93*	*Annual average 1990–93*
Northern	3.3	5.7	–7.8	0.2
Yorkshire	3.3	12.7	5.8	7.2
Trent	1.9	6.2	1.9	3.3
East Anglia	3.3	–2.4	4.6	1.8
North West Thames	1.5	–8.9	–4.1	–3.9
North East Thames	–0.3	8.8	–2.3	1.9
South East Thames	2.7	0.4	2.0	1.7
South West Thames	3.1	–3.7	9.4	2.8
Wessex	4.1	3.6	4.4	4.0
Oxford	1.8	3.5	6.8	4.0
South Western	2.8	3.1	3.2	3.0
West Midlands	2.9	2.3	1.2	2.1
Mersey	1.6	2.6	7.9	4.0
North Western	1.5	–1.2	4.3	1.5
Special health authorities and special hospitals	5.4	–6.9	11.5	3.0
England	2.4	2.2	2.5	2.3

Note:
1. All percentages are rounded to the nearest decimal place.

Junior Doctors' Hours

Mrs. Beckett: To ask the Secretary of State for Health what evidence she has on whether any junior doctors are working such long hours for damage to their health to be foreseen. [30465]

Mr. Malone: None. The new deal on junior doctors' hours, a copy of which is available in the Library, sets limits on the maximum average weekly hours junior doctors can be both on duty and actually working.

Significant progress has been made through the new deal to reduce hours. Latest returns from regional task forces show that 96 per cent. of all junior doctors are within the contracted hours limits.

Hepatitis C

Mrs. Beckett: To ask the Secretary of State for Health when each EEC country brought in blood test screening for hepatitis C. [30467]

Mr. Sackville: European Community countries introduced testing for the hepatitis C virus at various times. We do not have information on the details. Screening was introduced in the United Kingdom in September 1991 when satisfactory kits became available, together with confirmatory tests.

Child Abuse

Mr. Jim Cunningham: To ask the Secretary of State for Health how many children who have been abused have been helped in each of the last five years. [30766]

Mr. Bowis: Information available centrally relates to children subject to initial stage child protection conferences and to children at risk placed on a child protection register. It does not give an indication of numbers abused. Available figures are published annually in "Children and young people on child protection registers, year ending 31 March 19XX, England", copies of which are available in the Library.

Mental Health

Ms Jowell: To ask the Secretary of State for Health when the review by the clinical standards advisory group of standards of care for people with schizophrenia will be published. [30191]

Mr. Bowis: Shortly.

Ms Jowell: To ask the Secretary of State for Health how many patients fell within the remit of the Mental Health Act Commission for each year since 1990. [30179]

Mr. Bowis: Information is not available in the form requested. The number of formal admissions to national health service facilities, private mental nursing homes and the three special hospitals is published in the bulletin "In-Patients Formally Detained in Hospitals under The Mental Health Act 1983 and Other Legislation, England: 1987–88 to 1992–93", copies of which are available in the Library.

Ms Jowell: To ask the Secretary of State for Health if she will list, for the last five years, the total numbers of medical practitioners in England currently approved under section 12(2) of the Mental Health Act 1983 as having special skill and experience in the diagnosis and treatment of mental disorder, listing them, in England, by regional health authority area and distinguishing between general medical practitioners who are approved and specialist medical practitioners who are approved. [30181]

Mr. Bowis: I refer the hon. Member to the reply that I gave to the hon. Member for Newcastle upon Tyne, East (Mr. Brown) on 19 June at column *45*.

Ms Jowell: To ask the Secretary of State for Health if she will list the total number of patients admitted to hospital under sections 3, 37 and 37 to 41 of the Mental Health Act 1983, distinguishing between each of those sections and the classification of mental disorder from which the patient was judged to be suffering in each of the last five years. [30183]

Mr. Bowis: Information on the number of patients is not available centrally. Information on the number of formal admissions under sections 3 and 37, with section 41 restrictions, and section 37 without section 41 restrictions, of the Mental Health Act 1983, distinguishing between each of those sections and the classification of mental disorder for the years 1990–91 to 1992–93 is shown in the table. Figures for the last two years are not yet available.

Formal admissions to NHS facilities, private homes and special hospitals under the mental health act 1988 and other legislation by legal status, England 1990–91 to 1992–93

	Mental Category[1]				
	MI	*PD*	*MIMP*	*SMIMP*	*NS*
1990–91					
Section 3	4,074	32	41	15	39
Section 37 (with section 41 restriction)	228	23	24	0	6
Section 37 (without section 41 restriction)	612	17	26	5	13
1991–92					
Section 3	5,505	35	51	18	44
Section 37 (with section 41 restriction)	270	26	23	1	1
Section 37 (without section 41 restriction)	574	13	46	3	6

Formal admissions to NHS facilities, private homes and special hospitals under the mental health act 1988 and other legislation by legal status, England 1990–91 to 1992–93

	Mental Category[1]				
	MI	*PD*	*MIMP*	*SMIMP*	*NS*
1992–93					
Section 3	6,148	39	78	24	41
Section 37 (with section 41 restriction)	300	27	11	0	5
Section 37 (without section 41 restriction)	580	12	31	2	0

[1] MI—Mental Illness
PD—Psychopathic disorder
MIMP—Mental impairment
SMIMP—Severe mental impairment
NS—Not specified

Ms Jowell: To ask the Secretary of State for Health what comments have been received by her Department on its draft "Guide to Arrangements for Inter-Agency Working for the Care and Protection of Severely Mentally Ill People" with particular reference to the after-care form contained in it; and when the guide will be published. [30185]

Mr. Bowis: We have received a number of comments in response to our wide consultation on the draft "Guide to Arrangements for Inter-Agency Working for the Care and Protection of Severely Mentally Ill People". The guide will be published later this year.

We consulted separately on the after-care form before its introduction in February. More than 100 agencies and individuals responded and the form was broadly welcomed.

Ms Jowell: To ask the Secretary of State for Health what has been the cost of the Mental Health Act Commission for each of the last five financial years; and what is its projected cost for 1995–96 and 1996–97. [30187]

Mr. Bowis: Past and projected expenditure on commissioners' fees and expenses and staffing and administration is as follows:

Financial year	*£000*
1990–91	1,264
1991–92	1,485
1992–93	1,546
1993–94	1,730
1994–95	[1]1,728
1995–96	[2]1,960
1996–97	[2]1,988

[1] Provisional.
[2] Projected.

Equivalent information about expenditure on fees, expenses, and training of those appointed by the commission under sections 57 and 58 of the Mental Health Act 1983 to give second opinions about treatment is as follows:

Financial Year	*£000*
1990–91	424
1991–92	490
1992–93	598
1993–94	587
1994–95	[1]724
1995–96	[2]725
1996–97	[2]749

[1] Provisional.
[2] Projected.

Ms Jowell: To ask the Secretary of State for Health what steps she has taken to consider the contents and recommendations of the Law Commission's report No. 231 on mental incapacity; and if she will make a statement. [30189]

Mr. Bowis: The Department is represented on the inter-departmental working group, chaired by the Lord Chancellor's Department, which is considering the Law Commission's report.

Ms Jowell: To ask the Secretary of State for Health what arrangements her Department has made since August 1993 to provide better training for key workers under the care programme approach, including on the revised Mental Health Act code of practice and on new guidance on discharge from hospital, including what additional resources it has made available for such training, and an estimate of the numbers of staff trained as a result. [30193]

Mr. Bowis: Training for key workers on all appropriate issues under the care programme approach is primarily a matter for national health service provider units and social services departments and a wide range of local training is under way or planned. To support this process we have arranged a number of national conferences to improve training with further national and regional conferences planned; commissioned the Open university to develop an open learning pack for social services staff; and commissioned a development pack for local health and social services authorities which incorporates the outcome of a national key worker training conference.

Information on the number of staff trained is not available centrally.

Ms Jowell: To ask the Secretary of State for Health if she will list for the last five years the total number of patients who have been received into guardianship under sections 7 or 37 of the Mental Health Act 1983 listing them by social services authority and distinguishing between different classifications of mental disorder and between sections 7 and 37. [30190]

Mr. Bowis: The centrally available information on the number of new cases by local authority, classification of mental disorder and section for the years 1989–90 to 1993–94 will be placed in the Library. An England summary of the data was published in "Guardianship under the Mental Health Act (1983) Year Ending 31 March 1994, England", copies of which are available in the Library.

Ms Jowell: To ask the Secretary of State for Health what arrangements her Department has made to provide improved training to doctors approved under section 12(2) of the Mental Health Act 1983 including on the revised Mental Health code of practice, on the new guidance on discharge from hospital and on supervision registers, including the additional resources it has made available for such training; and what is her estimate of the numbers of doctors trained as a result. [30192]

Mr. Bowis: Regional directors of public health are responsible, in association with professional and other bodies, for ensuring that suitable training is provided to doctors approved under section 12 of the Act. We have already recognised the potential value of a common core of training which would include the matters identified by the hon. Member and have been discussing with the Royal College of Psychiatrists the preparation of a training pack for this purpose. We expect to receive the college's detailed proposals shortly.

Ms Jowell: To ask the Secretary of State for Health, what arrangements exist to monitor and evaluate strict compliance by district health authorities, NHS trusts and local social services authorities with the requirements of HC(90)23/LASSL(90)11; how many district health authority areas she has assessed being fully complied with this guidance; and what steps her Department is taking to ensure compliance with the necessary arrangements in those remaining. [30178]

Mr. Bowis: We have been closely monitoring the introduction of the care programme approach in a survey of district health authorities earlier this year. From those responding it was clear that many districts were making rapid progress towards full implementation and over one third had already achieved this. We identified implementation of the care programme approach as a priority for the national health service in the priorities and planning guidance for 1995–96 and we have issued a revised "The Health of the Nation" mental illness key area handbook which contains further advice on implementing it. We have also commissioned an audit tool from the Royal College of Psychiatrists' research unit to enable district health authorities and trusts to monitor their performance. We are continuing to monitor the position closely to ensure that all districts achieve full implementation.

Ms Jowell: To ask the Secretary of State for Health what research her Department is undertaking or funding into the impact and effectiveness of the Mental Health Act code of practice on decision making by those with powers under the Mental Health Act 1983, with particular reference to the effect of the revisions made to the code in November 1993 on the use of those powers to admit and detain patients in hospital for assessment or for treatment. [30180]

Mr. Bowis: None at present. We have given wide publicity to the 1993 revisions to the code clarifying the grounds on which a patient may be admitted to hospital under the Act, and have no reason to believe that they are not properly understood.

Ms Jowell: To ask the Secretary of State for Health on how many occasions she has been requested by the Mental Health Act Commission in accordance with section 121(4) of the Mental Health Act 1983 to direct it to keep under review the care and treatment of any patients other than those detained under the Act to which patients the requests related; and how she responded. [30182]

Mr. Bowis: The Commission made a request in 1986 for its remit to be extended to hospital patients other than those detained under the Mental Health Act 1983. Similar requests have been made with regard to patients subject to guardianship and those who would be receiving after-care under supervision. We have told the commission that we consider its overriding priority to be the protection of patients detained under the 1983 Act. This remains our view and we do not consider that an extension of its remit would be justified at this stage. We shall however keep this matter under review.

Ms Jowell: To ask the Secretary of State for Health what plans she has to amend the Mental Health Act code of practice; and when draft revisions will be published for consultation. [30184]

Mr. Bowis: We shall be proposing amendments to the code to cover the provisions of the Mental Health (Patients in the Community) Bill, if this receives parliamentary approval. They will be published for consultation after Royal Assent and when the necessary regulations have been laid.

Ms Jowell: To ask the Secretary of State for Health what theoretical and practical training is received by general medical practitioners as part of their general syllabus in assessing the risk of harm which a person's mental disorder may pose to that person's health or safety or to the safety of others. [30186]

Mr. Malone: Training in psychiatry is an important part of the basic medical education common to all doctors. The body responsible for general practice vocational training—the joint committee on postgraduate training for general practice—expects general practitioners to be knowledgeable about the impact of psychological factors upon illness and of illness upon patients and their families and skilled in recognising and making appropriate decisions about all problems presented by their patients. The specific curricular arrangements are the responsibility of regional postgraduate organisations. Further training and experience are provided as part of the continuing education of practitioners.

Ms Jowell: To ask the Secretary of State for Health if she will list the organisations and individuals which have made representations to her Department during the last two years requesting her to establish a review of the Mental Health Act 1983. [30188]

Mr. Bowis: The Mental Health Act Commission submitted proposals for a review of the Mental Health Act 1983 to my right hon. Friend in September 1993. This was followed by a joint representation by the commission, the Law Society and the Institute of Psychiatry. In her response, my right hon. Friend said that while the Act as a whole would need to be reviewed at some stage this would have to take account of the impact of the Government's proposals for supervised discharge and related initiatives in the field of mental health.

Arguments for a review of the Act have been put forward by a number of other organisations and individuals including some of those who responded to our consultation on legal powers on the care of mentally ill people in the community and on Mental Health Act guardianship.

Ms Jowell: To ask the Secretary of State for Health, what arrangements exist to monitor and evaluate compliance by district health authorities and NHS trusts with the requirements of HSG(94)5; how many district health authority areas she has assessed as having fully and sufficiently implemented this guidance; and what steps her Department is taking to ensure that those remaining introduce the necessary arrangements. [30194]

Mr. Bowis: The introduction of supervision registers has been closely monitored by the national health service executive. Registers have been established in all districts. We are continuing to monitor the position to ensure that the registers are operating effectively.

Mr. Nicholas Brown: To ask the Secretary of State for Health how many general practitioners there are in each region approved under section 12 of the Mental Health Act 1983; and what steps are taken to ensure that a section 12 approved doctor can be contacted in an emergency. [31050]

Mr. Bowis: Regional directors of public health are responsible for ensuring that there are sufficient suitably trained and experienced doctors approved under the Act, and that the necessary out-of-hours cover is available. We are satisfied that these requirements are being properly met.

Protection of Young People at Work

Ms Harman: To ask the Secretary of State for Health which groups and bodies she is consulting over her proposal to implement the EC directive on the protection of young people at work; when this consultation is due to end; what documents pertaining to this process have already been issued and to whom; what discussions she or her Department had with the Department of Employment over this issue; and if she will make a statement. [31023]

Mr. Bowis: We shall be consulting a wide range of groups and bodies in due course. We are in touch with all other Government Departments with an interest.

Liverpool Blood Transfusion Centre

Mr. Wareing: To ask the Secretary of State for Health how many representations she has received opposing proposed changes to the Liverpool blood transfusion centre. [31137]

Mr. Sackville: Ministers have received 88 letters about the National Blood Authority's proposals for the Liverpool blood transfusion centre since August 1994. In addition, there have been two early-day motions and one parliamentary question relating to the proposals for the Liverpool centre. This is in addition to other representations covering wider areas which include Liverpool.

Mr. Wareing: To ask the Secretary of State for Health if she will make a statement on the proposed changes to, and the future of, the Liverpool blood transfusion centre. [31139]

Mr. Sackville: This is a matter for the National Blood Authority. We expect it to make its revised recommendations for the organisation to the National Blood Service shortly.

Capital Expenditure

Mrs. Beckett: To ask the Secretary of State for Health what was the capital expenditure on *(a)* new hospitals, *(b)* other new medical centres or units and *(c)* repairing existing NHS building in each of the last 16 years, excluding private capital. [28641]

Mr. Sackville *[holding answer 15 June 1995]:* Information is not available in the form requested. Total capital expenditure in each of the last 16 years is shown in the table. The definition of capital has changed during the 16-year period; therefore comparisons between years cannot readily be made. For 1993–94, the threshold value for the definition of capital expenditure was increased from £1,000 to £5,000. This technical change to accounting policy reduced capital expenditure as money spent on tangible assets which was formerly classed as capital was in 1993–94 recorded as revenue. In 1993–94, over £100 million was transferred from capital to revenue to take account of the increase to the capital threshold.

Year	*Total capital expenditure (£000)*
1993–94	1,719,271
1992–93	1,809,021
1991–92	1,713,116
1990–91	1,485,404
1989–90	1,292,212
1988–89	1,087,936
1987–88	1,001,444
1986–87	936,291
1985–86	891,947
1984–85	795,404
1983–84	713,947
1982–83	686,386
1981–82	671,386
1980–81	563,174
1979–80	416,387
1978–79	367,352

Note:
1. The table shows figures for regional health authorities, district health authorities and the London Postgraduate Teaching Hospitals (SHAs). Figures post–1991–92 include NHS trusts.
2. Figures for 1993–94 are provisional.
3. The figures for 1991–92 to 1993–94 represent capital additions.
4. The figures pre–1991–92 represent capital expenditure.

Source:
NHS (England) Summarised Accounts.

Crown Immunity

Mr. Foulkes: To ask the Secretary of State for Health if she will list all areas within *(a)* her Department *(b)* agencies under her Department's control and *(c)* organisations for which she has ministerial responsibility to which Crown immunity applies; what consideration she has given to removing this; and if she will make a statement. [28648]

Mr. Sackville *[holding answer 15 June 1995]:* The detail requested can be provided only at disproportionate cost, but the general position is as follows.

An Act of Parliament is presumed not to bind the Crown, and thus the Department of Health and its agencies, unless the contrary intention is clearly stated, or there is a necessary implication that the Crown is to be bound. Ministers and civil servants do not necessarily share the Crown's immunity from criminal prosecution.

Crown immunity was removed from those national health service bodies which had until then enjoyed it, by section 60 of the National Health Service and Community Care Act 1990 with effect from 1 April 1991, subject to certain exemptions provided for in schedule 8 to that Act.

TRADE AND INDUSTRY

Brent Spar

Mr. Betts: To ask the President of the Board of Trade how much public money has been spent to date on Shell's activities with regard to the proposed sinking of the Brent Spar oil platform. [30816]

Mr. Eggar: Consideration of Shell's proposals for disposal of the Brent Spar has taken three years and has involved a number of Government Departments and agencies. It is not practicable to quantify the cost in terms of public expenditure.

Mr. Dobson: To ask the President of the Board of Trade what requests for additional information about future options for the Brent Spar were made to Shell UK by Ministers or officials in his Department subsequent to the Department receiving the Brent Spar abandonment best possible environmental option analysis in early 1994; what date, and by whom and what method, such requests were made; what was the response of Shell UK; and if he will make a statement. [31082]

Mr. Eggar *[holding answer 26 June 1995]:* The decision to dispose of the Brent Spar at a deep-sea site was the best practicable environmental option. That decision was arrived at after three years of detailed work. Regular discussions with Shell throughout that time ensured that the Government were able to carry out a full assessment of the various alternatives. From 13 possible options, six were studied in detail and two exhaustively. It was concluded that deep-sea disposal was preferable to onshore dismantling. Any proposals that Shell now puts forward relating to land disposal will need to address the problems which led to the identification of deep-sea disposal at the best practicable environmental option.

Mr. Steen: To ask the President of the Board of Trade what assessment he is currently making about the viability of relocating the Brent Spar oil rig to Brixham to form the northern arm of the harbour protection scheme; and if he will make a statement. [30990]

Mr. Eggar: None—it is for Shell UK Ltd. and Esso Exploration and Production UK Ltd. as owners of the installation, to come forward with proposals for its future.

Iraq (Export Credit Guarantees)

Mr. Byers: To ask the President of the Board of Trade, pursuant to his answer of 30 March, *Official Report*, column *777*, if he will identify which categories of military list goods were supported by the Export Credits Guarantee Department; and which companies were involved. [30868]

Mr. Ian Taylor *[holding answer 26 June 1995]:* The defence-related equipment supported by ECGD over the period 1985 to 1990 did not include armaments of any sort. It ranged from radio communications equipment to power supplies, video recording systems and diesel test equipment.

It has been the policy of successive Administrations not to disclose details of exporters' Contracts unless the parties agree.

Ministerial Visits

Mr. Simon Hughes: To ask the President of the Board of Trade pursuant to his answer of 21 March, *Official Report*, column *183*, if he will list all those occasions on which he did not give prior warning to hon. Members. [30752]

Mr. Heseltine *[holding answer 26 June 1995]:* As far I am aware, I always let hon. Members know when I visit their constituencies in an official capacity. If the hon. Member knows of occasions where this has not occurred, perhaps he could write to me.

Car Imports

Mr. Austin Mitchell: To ask the President of the Board of Trade what is his estimate of the relative effect of *(a)* the reduction in the tariff, *(b)* the removal of tariff protection against EEC countries and *(c)* the monetary and exchange rate policies of successive United Kingdom Governments on the increase in car imports since 1970; and if he will show the share of the United Kingdom market taken by the EEC, the other eight EEC countries and the rest of the world in 1968, 1972, 1979, 1990 and in the latest 12 months for which figures are available. [29948]

Mr. Ian Taylor: My Department does not make such estimates, which would be very imprecise because of the large number of other factors affecting car production and trade.

UK car production is at its highest for 20 years, with the number of cars exported running at over three times that of a decade ago, while the number imported has fallen by almost 20 per cent. in the last five years.

Figures of UK registration by country of final assembly are in the table; comparable data for 1968 are not available.

UK new car registrations by country of final assembly

Per cent.

	1972	*1979*	*1990*	*1994*
Belgium	0.0	6.3	5.5	7.9
Luxembourg	0.0	0.0	0.0	0.0
France	7.5	11.5	11.1	14.4
Germany	5.9	13.5	17.5	10.8
Italy	3.0	5.4	3.0	2.6
Netherlands	0.9	0.6	2.0	1.3
Ireland	0.0	0.7	0.0	0.0
Denmark	0.0	0.0	0.0	0.0
Total above	17.3	38.1	39.1	36.9
Rest of world	6.2	18.2	17.7	20.1
Total imported	23.5	56.3	56.7	57.0
United Kingdom	76.5	43.7	43.3	43.0
Total	100.0	100.0	100.0	100.0

BMARC

Mr. Byers: To ask the President of the Board of Trade if he will place in the Library copies of all board minutes and reports to the board of BMARC which were obtained to enable inspectors to carry out their report into the reasons for the collapse of the company and retained by his Department. [31008]

Mr. Jonathan Evans *[holding answer 26 June 1995]:* No. Documents obtained by inspectors under statutory compulsory powers should in principle be used only for the purposes envisaged by the legislation. While I will always consider whether to release such documents for particular purposes where it is in the public interest to do so, it would not be appropriate for me to make information obtained during the course of an inspection generally available.

Imports

Mr. Austin Mitchell: To ask the President of the Board of Trade (1) if he will publish for the industries which correspond most closely with those listed in table 15.10 of the monthly digest statistics, figures for ratio 1 import penetration on the United Kingdom market for manufactures for the years *(a)* 1968, *(b)* 1971, *(c)* 1979, *(d)* 1988 and *(e)* 1993; [29945]

(2) whether he will publish, for the industries which correspond most closely to those listed in table 15.10 of the monthly digest of statistics, figures for ratio 3 United Kingdom exports, United Kingdom sales of manufacturers for the years *(a)* 1968, *(b)* 1971, *(c)* 1979, *(d)* 1988 and *(e)* 1993. [29950]

Mr. Ian Taylor: The information is not available for 1968. Comparable data for all four remaining years are available for only four industries, as given in the table. Data for other industries are not available on a comparable basis and could be produced only in a limited number of cases, at disproportionate cost.

Per cent.

Industry	*Ratio 1 Import penetration*				*Ratio 3 Export/sales*			
	1971	*1979*	*1988*	*1993*	*1971*	*1979*	*1988*	*1993*
Leather and leather goods	23	40	49	62	24	29	38	42
Non-metallic mineral products	5	10	16	18	11	14	16	18
Medical, precision and optical instruments, watches and clocks	37	56	58	63	46	57	53	63
Motor vehicles	12	41	50	55	33	38	25	42

Source: Central Statistical Office Business Monitor MQ10.

Industrial Output

Mr. Austin Mitchell: To ask the President of the Board of Trade if he will publish output figures for the latest possible three months for the industries listed in table 15.10 of the monthly digest of statistics, c50 (95) 109 first release together with the change since 1988 and 1990 in the volume of output, imports and exports. [29448]

Mr. Ian Taylor: The index of production for the level of detail required is not yet available. Table 1 gives the most detailed information available for Q1 1995.

Import and export figures by SIC(92) division are not available prior to 1990. Available figures at constant prices are given in table 2.

Table 1: Index of production: seasonally adjusted 1990=100

SIC 92 sub-section	*SIC 92 division*	*Description*	*IOP Q1 1995*	*Percentage change since 1988*	*1990*
CB	13, 14	Other mining and quarrying	71.7	-34.3	-28.3
DA	15, 16	Food drink and tobacco	103.9	5.7	3.9
DB	17, 18	Textile and textile products	90.4	-14.6	-9.6
DC	19	Leather and leather products	81.9	-28.1	-18.1
DD	20	Wood and wood products	85.8	-16.0	-14.2
DE	21, 22	Pulp, paper and paper products; printing and publishing	101.9	9.6	1.9
DF	23	Solid fuels and nuclear fuels; oil refining	116.5	17.3	16.5
DG	24	Chemicals and man-made fibres	116.4	21.8	16.4
DH	25	Rubber and plastic products	113.9	23.1	13.9
DI	26	Non-metallic mineral products	95.5	-6.9	-4.5
DJ	27, 28	Basic metals and metal products	86.6	-14.1	-13.4
DK	29	Machinery and equipment	87.1	-7.2	-12.9
DL	30, 31, 32, 33	Electrical and optical equipment	115.8	24.4	15.8
DM	34, 35	Transport equipment	92.1	3.5	-7.9
DN	36, 37	Manufacturing nes	86.3	-7.5	-13.7

Source:

CSDB Detailed Index of Production.

Table 2: Exports and Imports

SIC 92 Division	Description	Quarter 1 1995 Exports £ million	Quarter 1 1995 Imports £ million	Percentage change since Quarter 1 1990 Exports	Percentage change since Quarter 1 1990 Imports
13	Mining of metal ores	4.0	191.6	-8.8	13.6
14	Other mining and quarrying	736.2	673.0	24.1	-17.2
15	Manufacture of food products and beverages	1,695.1	2,186.5	32.8	-0.9
16	Manufacture of tobacco products	268.5	40.2	86.8	19.7
17	Manufacture of textiles	641.1	1,091.7	2.8	4.6
18	Manufacture wearing apparel; dressing fur	401.7	1,239.9	29.8	39.7
19	Leather tanning; manufacture luggages, etc.	166.7	451.4	9.6	2.9
20	Manufacture of wood and wood, cork, etc. goods	44.2	454.5	13.1	-21.8
21	Manufacture of pulp, paper and paper products	546.4	1,308.5	44.1	8.0
22	Publishing, printing and record media	439.4	314.7	21.7	12.8
23	Manufacture coke, petroleum, products and nuclear	886.1	418.1	23.8	-36.6
24	Manufacture chemicals and chemical products	4,353.6	3,461.9	22.6	23.7
25	Manufacture of rubber and plastic products	710.3	829.8	17.7	8.9
26	Manufacture other non-metal mineral products	415.6	352.2	31.9	-13.0
27	Manufacture Of basic metals	1,934.1	1,988.7	35.8	25.0
28	Manufacture fabricated metal, not machines	547.3	636.3	3.8	-0.8
29	Manufacture of machinery and equipment nec	2,706.2	2,218.8	-8.5	-23.3
30	Manufacture Of office machinery and computers	2,774.8	2,654.2	73.7	30.4
31	Manufacture of electrical machinery etc. Nec	914.8	1,051.5	10.1	20.9
32	Manufacture of Radio, Tv and equipment	2,287.0	1,959.1	115.5	42.3
33	Manufacture medical and precision instruments	915.9	807.6	1.6	-11.4
34	Manufacture Of motor vehicles, trailers etc.	2,540.4	3,006.9	32.3	-11.7
35	Manufacture of other transport equipment	1,225.7	775.1	-20.6	-52.1
36	Manufacture of furniture; manufacturing Nec	561.5	720.7	32.2	-5.3

Plant-derived Fuel

Mr. Spearing: To ask the President of the Board of Trade what support is being given by his Department to research or development into internal combustion engines whose main source of fuel is from vegetable or cereal-based oils. [30809]

Mr. Page *[holding answer 26 June 1995]:* The Department of Trade and Industry is part funding, through its renewable energy programme, a European Community project, led by Ormrod Diesels of Skelmersdale, to establish whether pyrolysis oils derived from wood and cereal straw have the prospect of providing an economically attractive and environmentally acceptable fuel for internal combustion engines.

Non-Fossil Fuel Obligation

Mr. Tipping: To ask the President of the Board of Trade if he will list *(a)* the bids that were successful under non-fossil fuel obligations 1 and 2, *(b)* those projects that are now operational and *(c)* those projects that are currently under construction. [29907]

Mr. Page: The status of individual contracts is a commercial matter for the parties to the contracts—the Non-fossil Purchasing Agency Ltd. as agent of the 12 regional electricity companies, and the generators. The Department does not hold information on projects under construction. Aggregate information on projects that were awarded contracts under the first and second renewables orders—SI 1990/1859 and SI 1991/2490 respectively—and on projects that were operational as at 31 March 1995, is as follows:

Technology	Contracted Projects Number	Contracted Projects Capacity MW (DNC)	Operational Projects Number	Operational Projects Capacity MW (DNC)
NFFO-1(1990)				
Hydro	26	11.851	21	10.001
Landfill Gas	25	35.496	20	31.676
MIW	4	40.63	4	40.63
Other	4	45.48	4	45.48
Sewage Gas	7	6.445	7	6.445
Wind	9	12.211	8	11.703
Total:	75	152.113	64	145.935
NFFO-2(1991)				
Hydro	12	10.857	7	10.052
Landfill Gas	28	48.449	26	46.393
MIW	10	271.48	2	31.5
Other	4	30.15	1	12.5
Sewage Gas	19	26.859	19	26.859
Wind	49	84.431	25	51.909
Total:	122	472.226	80	179.213
Total *(NFFO-1+2)*:	197	624.339	144	325.148

Source: Energy Technology Support Unit.

HOME DEPARTMENT

Firearms

Mr. Colvin: To ask the Secretary of State for the Home Department whether he has now received the report from Messrs Ernst and Young on the design of a recording and reporting system which would allow income and expenditure on the administration of firearms licensing to be monitored more closely; and if he will publish it. [29303]

Mr. Maclean: The report was received by the Home Office in July 1992 and is publicly available on request to the Home Office. Copies have been placed in the Library.

Mr. Colvin: To ask the Secretary of State for the Home Department if he will make available the full report into firearms fees, including all supporting tables, provided to his Department in 1992 by Messrs Ernst and Young. [29310]

Mr. Maclean: A copy of the Ernst and Young report was placed in the Library on 20 July 1994.

Mr. Colvin: To ask the Secretary of State for the Home Department how many police forces are currently processing firearms licensing at a cost below the level of fees charged; and if he will estimate the amount of excess contribution thereby made by firearms users to general police funds in these police areas. [29311]

Mr. Maclean: This information is not available.

Mr. Colvin: To ask the Secretary of State for the Home Department (1) which police forces now have in place a mechanism for taking into account the views of the shooting public in respect of their administration of firearms licensing as recommended by Her Majesty's inspectorate of constabulary; [29312]

(2) if he will list for each police force in England and Wales the average time taken from the receipt of an application for *(a)* a shotgun certificate and *(b)* a firearm certificate to the issue of that certificate; [29313]

(3) if he will list for each police force in England and Wales how long before the due date for the renewal of a shotgun or firearm certificate a reminder is sent to the certificate holder. [29314]

Mr. Maclean: This information could be obtained only at disproportionate cost.

Child Prostitution

Mr. Waterson: To ask the Secretary of State for the Home Department what powers he has to prosecute British subjects who procure child prostitutes in other countries. [28738]

Mr. Maclean *[holding answer 26 June 1995]:* The Government deplore the sexual exploitation of children, wherever it may occur. Our own law against such abuse is rightly severe. However, our courts' jurisdiction is territorially based rather than nationality based, and we therefore have no power to prosecute British nationals who commit offences against children in other countries.

The United Kingdom is, however, willing to extradite its nationals to stand trial in the places where they are alleged to have offended, subject to the usual safeguards. We are also willing to provide legal assistance to foreign authorities who wish to prosecute British nationals, under the Criminal Justice (International Co-operation) Act 1990. In addition, we are currently considering ways in which it may be possible to improve liaison between our police and foreign enforcement agencies, and whether there is any scope for further Government action to tackle the dreadful problem of child prostitution and sex tourism.

Police Pensions

Mr. Mackinlay: To ask the Secretary of State for the Home Department if he will list the estimated cost to each police authority in the south-east of England of funding from revenue police pensions in the years 1995–96 and 1996–97; and what proportion these sums represent of each police authority's budget. [30260]

Mr. Maclean *[holding answer 26 June 1995]:* The table sets out the budgeted net expenditure on police pensions in 1995–96, as estimated by police forces in the south-east of England.

£ million

Force	*Total revenue budget*	*Budgeted net pensions expenditure*	*Percentage of budget*
Metropolitan Police	1,628.68	133.74	8.2
City of London	61.33	4.68	7.6
Kent	158.10	16.63	10.5
Surrey	84.10	7.79	9.3
Sussex	145.78	14.44	9.9
Essex	147.80	13.68	9.3
Hertfordshire	87.04	6.06	7.0
Thames Valley	194.41	16.85	8.7

Equivalent budget information for 1996–97 is not available. It will be for the individual police authorities, in setting their budget requirements for 1996–97, to decide the appropriate provision to set aside to meet pension costs.

Police Funding

Mr. Mackinlay: To ask the Secretary of State for the Home Department if he will make available in the Vote Office copies of the report, "The Critical Analysis of the Police Funding Formula", prepared by Price Waterhouse, which was commissioned by his Department. [30261]

Mr. Maclean *[holding answer 26 June 1995]:* I have arranged for copies to be placed in the Library.

Mr. Mackinlay: To ask the Secretary of State for the Home Department if he will list the losses to police authorities in the south-east of England that would arise from the removal of the area cost adjustment in police authorities' funding in the year 1996–97; and if he will make a statement. [30262]

Mr. Maclean *[holding answer 26 June 1995]:* The table shows the effect, in 1995–96, of ceasing to pay the area cost adjustment to police authorities. The 1996–97 quantum will not be determined until later this year.

The area cost adjustment reflects the extra costs incurred in providing a service in the more expensive areas of the south-east, and we have no plans to abolish it. My right hon. and learned Friend the Home Secretary and my right hon. Friend the Secretary of State for the Environment will, however, consider the views of the police and local authority associations about any

refinements to the calculation of the area cost adjustment which may be put forward.

Effect of removing area cost adjustment factor

£ million

	With ACA	Without ACA	Percentage change
Avon and Somerset	147	154	5
Bedfordshire	55	55	–1
Cambridgeshire	62	66	5
Cheshire	93	98	5
Cleveland	70	74	5
Cumbria	54	57	5
Derbyshire	88	92	5
Devon and Cornwall	146	153	5
Dorset	62	65	5
Durham	68	71	5
Dyfed-Powys	46	48	5
Essex	146	142	–3
Gloucestershire	56	59	5
Greater Manchester	326	343	5
Gwent	49	52	5
Hampshire	168	167	–1
Hertfordshire	87	81	–6
Humberside	98	103	5
Kent	158	155	–2
Lancashire	155	163	5
Leicestershire	89	94	5
Lincolnshire	55	58	5
Merseyside	214	225	5
Metropolitan Police	1,529	1,383	–10
Norfolk	71	75	5
North Wales	66	69	5
North Yorkshire	66	70	5
Northamptonshire	55	58	5
Northumbria	178	187	5
Nottinghamshire	109	115	5
South Wales	152	160	5
South Yorkshire	146	154	5
Staffordshire	101	106	5
Suffolk	58	61	5
Surrey	80	75	–7
Sussex	145	143	–1
Thames Valley	192	187	–3
Warwickshire	47	50	5
West Mercia	97	102	5
West Midlands	327	345	5
West Yorkshire	248	261	5
Wiltshire	58	61	5
City of London	54	35	–35
Total (including City)	6,270	6,270	0

Notes:

1. The above estimates the effect of removing the area cost adjustment on distribution of the 1995–96 quantum.
2. Allocations shown are the total of police SSA and grant i.e. without capital financing and other SSAs and SSA reduction grant.
3. A special payment of £130 million to the Metropolitan police has been assumed, to cover their national and capital city functions.

Border Controls

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department what steps have so far been taken by the European Commission in respect of its intention to bring forward a directive relating to the free movement of persons and possible abolition of internal border controls. [30054]

Mr. Nicholas Baker: In March this year, Commissioner Monti indicated his intention to bring forward proposals for Community legislation on the free movement of persons crossing the internal frontiers of the European Union. These proposals have not yet been published by the Commission. As we have frequently made clear, the Government will take whatever steps are necessary to maintain our frontier controls.

Money Laundering

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department if he will list the countries with which the United Kingdom has signed *(a)* bilateral agreements to supplement the 1990 Council of Europe convention on laundering, search, seizure and confiscation of the proceeds of crime and *(b)* other bilateral agreements to facilitate mutual assistance in respect of money laundering and confiscation. [30052]

Mr. Maclean: The United Kingdom has concluded one bilateral agreement under article 39(2) of the 1990 convention, with the Netherlands. It entered into force on 2 June 1994. Other bilateral confiscation agreements have been concluded as follows:

All crime agreements in force

Country	Date in Force
1. Sweden	1 April 1992
2. Canada	17 September 1993
3. Nigeria	30 October 1993
4. Italy	8 May 1994
5. India	1 May 1995

All crime agreements to enter into force

Country	Date of signature
1. United States of America	6 January 1994
2. Thailand	12 September 1994

Drug agreements in force

Country	Date in force
1. United States of America	11 April 1989
2. Switzerland	21 June 1990
3. Australia	12 September 1990
4. Mexico	1 October 1990
5. The Bahamas	24 October 1990
6. Spain	15 December 1990
7. Saudi Arabia	20 September 1991
8. Bahrain	1 January 1992
9. Ecuador	1 March 1993
10. Barbados	1 June 1993
11. Colombia	25 November 1993
12. Uruguay	19 January 1994
13. Argentina	1 June 1994
14. Panama	1 September 1994
15. Malaysia	1 January 1995

Drug agreements to enter into force

Country	Date of signature
1. Guyana	17 July 1991
2. South Africa	2 September 1992
3. Paraguay	6 July 1994
4. Bolivia	25 August 1994
5. Grenada	6 February 1995

Organised Crime

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department what changes have taken place in the arrangements for co-ordination of the work of United Kingdom Government bodies concerned with fighting organised crime from those set out in paragraphs 40 to 43 of his Department's November 1993 memorandum to the Home Affairs Committee on organised crime, HC18–II if this Session. [30055]

Mr. Howard: None.

Drug-related Crimes

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many children and young people under the age of 14 years were arrested in connection with drug-related crimes for each of the last 10 years; how many were subsequently charged; and what is the breakdown of these figures *(a)* by local authority, *(b)* region and *(c)* police authority area. [30741]

Mr. Maclean *[holding answer 26 June 1995]:* As detailed information on arrests and on the number of people charged is not collected centrally, cautioning and court data is given in the tables.

It is possible to distinguish centrally only offenders who have committed drug offences as opposed to drug related offences. It is also not possible to identify the date by local authority area.

Table A Total number of persons aged 10 to under 14 years cautioned and prosecuted for indictable drug offences by region 1984–1993

Region	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
North West	3	2	5	7	4	15	26	33	46	55
North East	1	1	1	2	1	7	11	14	23	27
Midlands	1	1	1	—	3	3	14	14	12	12
Eastern	2	—	—	1	—	2	4	3	10	22
South East	13	11	5	6	26	38	56	44	54	73
Metropolitan Police	11	7	5	5	21	35	44	27	32	44
City of London	—	—	—	—	—	—	1	—	—	—
Other	2	4	—	1	5	3	11	17	22	29
South West	—	1	—	—	—	—	3	10	10	18
Wales	—	—	4	1	3	—	4	10	7	17
England and Wales	20	16	16	17	37	65	118	128	162	224

Table B Total number of persons aged 10 to under 14 years cautioned and prosecuted for indictable drug offences by police force area, 1984–1993

Police Force Area	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
Avon and Somerset	—	—	—	—	—	—	—	—	2	2
Bedfordshire	—	—	—	—	—	—	—	—	—	—
Cambridgeshire	—	—	—	—	—	—	—	—	—	4
Cheshire	—	—	—	3	—	—	1	5	4	3
Cleveland	—	—	—	1	—	—	1	—	3	3
Cumbria	—	—	—	—	—	2	1	1	2	8
Derbyshire	—	—	—	—	—	1	—	1	2	3
Devon and Cornwall	—	—	—	—	—	—	2	5	5	7
Dorset	—	1	—	—	—	—	1	—	—	2
Durham	—	—	—	—	—	—	—	—	—	1
Essex	1	—	—	—	1	1	1	4	5	5
Gloucestershire	—	—	—	—	—	—	—	1	3	3
Greater Manchester	—	—	2	2	2	5	13	13	27	22
Hampshire	1	1	—	—	1	—	2	3	4	10
Hertfordshire	—	—	—	—	—	1	—	1	3	4
Humberside	—	—	—	—	—	1	2	—	1	5
Kent	—	1	—	—	—	1	4	—	1	2
Lancashire	—	—	—	—	—	—	1	5	8	16
Leicestershire	—	—	—	1	—	—	—	1	1	1
Lincolnshire	—	—	—	—	—	—	2	1	1	3
City of London	—	—	—	—	—	—	1	—	—	—
Merseyside	3	2	3	2	2	8	10	9	5	6
Metropolitan Police	11	7	5	5	21	35	44	27	32	44
Norfolk	—	—	—	—	—	—	1	—	2	2
Northamptonshire	—	—	—	—	—	—	—	—	1	2
Northumbria	—	—	—	1	—	1	1	—	2	5
North Yorkshire	—	—	—	—	—	—	—	1	6	1
Nottinghamshire	1	—	—	—	—	—	—	—	3	4
South Yorkshire	—	—	—	—	1	3	1	6	2	5
Staffordshire	—	—	—	—	—	—	—	—	—	1
Suffolk	1	—	—	—	—	1	1	—	—	3
Surrey	—	1	—	—	—	—	2	—	1	—
Sussex	—	1	—	1	1	—	—	3	1	2

Table B Total number of persons aged 10 to under 14 years cautioned and prosecuted for indictable drug offences by police force area, 1984–1993

Police Force Area	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
Thames Valley	—	—	—	—	2	—	2	6	7	6
Warwickshire	—	—	—	—	—	—	1	—	1	1
West Mercia	—	—	—	1	—	—	—	—	3	2
West Midlands	1	1	1	—	3	3	12	14	8	8
West Yorkshire	1	1	1	—	—	2	6	7	9	7
Wiltshire	—	—	—	—	—	—	—	4	—	4
Dyfed Powys	—	—	4	1	—	—	—	1	—	—
Gwent	—	—	—	—	—	—	2	2	1	5
North Wales	—	—	—	—	—	—	1	3	4	5
South Wales	—	—	—	—	3	—	1	4	2	7
England and Wales	20	16	16	17	37	65	118	128	162	224

Secure Units

Sir Irvine Patnick: To ask the Secretary of State for the Home Department if he will set out the criteria for applications for secure units; and if he will make a statement. [29986]

Mr. Maclean: The documents which made up the invitations to tender for the design, construction/refurbishment, management and finance of secure training centres at Cookham Wood and Gringley set out the requirements and the criteria that bidders are to meet.

Copies of schedules 2, design and build specification; 2A, note to tenderers on design and build; 2B, maintenance specification; 3, operational specification; 3A staff selection, training, qualifications and certification; appendix 1, administrative paper on secure training centre rules; and guidance by the Department of Health and the Department for Education have been placed in the Library.

Sir Irvine Patnick: To ask the Secretary of State for the Home Department how many applications he has received for the establishment of secure units; and if he will list the areas concerned. [29987]

Mr. Maclean: Invitations to tender for the design, construction/refurbishment, management and finance of secure training centres at Cookham Wood, Kent and Gringley, Nottinghamshire were issued on 31 March to nine companies/consortia:

Group 4 Rebound ecd Ltd./Tarmac Construction Ltd./Panton Sargent

Shepherd Construction Ltd./Greystone House School

Henry Boot Management Ltd./Secure Training Centres Ltd.

UK Detention Services Ltd./John Mowlam/Correction Corporation of America

Premier Prison Services Ltd./Serco/Wackenhut Ltd.

MANcare Ltd.

Castle Homes/Taylor Woodrow

Higgs and Hill Construction Ltd./Rebound!

Team Management Services (UK) Ltd.

Bids were submitted by 12 June and are currently being assessed. Contracts will be awarded as soon as possible on completion of the tender process.

Invitations to tender will be issued as soon as the necessary planning consents have been granted for the three remaining sites serving the midlands, south-west and central England plus south Wales, and north-west and north-east England plus north Wales.

Special Constables

Mr. Straw: To ask the Secretary of State for the Home Department how many special constables were on establishment in *(a)* England and Wales and *(b)* each constabulary in England and Wales in 1994. [30010]

Mr. Maclean: Special constables are volunteers and as such are not included as part of the permanent police establishment but are members of the special constabulary.

The number of special constables as at 31 December 1994 is given in the table.

Special constabulary strength as at 31 December 1994

Force	Total strength
Avon and Somerset	678
Bedfordshire	198
Cambridgeshire	289
Cheshire	320
City of London	92
Cleveland	230
Cumbria	259
Derbyshire	445
Devon and Cornwall	1,113
Dorset	234
Durham	220
Dyfed-Powys	306
Essex	690
Gloucestershire	307
Greater Manchester	741
Gwent	124
Hampshire	620
Hertfordshire	306
Humberside	406
Kent	575
Lancashire	578
Leicestershire	365
Lincolnshire	328
Merseyside	395
Metropolitan	1,520
Norfolk	349
Northamptonshire	318
Northumbria	507
North Wales	315
North Yorkshire	403
Nottinghamshire	564
South Wales	488
South Yorkshire	458
Staffordshire	720
Suffolk	409

Special constabulary strength as at 31 December 1994

Force	*Total strength*
Surrey	233
Sussex	531
Thames Valley	669
Warwickshire	354
West Mercia	582
West Midlands	845
West Yorkshire	731
Wiltshire	281
Total	20,096

Parks and Market Police

Mr. George: To ask the Secretary of State for the Home Department which local authorities are legally empowered to establish and operate *(a)* parks police and *(b)* market police; and what is the statutory basis for each force. [30094]

Mr. Maclean: A full list of all such authorities is not held centrally and could be obtained only at disproportionate cost.

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for the Home Department what percentage of parliamentary questions which would have been answered directly by him or his Ministers prior to the establishment of executive agencies, are now referred to the chief executive of such an agency. [28496]

Mr. Howard: Ministers are accountable to Parliament for all matters concerning their agencies. Written parliamentary questions concerning matters which have been delegated to the chief executive of an executive agency in its framework document normally receive a reply from the Minster to the effect that he or she has asked the chief executive to reply direct to the Member by letter. The chief executive's letter is published in *Hansard* below the Minister's reply.

SOCIAL SECURITY

Market Testing

Mr. McNamara: To ask the Secretary of State for Social Security if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29423]

Mr. Hague: The following areas of work have been contracted out without an in-house bid:

Benefit Agency:

Accommodation and Office services at the Quarry House site in Leeds;

Travel services;

Information Technology Services Agency:

Service Delivery.

An in-house bid was not invited for travel services or IT service delivery because it was considered that the private sector was better equipped to deliver these services, had a better understanding of the market needs and a capacity to invest in new technological support. In the case of accommodation and office services at Quarry house, Leeds, too few staff were prepared to re-locate with the work transferred from London to Leeds to be able to mount an in-house bid.

The Benefits Agency has decided to contract out quantity surveying work, in which four staff are currently employed.

The Contributions Agency has decided to contract out elements of estates work in which some 24 staff are currently employed. The CA considers that staff do not have the necessary technical, professional estates management expertise to compete with the private sector.

Incomes

Mr. Battle: To ask the Secretary of State for Social Security what is the real terms cash value of the 62 per cent. increase in income between 1987 and 1993 for the top 10 per cent. of earners shown in appendix 10 of the latest Households Below Average Income statistics. [30381]

Mr. Burt: The information is in the table. The 62 per cent. increase in income is between 1979 and 1992–93 for the top 10 per cent. of incomes after housing costs.

Median equivalised income of the top 10 per cent. of the UK income distribution after housing costs in March 1995 prices

	1979	*1992–93*	*Increase from 1979 to 1992–93*
Equivalised income (£ per week)	321	520	199

Notes:

1. Income is equivalised to allow meaningful comparisons between the incomes of households of different sizes and composition. The income values here represent the cash amounts (adjusted only for inflation) for a couple with no children. Appendix 4 of HBAI contains further information.
2. 1992–93 is the amalgamation of the calendar years 1992 and 1993.
3. Income after housing costs is defined in appendix 2 of HBAI.

Mr. Battle: To ask the Secretary of State for Social Security what are the figures for real income changes referred to in table A2 of the latest Households Below Average Incomes statistics, including self-employed earners both before and after housing costs. [30383]

Mr. Burt: The real income changes in table A2 of the latest households below average income are presented as percentage changes in table A1 of HBAI. Absolute income changes can be obtained by subtracting the 1979 income values from the 1992–93 values in table A2.

Mortgage Interest

Ms Lynne: To ask the Secretary of State for Social Security what support with mortgage interest payments will be available to existing borrowers after October 1995 if they are presently receiving income support help with mortgage interest payments and they accept a job on a short-term contract that will return them to unemployment after October 1995; and what type of insurance policy he

expects people in these circumstances to take out to cover their mortgage interest repayments. [30515]

Mr. Roger Evans: Under our proposals for changes to the rules on income support help with mortgage interest payments, an existing borrower who is currently receiving help with his mortgage interest payments and who takes a short-term contract before October this year will be treated as if his claim for income support had been continuous if, when he re-claims income support after 1 October, his break in entitlement had been for 12 weeks or less.

If the break in their entitlement was for more than 12 weeks and a new claim is made after 1 October, existing borrowers will get no help with interest payments for two months—eight weeks—and 50 per cent. for the next four months—18 weeks. The full amount, calculated using the standard interest rate, will be payable thereafter.

It is a matter for the individuals concerned to decide how best to meet their mortgage commitments in the initial period of an income support claim. The Association of British Insurers is addressing many of the issues of concern about the interface between benefit and insurance, including the treatment of contract workers, in its forthcoming guidelines to best practice.

Students

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what would be the cost of restoring university student benefit entitlement to income support and housing benefit. [30313]

Mr. Roger Evans: This information is not readily available and could be obtained only at disproportionate cost.

Motability

Mr. Alex Carlile: To ask the Secretary of State for Social Security what powers his Department has to prevent the transfer of funds by way of gift aid from Motability Finance Ltd. into Motability's charitable funds; and if he will make a statement. [31051]

Mr. Hague: The transfer of funds from Motability Finance Ltd. to Motability, an independent charity, is a matter of discussion between the two organisations. The Department is consulted about such donations.

Mr. Carlile: To ask the Secretary of State for Social Security, pursuant to his answer of 19 June 1995, *Official Report*, columns *98–100* on Motability, if he will make available in the Library the financial memorandum to which he refers. [31052]

Mr. Hague: I will place a copy in the Library shortly.

Pensioners' Organisations

Mr. Winnick: To ask the Secretary of State for Social Security, pursuant to his oral answer of 19 June 1995, *Official Report*, column 616 if he will list the organisations seen by a Minister; and if he will give a breakdown of the correspondence referred to. [31134]

Mr. Arbuthnot: Ministers have held many meetings, both formal and informal, with parties interested in the Pensions Bill. They have met hon. Members, noble Lords, pressure groups and employers.

In the past eight months, Ministers have met and discussed pensions' issues with the following organisations:

> The Law Society, The Pension Trustees Forum, The ABI, British Airways, The Association of Pensioner Trustees, The Fawcett Society, The National Federation of Sub-Postmasters, The Captains of Industry, The PMI, The CBI, The National Federation of Post Office and BT Pensioners, The Pensions Ombudsman, The EOC, Royal Insurance, OPAS, The Campaign for Pension Fund Democracy, The Consumers Association, Bacon and Woodrow, The Prudential Corporation, The Society of Pension Consultants, The TUC, Pensioners Voice, The National Association of Pension Funds, Scottish Widows, Hill Samuel, Greig Middleton and Co and The Occupational Pensions Board.

A breakdown of the 900 items of ministerial correspondence dealt with since the beginning of the year is given in the table. Some covered more than one topic and therefore the total is more than 900.

Description of Subject	*Number*
Christmas Bonus	13
Pension Age	198
Over 80's Pension/Age Addition	40
Earnings Rule/Retirement Condition	1
Concessions	14
Benefit Levels	203
Uprating	145
RPI	23
Restoration of link with earnings	19
Means Test/Abolish RP	7
EC Comparison	24
VAT on Fuel	84
Delays	3
Individual Benefit Position	122
Home Responsibilities Protection	4
Increments	1
Graduated Pension	4
Dual Title/Topping Up	20
SERPS	22
Additional Pension Queries	10
Public Service Pension Queries	4
Pension Paydays	34
ACT Invitation Exercise	2
Divorce	9
Widower's Benefit	8
Method of Payment	2
Procedures	2
Publications	2
Forms	2
Ax Stat Awards	1
Alleged Misdirection	3
Compensation	7
Bank Charges	1
Miscellaneous	151

Income Support

Dr. Marek: To ask the Secretary of State for Social Security, pursuant to his answer of 21 June, 1995, *Official Report*, column *253*, how much was recovered by claimants by way of arrears of supplementary benefit in the area covered by the Wrexham and North Wales Coast Benefits Agency office in June 1994. [31154]

Mr. Roger Evans: The information is not readily available and could be obtained only at disproportionate cost.

Mr. Milburn: To ask the Secretary of State for Social Security how many income support live load *(a)* E cases, (b) P cases, *(c)* A cases and *(d)* total cases there were in each quarter since January 1991 by (i) district and (ii) area directorate. [29329]

Mr. Evans: The administration of income support is a matter for Mr. Ian Magee, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Ian Magee to Mr. Alan Milburn, dated 26 June 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking about Income Support live load statistics since January 1991.

Complete information is available only from May 1991 which was the first quarter in which the Benefits Agency collected information by District Office and Area Directorate. Information in table 1 is for each Area Directorate and in table 2 for the District offices. Copies of these tables have been placed in the Library.

I hope you find this reply helpful.

Compensation Recovery Unit

Mr. Frank Field: To ask the Secretary of State for Social Security, pursuant to his answer of 29 November 1994, *Official Report*, column *625*, if he will update the table given in his answer to give the latest available information on the operation of the compensation recovery unit for the financial year 1994–95. [29262]

Mr. Roger Evans: This is a matter for Mr. Ian Magee, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Ian Magee to Mr. Frank Field, dated 26 June 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking for information relating to the operation of the Compensation Recovery Unit during the 1994/95 financial year.

The information is provided in the table below:

Period	*Number of cases*	*Total amount recovered £ million*	*Operating costs £ million*
1 April 1994–31 March 1995	39,915	[1]110.1	2.8

[1] This figure includes monies recovered from both final and interim settlements.

I hope you find this reply helpful.

NORTHERN IRELAND

Education and Library Boards

Mr. Worthington: To ask the Secretary of State for Northern Ireland what savings on administration costs he estimates will be achieved by reducing the number of education and library boards; and if he will itemise these savings. [29495]

Mr. Ancram: The initial estimate of savings in administrative costs arising from the proposals for change is £2 million. This is of necessity an overall estimate since, with the exception of the Western board, the education and library boards declined to take part in the appraisal of options for change. It would not, therefore, be appropriate to attempt to itemise any savings.

Economic Development

Dr. Hendron: To ask the Secretary of State for Northern Ireland what is the total expenditure by the Department of Economic Development in each of the parliamentary constituencies of Northern Ireland for each of the last 10 years. [29971]

Mr. Ancram: The information is not held in the form requested. The total expenditure by the Department of Economic Development for the last 10 years was as follows:

Financial year	*Expenditure (rounded to nearest £ million)*
1985–86	437
1986–87	454
1987–88	441
1988–89	[1]742
1989–90	[1]723
1990–91	477
1991–92	454
1992–93	438
1993–94	431
1994–95	434

[1] Includes expenditure incurred on privatisations of Shorts and Harland Wolff.

Small and Medium-size Businesses

Ms Primarolo: To ask the Secretary of State for Northern Ireland how many *(a)* small businesses and *(b)* medium-size businesses were started up in each of the last 10 years; and if he will break these figures down by gender of the entrepreneur. [29579]

Mr. Ancram *[holding reply 21 June 1995]:* There is no fully comprehensive means of counting the number of business start-ups in Northern Ireland. However, VAT registrations give a useful indication of the number of new businesses created in any period. The figures set out in the table show the number of VAT registrations during the period 1985–93. Data for 1994 are not yet available. It is not possible to break this information down by gender.

Table 1: Number of VAT registrations in Northern Ireland

Thousands

Year	*Number of registrations*
1985	3.8
1986	3.4
1987	3.5
1988	3.7
1989	4.0
1990	4.3
1991	3.7
1992	3.7
1993	4.0

Notes:

Details of Northern Ireland VAT figures are included in VAT Registration and Deregistrations, County and District Analyses 1980–91 and VAT Registrations and Deregistrations, County and District Analyses 1992–93, copies of which are available in the Library.

Ms Primarolo: To ask the Secretary of State for Northern Ireland what initiatives his Department has to assist and encourage women who want to start their own business; and how the success of any initiative is monitored and assessed. [29582]

Mr. Ancram *[holding answer reply 21 June 1995]:* The local enterprise development unit funds a series of business start programmes aimed specifically at women throughout Northern Ireland and a women's enterprise programme in the Greater Belfast area. These initiatives are monitored through periodical reviews and the overall success is assessed by the number of participants, the number of business plans which result from the programmes, the percentage of participants starting their own businesses and the number who enter other employment.

Higher Education

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what is his estimate of the cost in the current year of restoring the value of the student maintenance grant to its real 1979 level. [30371]

Mr. Ancram: In view of the major changes made to the student support system in the intervening period, including the introduction of student loans in 1990, the cost would very much depend on whether the changes were to be reversed.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what was the university or polytechnic total student population for each year from 1974–75; and what it will be in each year to 1998–99.

Mr. Ancram: The information is available in the form requested only from the year 1975–76 and is as follows:

Year	*Total student population*
1975–76	13,060
1976–77	13,939
1977–78	14,416
1978–79	14,786
1979–80	15,377
1980–81	15,759
1981–82	16,258
1982–83	17,005
1983–84	17,566
1984–85	19,163
1985–86	19,571
1986–87	20,089
1987–88	20,871
1988–89	21,526
1989–90	22,403
1990–91	24,340
1991–92	26,645
1992–93	28,873
1993–94	31,272
1994–95	35,965

Note:
Projected Northern Ireland student numbers are published in "Northern Ireland Expenditure Plans and Priorities", a copy of which is available in the Library. Figures are not presently available for 1998–99.

Mr. Bruce: To ask the Secretary of State for Northern Ireland (1) if he will list the changes to university and polytechnic student maintenance grant entitlement since 1974; [30368]

(2) what has been the value of the full university student grant for each year since 1974–75 in 1994 prices. [30366]

Mr. Ancram: The information is as follows:

Value of the standard maintenance grant and loan in Northern Ireland

£

Year	*Standard maintenance grant [1](cash terms)*	*Standard maintenance grant plus loan [2](cash terms)*	*Standard maintenance grant [3](real terms)*	*Standard maintenance grant plus loan [3](real terms)*
1974–75	605	—	3,056	—
1975–76	740	—	2,945	—
1976–77	875	—	3,041	—
1977–78	1,010	—	3,033	—
1978–79	1,100	—	3,062	—
1979–80	1,245	—	2,996	—
1980–81	1,430	—	2,997	—
1981–82	1,535	—	2,875	—
1982–83	1,595	—	2,783	—
1983–84	1,660	—	2,753	—
1984–85	1,775	—	2,832	—
1985–86	1,830	—	2,766	—
1986–87	1,901	—	2,778	—
1987–88	1,972	—	2,784	—
1988–89	2,050	—	2,752	—
1989–90	2,155	—	2,733	—
1990–91	2,265	2,685	2,624	3,111
1991–92	2,265	2,845	2,483	3,119
1992–93	2,265	2,980	2,387	3,141
1993–94	2,265	3,065	2,311	3,128
1994–95	2,040	3,190	2,040	3,190

[1] The standard maintenance grant rate is that applicable to students living away from home and studying outside London.

[2] Since 1990–91 student support has included grant and loan: the grant was frozen at the 1990–91 level (ie £2,265) until 1994–95 when it was reduced to £2,040. Figures for 1990–91 and subsequent years include grant plus full year loan for students living away from home.

[3] Based on the retail price index (excluding mortgage interest payments) in September of each academic year.

[4] Up to and including 1983–84 students claimed and were individually reimbursed, full travelling expenses; from 1984–85 most students had to meet their travel costs from within their main rate of grant.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what is his estimate of the staff to student ratio at universities and their forerunners in each year from 1974–75 to 1997–98. [30364]

Mr. Ancram: The information is available for Northern Ireland universities only from 1981–82 to 1993–94 and is as follows:

Year	*Staff: student ratio*
1981–82	8.7
1982–83	9.1
1983–84	9.5
1984–85	12.0
1985–86	12.1
1986–87	12.2
1987–88	13.0
1988–89	13.9
1989–90	13.8

Year	Staff: student ratio
1990–91	14.4
1991–92	15.5
1992–93	15.5
1993–94	16.5

Mr. Bruce: To ask the Secretary of State for Northern Ireland what was the average cost to the Exchequer of each student in university education for each year from 1984–85, broken down by *(a)* maintenance grant; *(b)* fees; and *(c)* other. [30372]

Mr. Ancram: The information is not available in the form requested. The available information is as follows:

Expenditure and funding in higher education in Northern Ireland

	Mandatory award holders				
	Recipients (academic years)	*Expenditure (financial years)*		*Average student loan per loan (academic years)*[4]	*Recurrent average grant and income from tuition fees per student (financial years)*[5]
	Thousands	*Fees £ million*	*Maintenance £ million*	*£*	*£*
1984–85	n/a	n/a	n/a	—	3,400
1985–86	n/a	n/a	n/a	—	4,000
1986–87	17.6	10.1	21.8	—	4,100
1987–88	18.9	11.3	23.6	—	4,300
1988–89	19.7	12.0	25.4	—	4,500
1989–90	21.0	13.6	28.5	—	4,800
1990–91	22.6	[1]24.7	31.8	370	4,900
1991–92	[2]28.5	[2]53.0	[3]38.2	500	4,900
1992–93	30.5	67.7	43.2	610	4,900
1993–94	33.9	[3]69.9	47.3	690	4,800
1994–95	n/a	n/a	n/a	—	4,600

[1] Shift in institutional funding towards the fee introduced from September 1990.
[2] Includes teacher training and EC students from September 1991.
[3] Shift of fees towards institutional funding from September 1993.
[4] Based on Loan Holders studying in Northern Ireland.
[5] Figures have been rounded to the nearest £100.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what was the drop-out rate for university and polytechnic courses in each year since 1979. [30303]

Mr. Ancram: The information is not available in the form requested and could be obtained only at disproportionate cost.

Mr. Bruce: To ask the Secretary of State for Northern Ireland (1) what is his estimate of the annual cost of providing the full maintenance grant to all university students. [30307]

(2) what would be the annual cost of paying *(a)* all fees for, and *(b)* the full maintenance grant to, all part-time university students. [30306]

Mr. Ancram: It is not possible to provide an estimate of these costs since it would depend upon such factors as the eligibility of courses, their duration, the maximum payable fee and maintenance grant, and the account to be taken of the personal circumstances of potentially eligible students.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what would be the cost of restoring university student benefit entitlement to income support and housing benefit. [30305]

Mr. Malcolm Moss: This information is not readily available and could be obtained only at disproportionate cost.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what would be the cost of reducing the level of university fees paid by non-European Community country students to the fee levels paid by students from European Community countries. [30309]

Mr. Ancram: Information on fees for overseas students, which are set separately by each university, is not available.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what was the percentage of university or polytechnic students entitled to *(a)* full maintenance grant and *(b)* no maintenance grant in each year since 1979. [20369]

Mr. Ancram: This information is not held centrally and could be obtained only at disproportionate cost.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what is his estimate of the backlog of building repair and maintenance work at universities. [30365]

Mr. Ancram: The current backlog of building repair and maintenance work for academic buildings in the two Northern Ireland universities is estimated to cost £76 million. This figure is derived from an accommodation condition survey conducted in early 1992.

The Department of Education in Northern Ireland has spent £7 million during the past three years on grants for backlog maintenance, and universities themselves have spent £8 million during the same period. It is planned to continue to provide support towards £18 million of further work over the next three years. The remaining less urgent work will need to be funded by institutions themselves.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what is his estimate of the *(a)* average cost and *(b)* marginal cost, of university students in 1995–96. [30373]

Mr. Ancram: The average recurrent grant and income from tuition fees per university student in Northern

Ireland for the financial year 1995–96 is estimated to be approximately £4,570. No information is available on the marginal costs.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what is his estimate of the number of students in higher education in 2000. [30304]

Mr. Ancram: Figures for students in Northern Ireland institutions of higher education are not available for academic years beyond 1997–98.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what was the average level of student loan for university students in 1994–95. [30308]

Mr. Ancram: I refer the hon. Member to the answer given him by my hon. Friend the Under-Secretary of State for Further and Higher Education earlier today.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what has been the total Government expenditure on university and polytechnic maintenance grants, for each year since 1974–75 in 1994 prices. [30367]

Mr. Ancram: The information is not available in the form requested. The available information is as follows:

Government expenditure on maintenance grants to mandatory award holders and on student loans in Northern Ireland

	£ million (real terms)[1]	
	Student Maintenance Grant[2] *(Financial Year)*	*Student Loans*[3] *(Academic Year)*
1986–87	31.9	—
1987–88	33.3	—
1988–89	34.1	—
1989–90	36.1	—
1990–91	36.8	1.5
1991–92	41.8	3.0
1992–93	45.5	4.5
1993–94	48.3	6.2

[1] In 1994–95 prices based on the retail price index (excluding mortgage interest payments) in September of each academic year.
[2] Expenditure in grants to mandatory award holders normally domiciled in Northern Ireland.
[3] Expenditure on loans to higher education students studying in Northern Ireland.

Mr. Bruce: To ask the Secretary of State for Northern Ireland what is his estimate of the total number of university students with a student loan, in each year from 1987–88 to 1997–98. [30310]

Mr. Ancram: I refer the hon. Member to the answer given him by my hon. Friend the Under-Secretary of State for Further and Higher Education earlier today.

ENVIRONMENT

Negative Equity

Ms Glenda Jackson: To ask the Secretary of State for the Environment how many households in each local authority area in England are estimated to have had negative equity as of *(a)* the end of September 1994 and *(b)* the end of March. [28713]

Mr. Robert B. Jones *[holding answer 15 June 1995]:* Estimates of negative equity are not calculated by local authority area. For the latest national estimates, I refer the hon. Member to the answer I gave to the hon. Member for Darlington (Mr. Milburn), *Official Report,* column *138.*

Homelessness

Mrs. Ann Taylor: To ask the Secretary of State for the Environment what was the cost of providing accommodation for the homeless in Kirklees in *(a)* bed and breakfast hotels and *(b)* hostels in each of the last five years. [29092]

Mr. Robert B. Jones: The net costs of housing homeless households in bed-and-breakfast accommodation, as reported by Kirklees on its revenue outturn returns, for the years 1990–91—the first year in which this information was collected on the revenue outturn return—to 1993–94 were as follows:

	£000s
1990–91	464
1991–92	248
1992–93	177
1993–94	126

Data on local authorities' expenditure on bed and breakfast and on hostel accommodation are also published by the Chartered Institute of Public Finance and Accountancy in its annual "Homelessness Statistics Actuals" publication. Copies of these publications, which are available for all years since 1989–90 are in the Library

Microlight Aircraft

Mr. Lidington: To ask the Secretary of State for the Environment if he will make a statement about the proposal by Aylesbury Vale district council to give permission for microlight aircraft to operate from Merrymead farm, College road, Aston Clinton. [30415]

Sir Paul Beresford: The Secretary of State has received a number of letters concerning this proposal and on 15 June 1995 served an article 14 direction on Aylesbury Vale district council which prevents it from granting planning permission without his consent.

This action provides the Secretary of State with the opportunity to look at the proposal and to judge whether or not he would be justified in using his powers of call-in in this case.

As this matter is under consideration, I am sure that the hon. Member will understand that I cannot comment upon the merits, or otherwise, of the proposal.

Birmingham Northern Relief Road

Mr. Mike O'Brien: To ask the Secretary of State for the Environment how long the inquiry into the Birmingham northern relief road has now lasted; and what is the average time taken for major road inquiries. [30606]

Sir Paul Beresford: Since 21 June 1994, when it opened in Walsall. It is not possible to give an average time for major road inquires. Each is dependent on the complexity of the issues involved and the level of representations received.

Sellafield

Mr. Llew Smith: To ask the Secretary of State for the Environment what request Her Majesty's inspectorate of pollution has made of Nirex UK Ltd. to make public HMIP's safety assessment of Nirex's capability to prepare a full safety case for the proposed nuclear waste disposal facility at Sellafield; with what result; and if he will make a statement. [30606]

Mr. Atkins: HMIP has made no assessment of Nirex's capability to prepare a full case for the post-closure safety of an underground repository. Nirex has not submitted an application for such a facility.

Under an agreement with Nirex, HMIP has reviewed information which that company has provided voluntarily and has classified as commercial in confidence. Nirex has a right of confidentiality regarding such material. HMIP continues to press Nirex to review its position concerning the restrictions the company has placed on the release of such reports.

Montreal Protocol

Mr. Matthew Taylor: To ask the Secretary of State for the Environment when he expects to ratify the Copenhagen amendments to the Montreal protocol. [31034]

Mr. Atkins: The United Kingdom ratified the Copenhagen amendment to the Montreal protocol on 4 January 1995.

Water

Mrs. Helen Jackson: To ask the Secretary of State for the Environment when he will publish the responses to his consultation paper "Using Water Wisely". [30457]

Mr. Atkins: The Government's response to "Using Water Wisely" will be published within the next week or so.

Mrs. Jackson: To ask the Secretary of State for the Environment if he will consider extending additional safeguards to protect low-income households, large families and people with disabilities requiring high use of water, who live in properties which are compulsorily metered. [30460]

Mr. Atkins: Such customers are safeguarded by a code a practice for customer and a code of practice and procedure on disconnections which are part of every water company's instrument of appointment.

Mrs. Jackson: To ask the Secretary of State for the Environment if he will consider setting up a special body in conjunction with the industry and other interested parties to promote the installation of water-saving devices in domestic homes. [30459]

Mr. Atkins: The Government have tabled an amendment to the Environment Bill that places a duty on water companies to promote the efficient use of water by its customers, and provides the Director General of Water Services with powers to determine and publish standards of performance.

Mrs. Jackson: To ask the Secretary of State for the Environment what representations he has had from the industry or other interested parties with regard to the installation of water-saving devices in domestic homes. [30458]

Mr. Atkins: My right hon. Friend has received no such representations. My officials have from time to time received suggestions about the installation of water-saving devices in the home.

Mrs. Jackson: To ask the Secretary of State for the Environment if he will list the organisations that have submitted responses to his consultation paper "Using Water Wisely". [30456]

Mr. Atkins: I have today deposited a list of the organisations that submitted responses to the consultation paper "Using Water Wisely" in the House Library.

Mrs. Jackson: To ask the Secretary of State for the Environment if he will make it his policy that people in new homes may choose whether to pay for their water and sewerage by metered charge. [30504]

Mr. Atkins: It is for water companies to decide the most appropriate method of charging in their areas.

Security Services

Mr. Frank Field: To ask the Secretary of State for the Environment for what reason the final regulations laying down the compulsory competitive tendering by local authorities for security services have not yet been published; and what advice he gives to local authorities in the interim. [31136]

Mr. Robert B. Jones: I explained to the House on the 2 November, *Official Report*, column 1608–609, that we intend to exclude from security work CCT work entailing the enforcement of byelaws which cannot be undertaken by private contractor staff. It is important to get the scope of the exemption right, and to that end we have consulted the local authority associations in framing a suitable draft. We intend to lay the order shortly.

Local authorities have been aware of our intention to bring forward an exemption since guidance was published last December, over a year in advance of the contract start date for security work CCT of 1 January 1996. Authorities ought therefore to have been preparing, and to continue to prepare, for CCT on that basis.

Building Research Establishment

Mr. Simon Coombs: To ask the Secretary of State for the Environment if he will publish the current key performance targets for the Building Research Establishment. [31480]

Mr. Robert B. Jones: The Building Research Establishment is working to the following key targets for 1995–96:

£90,000 net contribution to the Exchequer
income to cover full economic costs on a trading basis
gross non-Exchequer income of £3.5 million
the average daily cost of commissions to be at 1994–95 levels, with costs of major management initiatives met through efficiency savings.

Compulsory Competitive Tendering

Mr. Simon Coombs: To ask the Secretary of State for the Environment what is his policy on the application of compulsory competitive tendering to those authorities he has selected for a further review by the Local Government Commission. [31481]

Mr. Jones: My right hon. Friend the Secretary of State announced on Thursday 22 June 1995, *Official Report*, column *353*, that the Local Government Commission has been asked to carry out further reviews of 21 shire districts in 12 separate counties. Their selection for a further review should not of itself affect the continued operation of CCT, and I would urge all to continue to operate contracts for blue collar services already subject to CCT, and to continue with preparations for the extension of CCT to housing management and white collar services.

In the event of Ministers accepting a recommendation made by the Commission for a change in an authority's structure or function, I intend that our existing policy for authorities changed following review should apply to both the district and county council concerned. In summary this means that:

the "except window" which suspends the re-tendering of blue collar work and the implementation of housing management CCT will apply to both the district and county council from the date at which the Order providing for reorganisation comes into force until 18 months—or, in some cases, 24 months–after the changes have taken effect;

the timetable for the extension of CCT to white collar services in the district and county councils concerned will be determined by the date on which changes take effect. I anticipate that this will be 1 April 1997. On this basis, CCT for the first of the new white collar services will bite from 1 April 1999; and

the extension of CCT to the further manual services—security work, management of vehicles and management of on-street parking—will take effect from 1 October 1998, again on the basis of changes in structure or function taking effect from 1 April 1997.

Authorities which remain unchanged following the further review will be expected to follow the timetable I announced on 29 March of this year, *Official Report*, column *644*.

These exemptions are designed to provide space for reorganised authorities to rethink the way in which they deliver local services, and to adopt the model of an enabling authority. This will provide new opportunities in due course for external contractors to make an effective contribution to local services, and offset the short–term disadvantages which the temporary suspension of CCT brings.

Volatile Organic Compounds

Mrs. Lait: To ask the Secretary of State for the Environment when the Government will issue its response to the first report of 1994–1995 from the Environment Committee on volatile organic compounds, House of Commons paper No. 39. [31494]

Mr. Atkins: I have now sent a memorandum to the Select Committee setting out the Government's response to their report on volatile organic compounds.

The Government have welcomed the Committee's report as a thorough and thoughtful analysis of a complex subject. The report makes a valuable contribution to the development of policy and to influencing the further development of the strategy which the Government have in place for tackling the adverse health and economic effects of these substances.

NATIONAL HERITAGE

Royal Opera House

Mr. Austin Mitchell: To ask the Secretary of State for National Heritage what sum has been made available from public funds directly or indirectly to the Royal Opera House since 1980 in 1994 prices; what was the amount per seat; and what research he has carried out as to the beneficiaries of this expenditure. [29998]

Mr. Dorrell: Details in the form requested of annual grants from the Arts Council to the three Royal Opera House companies—the Royal Opera, the Royal Ballet and Birmingham Royal Ballet—are set out in the table. In addition, the Royal Opera House has received £259,000 under the national heritage arts sponsorship scheme—formerly the business sponsorship incentive scheme—since 1984. Neither my Department nor the Arts Council has carried out audience research, although the Royal Opera House itself undertakes such research on a regular basis.

Grants to Royal Opera House Year	*Grants total £ million*	*Grants at 1994 prices £ million*	*Attendances Thousands*	*Grant per attendances 1994 £ million*
1980–81	7.711	17.92	724	24.75
1981–82	9.535	19.02	678	28.06
1982–83	10.578	19.00	706	26.91
1983–84	11.527	19.24	686	28.05
1984–85	11.505	18.34	734	24.69
1985–86	13.475	20.41	621	32.86
1986–87	13.097	18.76	674	27.83
1987–88	13.227	18.22	601	30.32
1988–89	13.991	18.18	580	31.35
1989–90	14.382	17.34	658	26.35
1990–91	16.397	18.02	565	31.89
1991–92	18.702	19.62	606	32.38
1992–93	19.88	20.22	706	28.64
1993–94	20.396	20.40	644	31.67
1994–95	20.421	19.83	699	28.37

Mr. Mitchell: To ask the Secretary of State for National Heritage if he will make it his policy that money provided by the national lottery will not be used directly or indirectly to subsidise the Royal Opera House. [29999]

Mr. Dorrell: It is for the distributing bodies to decide on the allocation of the proceeds of the national lottery.

National Lottery

Mr. George Howarth: To ask the Secretary of State for National Heritage if grants made under the auspices of the national lottery can be used for matching purposes for grants made to organisations and projects by government departments. [30998]

Mr. Iain Sproat: Grants from national lottery proceeds are made by 11 independent distributing bodies in response to individual applications. Applicants are required to provide an element of partnership funding which can come from a variety of sources, including public funding.

Mr. Hardy: To ask the Secretary of State for National Heritage what has been the total cost of the establishment and administration of the national lottery and the related scratch card competition to date; and what proportion of the income this represents. [30026]

Mr. Dorrell *[holding answer 22 June 1995]:* Total costs associated with the establishment of the national lottery fall *(a)* to Camelot Group plc, *(b)* to the Office of the National Lottery, *(c)* to my Department and *(d)* to lottery distributors.

Details of costs incurred by Camelot Group plc are a matter for Camelot. I have asked the Director General of the National Lottery to write to the hon. Gentleman with information about the costs of establishing and administering Oflot and to place copies of his response in the Library of the House.

The cost of setting up and administration of the national lottery distribution branch, within the Department of National Heritage, was £247,000 to 31 March 1995. This cost was met from the national lottery distribution fund. Other costs of national lottery division were met from the Department's administration vote. For the year ending 31 March 1995, these come to approximately £251,000.

Funds drawn down from the NLDF by the 11 lottery distributors to cover administration costs totalled £5.049 million for the period to 31 March 1995.

Mr. Ron Davies: To ask the Secretary of State for National Heritage what percentage of the revenues collected from ticket sales for the national lottery came from outlets in Wales. [28123]

Mr. Dorrell: Figures are not currently available for the individual countries of the United Kingdom. I have asked the Director General of the National Lottery to write to the hon. Gentleman to explain the position more fully.

Dramatic Arts, Manchester

Mr. Callaghan: To ask the Secretary of State for National Heritage when he last visited the Greater Manchester area to discuss funding for the dramatic arts. [30979]

Mr. Dorrell *[holding answer 26 June 1995]:* On Friday 23 June 1995.

Museums and Galleries

Mr. Callaghan: To ask the Secretary of State for National Heritage how he intends to meet the need for the repair and refurbishment of museums and art galleries. [30978]

Mr. Dorrell *[holding answer 26 June 1995]:* The museums and galleries sponsored by the Department of National Heritage have now all submitted their corporate plans to my Department. The information in these plans, including any information on proposed repair and refurbishment, will be considered in the course of the current public expenditure round. The Government's spending plans will be announced on Budget day.

Leicestershire Museums, Arts and Records Service

Mr. Garnier: To ask the Secretary of State for National Heritage if he will ensure that the Leicestershire museums, arts and records service will be maintained as an integrated operation after the coming into effect of local government reorganisation in Leicester. [30672]

Mr. Dorrell: The decision on how best to provide services for arts, museums and records is for the authorities concerned. However, my Department will shortly be issuing guidance to all authorities involved in reorganisation on the provision of suitable services in all these fields.

Mr. Garnier: To ask the Secretary of State for National Heritage what steps his Department is taking to ensure that the future on a country-wide basis of the Leicestershire museums, arts and records service is not adversely affected by any orders presented to Parliament by the Secretary of State for the Environment concerning the reform of local government in Leicestershire and the city of Leicester. [30668]

Mr. Dorrell: My officials are in close contact with the Department of the Environment about issues affecting services in which my Department has an interest. My Department is issuing guidance to all authorities involved in the reorganisation.

Women's Football

Mr. Flynn: To ask the Secretary of State for National Heritage what new proposals he has to promote women's association football. [30033]

Mr. Sproat: Responsibility for the development of women's football rests with the Football Association. The FA is committed to the development of female football and has recently produced a strategy document which sets out its aim to

"increase the involvement of women in football at all levels, and in all functions and roles".

The England women's football team is to be congratulated on reaching the quarter-final stage for the second women's world cup which took place recently in Sweden.

Leeds Parish Church

Mr. Redmond: To ask the Secretary of State for National Heritage what assistance his Department is giving to restore the parish church of Leeds, West Yorkshire; and if he will make a statement. [30475]

Mr. Dorrell: Government funding for repairs to historic buildings is channelled through English Heritage, which is currently considering an application for grant aid to assist with repairs to the roof of Leeds parish church.

Welsh Fourth Channel

Mr. Llew Smith: To ask the Secretary of State for National Heritage if he will list the subsidies made available annually from public funds to S4C by source and amount. [30522]

Mr. Dorrell: S4C receives an annual payment from my Department. The level of the payment is fixed by a formula set out in the Broadcasting Act 1990 guaranteeing S4C an annual payment equivalent to 3.2 per cent. of the

total terrestrial television revenues from advertising, sponsorship and subscription in the previous year. The amount paid for 1995 was £63.8 million.

Concessionary Television Licences

Mr. Rowlands: To ask the Secretary of State for National Heritage (1) what representations he has received from residents of St. Tydfil Court, Merthyr Tydfil, regarding concessionary television licences; and if he will make a statement; [30779]

(2) if he will review the regulations governing concessionary television licences to cover cases in which the warden does not live on the same floor as the residents. [30780]

Mr. Dorrell: There are no plans for any changes to the regulations governing the concessionary television licence scheme. The regulations require qualifying accommodation to have a person whose function is to care for the needs of the residents and who either lives in one of the dwellings within the group or works on site for at least 30 hours per week. There is no requirement for this person to live on the same floor as the residents. Details of representations from members of the public about specific sheltered housing schemes are not recorded separately.

DEFENCE

Nuclear Weapons

Mr. Wilson: To ask the Secretary of State for Defence what is the policy of his Department towards the export of missiles which have a nuclear version; and when the guidelines were introduced. [30114]

Mr. Freeman: Our policy is to control the export of missiles which are capable of delivering nuclear weapons. The missile technology control regime, of which the UK is a founding member, has established guidelines covering the transfer of nuclear capable missiles, and related equipment and technology. The guidelines were agreed by MTCR partners in 1987.

Faldingworth Range

Mr. Wilson: To ask the Secretary of State for Defence what grants or other assistance were provided to the Faldingworth range and storage area by his Department between 1986 and 1992. [30112]

Mr. Soames: We can find no trace of any grants or other assistance being provided to the Faldingworth range and storage area between 1986 and 1992.

Mr. Wilson: To ask the Secretary of State for Defence if he will list those countries which had personnel trained at the Faldingworth range of Astra/BMARC between 1980 and 1992; and if he will give the dates of the residency of the trainees within the United Kingdom in each case. [30395]

Mr. Soames: Since the range was a purely commercial one, this is not a matter for my Department.

RAF Donna Nook

Mr. Wilson: To ask the Secretary of State for Defence if he will list those countries which used the Donna Nook range between 1980 and 1992; and for what purpose in each case. [30396]

Mr. Soames: There are two separate range facilities at RAF Donna Nook, the air weapons range which is operated by my Department to provide training for aircrews of the Royal Air Force and other NATO nations, and the ammunition and test range. Since 1975, my Department has licensed BMARC and its successor companies to carry out trials of their weapon systems at the ammunition and test range at Donna Nook. Although my Department does not hold records relating to range use prior to 1990, from the company records made available to us for the period in question, representatives from the following countries visited the site to observe and record the performance of ammunition firings:

Abu Dhabi
Argentina
Bahrain
Belgium
Chile
Ecuador
Egypt
Finland
Republic of Ireland
Israel
Italy
Kuwait
Malaysia
Nigeria
Pakistan
Saudi Arabia
Singapore
Spain
Switzerland
Tunisia
Turkey
United States

Cambridge Military Hospital

Dr. David Clark: To ask the Secretary of State for Defence if he will specify the element of total running costs at the Cambridge military hospital proportionate to the percentage of patients treated on behalf of the NHS in each of the last five years. [30552]

Mr. Soames: The figures are as follows:

1990–91: £7,800,000
1991–92: £7,800,000
1992–93: £12,000,000
1993–94: £15,400,000
1994–95: £15,000,000.

These figures include fixed costs which would in any case have been incurred in the treatment of service patients. In addition, because of changes in budgetary responsibility and accounting procedures during the period, the costs are not entirely comparable year on year.

Porton Down

Mr. Derek Fatchett: To ask the Secretary of State for Defence if he will agree to the release of relevant individual

medical records directly to the Porton Down Volunteers Association, in those cases where individuals have given their consent; and if he will make a statement. [30498]

Mr. Soames: Service medical records could be released to the Porton Down Volunteers Association where there is a right of individual access to those records under the Access to Health Records Act 1990 and the individual concerned has given his or her written authorisation. Such right of individual access applies only to medical records compiled after 1 November 1991. With regard to service medical records not covered by the provisions of the Act and for which there is no right of individual access, release can be made to an individual's doctor or solicitor only when required for the management of a particular case.

IMS Iran Ltd.

Mr. Cousins: To ask the Secretary of State for Defence on which dates data relating to IMS Iran Ltd. were placed before Ministers. [30091]

Mr. Freeman: The accounts of IMS Iran Ltd. were consolidated with those of International Military Services Ltd. which are submitted to the Secretary of State for Defence each year for approval.

Sir John Bourn

Mr. Cousins: To ask the Secretary of State for Defence if he will set out the period of service with, and nature of duties performed for, his Department by Sir John Bourn. [30062]

Mr. Freeman: Sir John Bourn joined the Air Ministry in 1956. He held a variety of posts in the Ministry of Defence and on loan to other Government Departments culminating in his appointment as deputy under-secretary of state for defence procurement from 1985 until 1988.

RAF Institute of Pathology and Tropical Medicine

Mr. Burden: To ask the Secretary for Defence what assessment has been made in the consideration of possible co-location of the RAF Institute of Pathology and Tropical Medicine with the School of Aviation Medicine of the implications of co-location for support services, appropriate levels of financial resourcing and the need for appropriately trained and qualified personnel. [31025]

Mr. Soames: The Institution of Pathology and Tropical Medicine is planned to close as a separate establishment on 31 March next year, when the bulk of its functions will transfer to the new core service hospital at Haslar. The future location of the institute's aviation pathology and toxicology department is at present the subject of an investment appraisal which will, as a matter of course, take account of all relevant factors.

Mr. Burden: To ask the Secretary of State for Defence, pursuant to his answer of 20 June, *Official Report*, column *234*, on employees at the RAF Institute of Pathology and Tropical Medicine, how many of those employed are pathologists with a specific responsibility for aircraft investigation; and how many of the others are support staff engaged in aviation pathology. [31024]

Mr. Soames: At present, the Institute of Pathology and Tropical Medicine employs one full-time civilian pathologist with a specific responsibility for aircraft accident investigation. He is assisted, as circumstances require, by four RAF pathologists and six support staff, two of whom are civilians.

Royal Naval Stores Depot, Portsmouth

Mr. Devlin: To ask the Secretary of State for Defence what area of storage facilities at MOD Portsmouth remains unused; and if he will make a statement as to its future use. [30039]

Mr. Soames: The storage facilities of the royal naval stores depot at Portsmouth comprise of some 123,000 cubic metres. Of this, an estimated 51,000 cubic metres is currently unused, while the various transfers and refurbishments involved in the "Front Line First" rationalisations are taking place. When this process is completed in 1997, all the depot's storage capacity, except that in the heritage area, will comprise of modern efficient facilities which will be fully utilised. Details of the unused area of storage facilities in the whole of MOD Portsmouth are not held centrally and could be provided only at disproportionate cost.

Astra plc

Mr. Wilson: To ask the Secretary of State for Defence if he will list those occasions on which his officials met with directors of Astra plc; [30106]

(2) if he will list those occasions on which representatives of Astra plc or its subsidiaries met with officials of his Department in connection with PRB of Belgium; [30110]

(3) if he will list those occasions on which representatives of Astra plc or its subsidiaries met with officials of his Department in connection with Mr. Gerald Bull. [30111]

Mr. Freeman: Aside from the meetings between MOD officials and representatives of Astra plc about which evidence was given to the Trade and Industry Select Committee in February 1992, MOD officials would have had routine contacts with directors of Astra. It is not possible to list all these routine contacts.

ATTORNEY-GENERAL

Treasury Counsel Fees

Mr. Byers: To ask the Attorney-General pursuant to his answer of 22 May, *Official Report*, column *451*, how much each Treasury counsel retained for civil work received in fees from public funds in 1994–95; of the Treasury counsel based at the central criminal court, how many received between (i) £250,000 to £300,000, (ii) £300,000 to £350,000, (iii) £350,000 to £400,000, (iv) £400,000 to £500,000, (v) in excess of £500,000 from the Crown Prosecution Service for financial year 1994–95.

The Attorney-General: *[pursuant to his reply, 21 June 1995, c. 260]* Official Report, The figures given for fees paid to Treasury Counsel based at the central criminal court by the Crown Prosecution Service are being checked

and a revised table will be made available as soon as possible. However, contrary to the original information provided by the Crown Prosecution Service as set out in the table of 21 June, it is clear from information that has since been made available to me that no Treasury counsel based at the central criminal court received more than £400,000 in payments from the Crown Prosecution Service during the financial year 1994–95.

Crown Prosecution Service

Mr. Booth: To ask the Attorney-General when he expects to lay before Parliament and to publish an annual report of the Crown Prosecution Service for the year 1994–95. [31083]

The Attorney-General: The annual report for the Crown Prosecution Service was laid before Parliament at 11 am today and then published.

Copies have been placed in the Libraries of both Houses.

Colin Cockram (Sentence)

Ms Primarolo: To ask the Attorney-General when representations were received alleging leniency in the sentence passed against Colin Cockram following his conviction in Bristol crown court for wounding Mr. Barry Warne; and by whom, and on what date, a decision to refer the matter to the Court of Appeal was first made public. [31133]

The Attorney-General: On 10 March 1995, following his conviction for wounding with intent to cause grievous bodily harm, Colin Cockram was sentenced to perform 80 hours community service. The Crown Prosecution Service, after taking the advice of trial counsel, decided to forward the papers to me so that I could consider applying for leave to refer the sentence to the Court of Appeal for reconsideration. The papers were received in this Department from the Crown Prosecution Service on 30 March. Treasury Counsel's advice was received on 3 April.

The victim, Mr. Warne, wrote to the Home Secretary on 13 March, complaining about the sentence. The Home Office replied on 30 March and sent a copy of the correspondence to this Department, drawing the sentence to my attention. The correspondence was received here on 31 March. Both the Solicitor-General and I considered the papers and on 6 April, in my absence abroad, the Solicitor-General signed the reference applying for leave to refer the case to the Court of Appeal.

On the same day, officials from my Department lodged the reference with the criminal appeals office and notified the Crown Prosecution Service and the solicitors acting for Mr. Cockram of the Solicitor-General's decision. On the same day, an official of my Department attempted to speak to Mr. Warne at his place of work and a message was left. Mr. Warne later returned the call and was told of the decision. He was also later written to.

By a letter dated 31 May, which arrived at this Department on 7 June, the hon. Member for Bristol, South (Ms Primarolo) wrote to me enclosing a copy of the Home Office reply to Mr. Warne's original letter of 13 March. The Solicitor-General replied to her on 9 June.

I understand that the Bristol branch of the Crown Prosecution Service received written representations from the local police on the 24 March, after the decision to refer the papers to Crown Prosecution Service headquarters had already been made, and that one other item of correspondence has also been received by another Government Department and is in the process of being transferred to my office.

SCOTLAND

Prisoners (HIV)

Mr. Kirkwood: To ask the Secretary of State for Scotland (1) how many prisoners have been infected with HIV while in prison in Scotland; [28462]

(2) how many cases of HIV and AIDS have been reported in Scottish prisons for each year since 1986; [28463]

(3) how many inmates in prisons in Scotland are currently HIV-positive or have AIDS. [28464]

Lord James Douglas-Hamilton *[holding answer 14 June 1995]:* The subject of the questions relates to matters undertaken by the Scottish Prison Service. I have asked its chief executive, Mr. E. W. Frizzell, to arrange for a reply to be given.

Letter from E. W. Frizzell to Mr. Archy Kirkwood, dated 27 June 1995:

Lord James Douglas-Hamilton has asked me to reply to your questions about the number of prisoners who have been infected with HIV whilst in prison in Scotland; how many cases of HIV and AIDS have been reported in Scottish prisons for each year since 1986; and how many inmates are currently HIV positive or have AIDS in prisons in Scotland.

The only known incidence of HIV transmission inside a Scottish prison occurred at Glenochil in 1993. A group of prisoners, including a number who were HIV positive, shared syringes and needles to inject drugs. Evidence gathered during the medical response to an outbreak of acute, clinical Hepatitis B and HIV, which resulted from this reckless behaviour, indicated that 8 prisoners had become infected with the HIV virus whilst in Glenochil.

Information is not available centrally on how many prisoners had HIV or AIDS in each year since 1986. In 1989, however, the number of prisoners identified as being HIV positive averaged 90. In December 1994, 56 prisoners were known to be HIV positive but not all prisoners will be aware of their HIV status or will choose to disclose it.

Voluntary anonymous saliva tests were carried out in a number of prisons between 1991 and 1995 in order to assess the extent of HIV infection. The results are given in the enclosed table.

Screening prisoners for HIV +: Results of voluntary anonymous saliva tests

Year	*1991*	*1992*	*1992*	*1993*	*1994*	*1994*	*1994*	*1995*	*1995*
Prison	*Edinburgh*	*Edinburgh*	*Polmont YOI*	*Glenochil*	*Glenochil*	*Glenochil YOI*	*Barlinnie*	*Perth*	*Cornton Vale*
Prisoners taking part	363	236	421	227	296	162	978	304	136
HIV +	17	8	0	12	7	0	10	6	2
Percentage HIV +	5	3	0	3	2	0	1	2	1

Stornoway Sheriff Court

Mr. Macdonald: To ask the Secretary of State for Scotland how much was spent on renovation and refurbishment of Stornoway sheriff court since 1990. [29316]

Lord James Douglas-Hamilton: The subject of the question relates to matters undertaken by the Scottish Court Service. I have asked its chief executive, Michael Ewart, to arrange for a reply to be given.

Letter from Michael Ewart to Mr. Calum Macdonald, dated 27 June 1995:

Lord James Douglas-Hamilton has asked me to reply to your question about how much was spent on renovation and refurbishment at Stornoway Sheriff Court since 1990.

Work on the complete restoration and refurbishment of the B Listed, 19th Century Courthouse began in the autumn of 1993. The cost to date is £668,000. This includes £130,000 which is the subject of a claim following the liquidation of the original principal contractor.

Environmentally Sensitive Area

Mr. Welsh: To ask the Secretary of State for Scotland what percentage of the total land area of Scotland was designated as environmentally sensitive; what financial provision his Department allocated to environmentally sensitive areas in each of the years 1993–94, 1994–95 and 1995–96; what percentage of the total land area of Scotland will be designated as environmentally sensitive; and what financial provision his Department will allocate to environmentally sensitive areas in each of the years 1996–97. [29324]

Sir Hector Monro: About 20 per cent. of Scotland's land area has been designated under the environmentally sensitive areas scheme and there are no plans to designate any further areas. The table sets out the financial provision for the schemes for 1993–94, 1994–95 and 1995–96.

The supply estimate provision for 1996–97 will be decided later this year in the light of forecast demand under the scheme.

£ million

993–94 Supply estimate provision	*1994–95 Supply estimate provision*	*1995–96 Supply estimate provision*
5.283	4.5	5.5

Mink

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list those islands in Argyll and Bute which contain a wild mink population. [29622]

Sir Hector Monro: It is known that there are wild mink populations on Mull and Iona.

Sonic Repellants

Mr. Matthew Taylor: To ask the Secretary of State for Scotland what protection there is for marine animals in United Kingdom coastal waters against the adverse effects of underwater sonic repellants employed by fish farmers in Scotland. [29842]

Sir Hector Monro: Sonic repellants have been brought into use as a non-lethal means of preventing predation of farmed fish. I am not aware of any evidence that they pose a threat to marine mammals which approach, but which then can retreat from, fish cages where such devices are in operation.

Women in Business

Ms Primarolo: To ask the Secretary of State for Scotland what initiatives his Department has to assist and encourage women who want to start their own businesses; and how the success of any initiative is monitored and assessed. [29568]

Mr. Kynoch *[holding answer 21 June 1995]:* The Scottish Office Industry Department and its associated economic development agencies, Scottish Enterprise and Highlands and Islands Enterprise, have in place a wide range of measures to assist men or women who wish to start up businesses. The impact of these measures is monitored and periodically evaluated against the objectives set for them.

With regard to the specific needs of women who wish to start their own businesses, Scottish Enterprise published a report in 1994 "Women Starting Businesses—Making It Happen" which summarised its research into the problems and issues in this area. This was followed in December 1994 by the publication of an action plan to implement the recommendations of that report. This action plan, which is in the process of being implemented, sets out a number of specific tasks related to each of the following strategic issues, as set out in the plan:

"Releasing potential–encouraging more women to embrace the notion of becoming entrepreneurs and persuading more of them to 'have a go'.

Education and training—improving the contribution that schools and universities make to nurturing entrepreneurship among women.

The media—using TV, radio and the press to provide more positive encouragement, including promoting realistic role models, for women thinking about setting up in business.

Encouraging more growth companies—addressing the weakness highlighted in research whereby women seem to set up businesses with low aspirations and low growth prospects.

Access to finance—finding ways of improving access to loan and equity finance for women business founders, and improving the encouragement given to women business founders by banks and equity funders.

Informal networking—encouraging women entrepreneurs to make more effective use of their business, social and family networks to develop their businesses.

Support from formal networks–improving the support given to women business founders by local enterprise companies, enterprise trusts and other business advisers in both the private and public sectors."

A range of programmes aimed specifically at promoting business creation by women in their areas has already been put in place by individual local enterprise companies.

I will send the hon. Member copies of both publications referred to and have arranged for them to be placed in the Library of the House.

Prescriptions

Mr. Donohoe: To ask the Secretary of State for Scotland if he will issue guidance to general practitioners in Scotland relating to the issuing of private prescriptions to NHS patients in line with guidance FHSL (94) 26 issued by the Department of Health; and for what reasons the Scottish Office has not previously done so. [29597]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* My officials are considering the nature and content of guidance to be issued to general practitioners in Scotland.

Private Finance Initiative

Mr. Donohoe: To ask the Secretary of State for Scotland, pursuant to his answer of 29 March 1995, *Official Report*, column *702*, which further NHS trusts have approached his Department regarding the involvement of private finance in the provision of facilities within their trust; what specific provision within each of these NHS trusts is being considered for private financed initiatives; what companies have been consulted on the possible provision of these facilities in each of the trusts; and what is the value of the services being considered under the private finance initiative for each trust and the current position as regards the formal conclusion of contracts between the NHS trust and the potential investor in the facilities in the case of each NHS trust. [29679]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* An exploration of the opportunities under the private finance initiative must be undertaken in relation to all capital projects currently being proposed in the NHS in Scotland. The following is a list of schemes currently in the process of exploration. Within each trust the schemes proposed consist of new clinical facilities and/or equipment. Under the private finance initiative, the trusts will be exploring possibilities for the provision of non-clinical support services in addition to the capital element of the schemes. The value of these services will not be known until proposals come forward from potential private sector partners. Consultation between trusts and private sector companies takes place following the placement of an advertisement in the *Official Journal* of the European Community. At present, no further trusts have reached the stage of consultation, although many are in the process of preparing and placing advertisements. At present, no contracts have been concluded between the trusts listed and potential private sector partners. The Royal Infirmary of Edinburgh, Hairmyres Hospital and Greater Glasgow Community and Mental Health trusts have all drawn up shortlists of consortia with which a final tendering procedure will be undertaken.

Health Survey

Mr. Redmond: To ask the Secretary of State for Scotland what recent research his Department has commissioned in respect of a health survey in Scotland. [30477]

Lord James Douglas-Hamilton: As foreshadowed in our policy statement "Scotland's Health—A Challenge to Us All", a Scottish health survey, commissioned and funded by the Scottish Office, is now under way. The survey focuses particularly on cardiovascular disease and the associated risk factors such as smoking, diet, drinking and exercise. The results, which will be published, will inform the development of policy and action in this priority area of health in Scotland.

Enterprise Zones

Mr. Galbraith: To ask the Secretary of State for Scotland how many people are employed *(a)* full-time and *(b)* part-time in each enterprise zone. [30702]

Mr. Kynoch: There are currently 2,138 full-time and 52 part-time employees working in the Inverclyde enterprise zone and 1,974 full-time and 226 part-time employees working in the Lanarkshire zone.

Rights of Audience

Mr. Hamilton: To ask the Secretary of State for Scotland when he intends to consult the Lord President of the Court of Session on the implementation of section 25 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990; and what considerations underlie the timing of the consultation. [30479]

Lord James Douglas-Hamilton: I will consult the Lord President shortly. We undertook not to implement section 25 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 until the provisions of section 24 had time to become established.

Edinburgh Royal Infirmary

Mr. Chisholm: To ask the Secretary of State for Scotland what services in the proposed new Royal Infirmary of Edinburgh will be operated by the private sector. [30813]

Lord James Douglas-Hamilton *[holding answer 26 June 1995]:* The Royal Infirmary trust has yet to finalise details of services to be provided. In the information provided by the trust to prospective private sector partners, the following services are indicated as being those in which proposals for operation are sought:

Catering services

Estates Management

Buildings and equipment maintenance, equipment replacement

Domestic and housekeeping services

Management of residential accommodation

Portering and security services, car parking
Transport services
Supplies services
Grounds and gardens
Laundry and linen services
Switchboard and reception services and other administration
Sterile services
Medical records and information technology

Mr. Chisholm: To ask the Secretary of State for Scotland what estimate he has made of the revenue consequences of annual charges to a private sector owner of the proposed new Royal Infirmary of Edinburgh. [30812]

Lord James Douglas-Hamilton *[holding answer 26 June 1995]:* The Royal Infirmary trust has yet to proceed to final tender stage and thus on-going revenue consequences are unknown. Charges specified by the private sector consortia will be compared against those arising from a publicly funded option so that best value for money can be achieved.

Mental Health

Dr. Godman: To ask the Secretary of State for Scotland which organisations concerned with the needs of citizens with mental illness, or their families, have made representations voicing *(a)* support for and *(b)* opposition to those clauses in the Mental Health (Patients in the Community) Bill [*Lords*] which relate to Scotland; and if he will make a statement. [30708]

Lord James Douglas-Hamilton: The Scottish Office consulted widely in December 1993 about limiting long-term leave of absence from detention in hospital. A further consultation took place in December 1994 on the basis of detailed proposals for community care orders. A consultation was carried out in March 1994 about the proposals for the return of patients absent without leave. The organisations consulted were as follows:

Age Concern
Alzheimers Scotland
Association of Directors of Social Work
Association of Scottish Local Health Councils
British Association of Social Workers
British Medical Association (Scottish office)
British Psychological Society
Central Legal Office, Common Services Agency
Committee of Users Representatives, Glasgow[1]
Community Psychiatric Nurses Association
Convention of Scottish Local Authorities
Dementia Services Development Centre
Directors of Social Work—Regional and Island Councils
Enable (Scottish Society for the Mentally Handicapped)
Faculty of Advocates
Health Boards
Law Society of Scotland
Link (Glasgow Association for Mental Health)[1]
Manic Depressive Society
Mental Welfare Commission for Scotland
National Board for Nursing, Midwifery and Health Visiting for Scotland
National Schizophrenia Fellowship (Scotland)
NHS Trusts
Penumbra
Psychiatric Nurses Association
Richmond Fellowship
Royal College of General Practitioners
Royal College of Nursing
Royal College of Physicians, Edinburgh
Royal College of Physicians and Surgeons of Glasgow
Royal College of Psychiatrists (Scottish Division)
Royal College of Surgeons of Edinburgh
Scottish Action on Dementia
Scottish Association for Mental Health
Scottish Council for Civil Liberties
Scottish Council for Voluntary Organisations
Scottish Hospital Advisory Service (now Scottish Health Advisory Service)
Scottish Law Commission
Scottish Users Network
Sheriffs' Association[2]
United Kingdom Central Council for Nursing, Midwifery and Health Visiting (UKCC)

Notes:
[1] Consulted only about the return of patients absent without leave.
[2] Consulted only about the detailed proposals for community care orders.

Except where there was a request for confidentiality, copies of the responses are being placed in the Library. A variety of views were expressed. Some of the organisations consulted did not make a response.

WALES

Patients Charter

Mr. Morgan: To ask the Secretary of State for Wales when he expects to send the embargoed letter to the chief executives of Welsh health authorities, family health service authorities, national health service trusts and the unit general managers relating to the publication of the NHS patients charter performance tables, ready for Charter Week. [29235]

Mr. Rod Richards *[holding answer 19 June 1995]:* There are no plans to issue such a letter. Chief executives and general managers have been notified by Welsh Office officials.

School Funding

Mr. Alan Williams: To ask the Secretary of State for Wales how many representations he has received from school governors in *(a)* Swansea, *(b)* West Glamorgan and *(c)* Wales about (i) school funding for 1995–96 and (ii) further funding. [29510]

Mr. Richards: The Department has received many representations concerning school funding in 1995–96, and future funding, from many parties, including school governors.

Health Authority Appointments

Mr. Hanson: To ask the Secretary of State for Wales when and by whom authorisation was given for advertisements to be placed for appointments to the proposed new health authorities in Wales. [29435]

Mr. Richards: The then Secretary of State decided in December 1994 to ask officials to arrange advertisements concerning appointments to the proposed authorities.

Fatal Accidents

Mr. Barry Jones: To ask the Secretary of State for Wales how many fatal accidents have occurred in workplaces in Wales in each of the last six years giving the figures by Welsh county. [29632]

Mr. Gwilym Jones: The information requested is shown in the following table.

Fatal accidents in Wales occurring in the workplace as reported to the Health and Safety executive's field operations division inspectorates and local authorities, 1988–89–1993–94[1]

County	*1988–89*	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*
Clwyd	7	9	6	7	2	1
Dyfed	3	3	5	5	6	2
Gwent	3	8	5	1	8	5
Gwynedd	3	8	3	1	5	5
Mid Glamorgan	6	4	6	5	6	5
Powys	2	1	6	3	2	3
South Glamorgan	1	3	4	3	4	3
West Glamorgan	3	4	2	1	4	3
Total	34	40	37	26	37	27

Source:
HSE.
[1] Year commencing 1 April. Geographical location is determined by the employment base of the injured person which is not necessarily the geographical location of the injury. The figures exclude the small number of injuries reported to other relevant enforcing authorities, chiefly mines, railways and explosives inspectorates, for which a regional breakdown is not readily available. Data shown in the table prior to 1990–91 exclude reports made to the quarries inspectorate.

Regional Emergency Committee

Mr. Wardell: To ask the Secretary of State for Wales if he will publish the names and designation of the members of the Regional Emergency Committee in Wales, together with the dates on which the committee has met in each of the past three years. [29988]

Mr. Gwilym Jones: The Regional Emergency Committee is convened in the event of a serious emergency. This has not happened in the last three years. Members meet informally from time to time to keep in contact. The committee is chaired by the Welsh Office and the organisations represented on it include appropriate Welsh Office divisions, the police, the fire service, the Army, other Government Departments, the Post Office and the telecommunications industry. Other organisations are represented should circumstance require.

Mortgage Repossessions

Mr. Barry Jones: To ask the Secretary of State for Wales what his latest estimate of the number of homes repossessed in Wales in the last five years. [30162]

Mr. Gwilym Jones: In the first quarter of 1995, county courts in Wales made 444 mortgage possession orders together with 647 suspended orders, whereby the mortgagees are given an opportunity to clear their debts. Information is not recorded centrally on the number of cases in which mortgage possession orders led to warrants to have the defendants evicted.

Alzheimer's Disease

Mr. Barry Jones: To ask the Secretary of State for Wales how he proposes to help people who suffer from Alzheimer's disease; and if he will make a statement. [30166]

Mr. Richards: Local and health authorities have responsibility for assessing the needs of their residents and to plan services with the resources available to them. This includes individuals who have Alzheimer's disease.

Grant Payments

Mr. Martyn Jones: To ask the Secretary of State for Wales what provision for compensation in respect of the late payment of grants is available to farmers. [29994]

Mr. Gwilym Jones: Claims for compensation are dealt with on their merit in the light of the circumstances of each case.

Apprenticeships

Mr. Barry Jones: To ask the Secretary of State for Wales how many apprenticeships exist in Wales. [30163]

Mr. Gwilym Jones: Estimates from the labour force survey for winter 1994–95 indicate that in Wales some 321,000 people have completed apprenticeships and 13,000 are still doing apprenticeships.

Noise Nuisance

Mr. Barry Jones: To ask the Secretary of State for Wales what proposals he has to deal with *(a)* noise nuisance and *(b)* other forms of anti-social behaviour by neighbours. [30165]

Mr. Gwilym Jones: Proposals to help tackle neighbour noise nuisance were included in the Government's recent consultation document "Review of the Effectiveness of

Neighbour Noise Controls". The comments received on these proposals will be considered before deciding whether to proceed with legislation. As for anti-social behaviour by neighbours, local authorities already have a number of powers to help them deal with the problem. In terms of anti-social council tenants, the Welsh Office recently consulted interested parties on the possibility of giving councils a new discretionary power to introduce probationary tenancies.

Negative Equity

Mr. Barry Jones: To ask the Secretary of State for Wales what is his estimate of the number of homes deemed to suffer negative equity in Wales. [30161]

Mr. Gwilym Jones: An estimated 11,000 households in Wales, representing 1.3 per cent. of the owner-occupied stock, were affected by negative equity in the first quarter in 1995. These estimates are prepared by the Department of the Environment on the basis of a house price index. The estimates are sensitive to the assumptions made and are intended only to provide a broad indication of the level of negative equity.

Welsh Health Survey

Mr. Redmond: To as the Secretary of State for Wales what recent research his Department has commissioned in respect of a health survey for Wales, and if he will make a statement. [30478]

Mr. Richard: The Welsh health survey was launched at the end of April 1995. It is a postal survey using a sample of 50,000 of the adult population drawn from the electoral register, and is designed to provide an accurate picture of the health of the people of Wales, the way the NHS is used, and areas where services could be improved.

The main aim of the survey is to collect information on representative samples of the population with a range of illnesses and disabilities and information on comparable groups of healthy people, without using any medical records. The information will help those responsible for the NHS in Wales to develop services more finely attuned to the needs of the general population, to carry out further improvements in services, and to inform the development of the patients charter for Wales.

The results of the survey will be published towards the end of this year. Copies of the questionnaire have been placed in the Library of the House.

Unemployment

Mr. Wigley: To ask the Secretary of State for Wales if he will list the ratio of unemployed persons for each vacant job for each county in Wales. [30604]

Mr. Gwilym Jones: The information requested is shown in the following table. The figures relate to the numbers of claimant unemployed and the number of unfilled vacancies at jobcentres. The vacancy figures do not represent the total number of vacancies in the economy. Latest estimates suggest that nationally about one third of all vacancies are notified to jobcentres.

Number of claimant unemployed persons for each unfilled vacancy, May 1995[1]

County	*Number*
Clwyd	6.6
Dyfed	6.6
Gwent	8.7
Gwynedd	6.2
Mid Glamorgan	9.4
Powys	6.0
South Glamorgan	10.5
West Glamorgan	5.9

Source
NOMIS.
[1] Claimant unemployed divided by number of unfilled vacancies at jobcentres.

Mentally Ill (Accommodation)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will publish for each of the health authorities in Wales and for Wales as a whole the number of places available in accommodation schemes for people with severe mental illness; what proposals he has to promote high level support accommodation schemes for the severely mentally ill; and if he will make a statement. [28728]

Mr. Richards *[holding answer 26 June 1995]:* The required information is not available on a health authority basis nor is it possible to isolate information in respect of severe mental illness.

A large proportion of accommodation schemes for people with mental illness are the responsibility of local authorities. Places available in residential care homes—private, voluntary and local authority—as at 31 March 1994 are as follows:

Local authority	*Places*
Clwyd	117
Dyfed	134
Gwent	50
Gwynedd	82
Mid Glamorgan	69
Powys	51
South Glamorgan	83
West Glamorgan	144
Wales	730

Notes:
These figures exclude small homes—ie less than four residents.

The assessment of need, provision of appropriate accommodation and the monitoring of the quality of care is a matter for local determination.

Regional Enterprise Grant

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will list the companies awarded regional enterprise grant, investment project in the counties of Gwynedd and Clwyd for each year since 1988. [30256]

Mr. Richards *[holding answer 26 June 1995]:* Since 1988, 29 companies in Gwynedd and 328 companies in Clwyd have received offers of regional enterprise grant, investment. A complete list of these companies has been placed in the Library of the House.

Private Prescriptions

Mr. Morgan: To ask the Secretary of State for Wales what representations he has received concerning the use of private prescription forms by *(a)* general practitioners and *(b)* pharmacists at the request of patients for those prescription items whose cost of production and distribution is lower than the standard prescription charge; and if he will make a statement. [30666]

Mr. Richards *[holding answer 26 June 1995]:* None.

Millennium Commission

Mr. Morgan: To ask the Secretary of State for Wales what proposals he has to notify the Millennium Commission of the priority rating for the projects shortlisted by the Commission for Wales. [31007]

Mr. Richards *[holding answer Monday 26 June 1995]:* Decisions on the selection of projects for funding are entirely a matter for the millennium commissioners, who are independent of Government. We have been invited by the Secretary of State for National Heritage to let us have any comments on the short list of major projects to help him inform his contribution to the deliberations of the commission.

School Leavers

Mr. Flynn: To ask the Secretary of State for Wales how many young people in Wales who reached the school leaving age in 1994 *(a)* stayed at school to seek qualifications higher than GCSEs or equivalent, *(b)* stayed at school to take further GCSEs *(c)* left school to take courses of further or higher education and *(d)* are not in training, education or employment. [31019]

Mr. Richards *[holding answer 26 June 1995]:* The available information is contained in the following table. The figures relate to pupils on school rolls in LEA-maintained, grant-maintained and independent schools at the time of the January 1994 census, who would have attained school leaving age by 31 August 1994. The available information does not distinguish, in relation to those staying at school, between those proposing to do further GCSEs and those undertaking higher qualifications.

Intended destinations of pupils of school leaving age

Pupils continuing full time education at:	
School	13,535
Further or Higher Education College	9,850
Pupils entering into full time employment or Youth Training	4,720
Other (including part time education, part time employment, unemployment or unknown)	3,915

Mr. Flynn: To ask the Secretary of State for Wales how many young people in Wales reached the school leaving age in 1994. [31017]

Mr. Richards *[holding answer 26 June 1995]:* Some 32,339 pupils on school rolls at the time of the January 1994 schools census would have attained school leaving age by 31 August 1994.

Training and Enterprise Councils

Mr. Ron Davies: To ask the Secretary of State for Wales what was Welsh Office expenditure on TEC programmes for each of the years since their inception. [30965]

Mr. Richards: As the information requested will take some time to collate, I will write to the hon. Member as soon as possible and place a copy of my reply in the Library of the House.

Suicides

Mr. Ron Davies: To ask the Secretary of State for Wales how many suicides there have been in Wales in each of the last 10 years. [30984]

Mr. Richards *[holding answer 26 June 1995]:* The latest available information for Welsh residents is in the following table:

Year	*Suicides ICD E950–E959*
1984	249
1985	194
1986	234
1987	232
1988	241
1989	190
1990	221
1991	245
1992	262
1993[1]	224

Source:
OPCS.
[1] In 1993 OPCS made changes to the coding and data collection system which may have affected the numbers of deaths for many causes (including suicides).

Higher Education

Mr. Malcolm Bruce: To ask the Secretary of State for Wales, (1) what has been the total Government expenditure on university and polytechnic maintenance grants, for each year since 1974–75 in 1994 prices; [30338]

(2) what has been the value of the full universities student grant for each year since 1974–75 in 1994 prices; [30337]

(3) if he will list the changes to university and polytechnic student maintenance grant entitlement since 1974; [30339]

(4) what is his estimate of the annual cost of providing the full maintenance grant to all university students; [30323]

(5) what would be the cost of reducing the level of university fees paid by non-European Community Country students to the fee levels paid by students from European Community countries; [30325]

(6) what was the percentage of university or polytechnic students entitled to *(a)* a full maintenance grant and *(b)* no maintenance grant for each year since 1979; [30340]

(7) what is his estimate of the number of students in higher education in the year 2000; [30320]

(8) what was the average level of student loan for university students in 1994–95; [30324]

(9) what is his estimate of the cost in the current year of restoring the value of the student maintenance grant to its real 1979 level; [30342]

(10) what would be the annual cost of paying *(a)* all fees for and *(b)* the full maintenance grant to all part-time university students. [30322]

(11) what is his estimate of the total number of university students with a student loan, in each year from 1987–88 to 1997–98. [30326]

Mr. Richards: I refer the hon. Member to the answer given today by my hon. Friend the Under-Secretary of State for Further and Higher Education.

Mr. Bruce: To ask the Secretary of State for Wales what is his estimate of the staff to student ratio at universities, and their forerunners, for each year from 1974–75 to 1997–98. [30335]

Mr. Richards: Information available on the staff/student ratio in the constituent colleges of the university of Wales and at other institutions providing higher education in Wales from 1986–87 to 1993–94 can be found in the following table. Comparable information for years prior to 1986–87 is not available for both sectors. Data for the year 1994–95 have not yet been collected. There are no projected figures.

Ratio of full-time equivalent student numbers to full-time equivalent academic and academic related staff numbers in Wales.

Academic year	*University of Wales*[1]	*Other institutions*[2]
1986–87	6:4	10:4
1987–88	6:4	10:2
1988–89	6:7	10:1
1989–90	7:0	11:4
1990–91	7:1	12:5
1991–92	7:7	13:9
1992–93	8:4	15:7
1993–94	9:0	[3]16:7

Notes:
[1] As at December of each year.
[2] Full academic year. Includes higher education provision at further education institutions.
[3] Provisional data pending publication.
Sources:
Universities Statistical Record and the Welsh Office Annual Monitoring Survey.

Mr. Bruce: To ask the Secretary of State for Wales what was the average cost to the Exchequer of each student in university education for each year since 1984–85 broken down by *(a)* maintenance grant, *(b)* fees and *(c)* other. [30343]

Mr. Richards: The information is not available in the form requested. The average maintenance grants received by mandatory award holders domiciled in England and Wales in the academic years 1984–85 to 1993–94 are shown in the table set out in the answer given today by my hon. Friend the Under-Secretary of State for further and Higher Education.

In Wales, the estimated income from tuition fees and average recurrent grant from the Higher Education Funding Council for Wales since its inception in 1992 per student is around £4,500 in each of the financial years 1993–94 to 1995–96.

Mr. Bruce: To ask the Secretary of State for Wales what was the drop-out rate for university and polytechnic courses in each year since 1979. [30319]

Mr. Richards: Information relating to drop-out rates for Welsh institutions is not collected centrally.

Mr. Bruce: To ask the Secretary of State for Wales what are his estimates of the university or polytechnic total student population for each year from 1974–75 to 1998–99. [30341]

Mr. Richards: Information on the number of student enrolments on higher education courses at publicly funded institutions in Wales from 1974–75 to 1997–98 can be found in the following table. Comparable 1998–99 figures will be available later in the year as a direct consequence of this years public expenditure survey.

Enrolments on higher education courses at publicly funded institutions in Wales[1]

Year	*University of Wales*[2]	*Other publicly funded institutions*[3]
1974–75	16,681	7,569
1975–76	17,762	9,345
1976–77	18,784	10,643
1977–78	19,692	12,885
1978–79	20,508	12,959
1979–80	20,879	13,142
1980–81	21,667	13,890
1981–82	21,300	15,135
1982–83	20,888	15,824
1983–84	20,050	17,617
1984–85	20,486	18,181
1985–86	21,520	19,240
1986–87	22,674	19,861
1987–88	22,886	20,331
1988–89	23,167	21,393
1989–90	24,577	22,579
1990–91	26,170	24,076
1991–92	29,487	27,949
1992–93	33,112	33,085
1993–94[4]	36,390	37,133
1994–95[5]	35,500	38,300
1995–96[5]	35,800	38,800
1996–97[5]	35,800	38,700
1997–98[5]	36,100	38,900

Notes:
[1] Excludes Open University students.
[2] At December. Excludes institutions gaining university status in 1992–93.
[3] At November. Includes institutions gaining university status in 1992–93.
[4] Provisional data pending publication.
[5] Projected figures, based on 1994 student counts. Overseas students, other than EC, are excluded.

Mr. Bruce: To ask the Secretary of State for Wales what is the backlog of building repair and maintenance work at universities. [30336]

Mr. Richards: Surveys undertaken in the early 1990s of the higher education estate in Wales showed a backlog of maintenance and repair which would cost just over £90 million to correct. Work to the value of £30 million has already been undertaken, including all work necessary to meet health and safety requirements. The Higher Education Funding Council for Wales has a target to eliminate the remaining backlog of work by 1999 at the latest.

Mr. Bruce: To ask the Secretary of State for Wales what is his estimate of the *(a)* average cost and *(b)* marginal cost of university students in 1995–96. [30344]

Mr. Richards: The average funding council grant and income from fees per higher education student in Wales for the financial year 1995–96 is estimated at around £4,500. No information is available for marginal costs.

Local Government and Housing Act 1989

Mr. Wigley: To ask the Secretary of State for Wales what responsibilities his Department has for ensuring that local authorities in Wales comply with the regulations of the Local Government and Housing Act 1989; and if he will make a statement on the steps he has taken during the past two years with regard to such compliance. [30867]

Mr. Gwilym Jones: A large number of powers are vested in the Secretary of State under provisions in the Local Government and Housing Act 1989. They cover a number of different subject areas, including local authority membership, economic development, local government finance, local authority companies, housing and housing finance. If the hon. Member would indicate those parts of the 1989 Act that he is particularly interested in, or has concerns about, I will write to him.

EDUCATION

Grant-maintained Schools

15. **Mr. Riddick:** To ask the Secretary of State for Education what is the number of pupils who currently attend grant-maintained schools in the United Kingdom. [29122]

Mr. Robin Squire: We estimate that about 670,000 pupils are currently being educated in grant-maintained schools throughout the United Kingdom.

17. **Mr. McLoughlin:** To ask the Secretary of State for Education when she last met the National Union of Teachers to discuss grant-maintained schools. [29124]

Mr. Squire: My right hon. Friend has not had a meeting with the NUT at which grant-maintained schools were the principal subject for discussion.

28. **Mr. Nicholas Winterton:** To ask the Secretary of State for Education if she will a make a statement about the progress and performance of grant-maintained schools. [29135]

Mr. Squire: For three successive years, GM comprehensive schools have, on average, achieved better GCSE results than their local education authority counterparts. Similarly, in 1994—the first year for which adequate data are available—GM primary schools achieved better key stage 1 results than LEA primary schools. These comparisons remain true even if account is taken of socio-economic differences in the schools' intakes.

Mature Students

16. **Mr. Turner:** To ask the Secretary of State for Education what forms of public maintenance support are available to mature students in higher education. [29123]

Mr. Boswell: Mature students, like other students, are generally eligible for a variety of forms of public support. These include mandatory awards and student loans for most full-time first higher education courses, discretionary awards from local authorities, and various postgraduate bursaries.

Religious and Minority Schools, Harrow

18. **Mr. Dykes:** To ask the Secretary of State for Education what recent representations she has received for new religious and minority schools in the London borough of Harrow. [29125]

Mr. Robin Squire: My right hon. Friend has received no formal representations recently. The Department is in contact with representatives of the United Synagogue Board of Education about its proposals to establish a new Jewish voluntary-aided primary school in Harrow.

School Buildings

19. **Mr. Tipping:** To ask the Secretary of State for Education what estimate she has made of the cost of outstanding repairs to schools. [29126]

Mr. Squire: Estimates based on a 1991 National Audit Office report suggested that the cost of structural repairs and maintenance to local authority school buildings was around £1.4 billion at current prices, but since 1990–91, some £3.5 billion has been made available from all sources for capital work in schools.

20. **Mr. Janner:** To ask the Secretary of State for Education if she will make a statement on the standards of school buildings. [29127]

Mr. Squire: The main standards for school buildings are set out in the Education (School Premises) Regulations 1981. Building work at schools is covered by the Department's construction standards.

School Discipline

21. **Mr. Hawkins:** To ask the Secretary of State for Education what measures she is taking to help schools enforce firm discipline. [29128]

Mr. Forth: In May 1994, guidance on pupil behaviour and discipline was sent to all schools, as part of the "Pupils with Problems" pack. The guidance aims to help schools maintain and improve discipline. In September 1994, the Department published an anti-bullying pack to help schools combat bullying. We are now considering what more might be done to support schools on discipline and behaviour, building on previous guidance.

Higher Education

22. **Mr. John Marshall:** To ask the Secretary of State for Education what estimate she has made of how many students will be entering higher education this autumn. [29129]

Mr. Boswell: Our spending plans have allowed for overall funded student numbers in England to rise by 22,000 between the 1994–95 and 1995–96 financial years. This should enable approaching one in three young people to enter full-time higher education this autumn.

Mr. Malcolm Bruce: To ask the Secretary of State for Education what is her estimate of the backlog of building repair and maintenance work at universities. [30346]

Mr. Boswell: The current backlog of building repair and maintenance work for academic buildings is estimated to cost £900 million. This figure is derived from accommodation condition surveys conducted in the early 1990s.

The Higher Education Funding Council for England, and its predecessor bodies, have spent £386 million over the past five years on grants for backlog maintenance, and HE institutions themselves have spent £216 million during the same period. The HEFCE plans to spend a further £100 million on grant aid for projects over the next three years to which it expects institutions to contribute an additional £300 million. The remaining less urgent work will need to be funded by institutions themselves.

Mr. Bruce: To ask the Secretary of State for Education what is her estimate of the *(a)* average cost and *(b)* marginal cost of university students in 1995–96. [30354]

Mr. Boswell: The average funding council grant and income from tuition fees per higher education student for the financial year 1995–96 is estimated as around £4,500. No information is available on the marginal cost.

Mr. Bruce: To ask the Secretary of State for Education what is her estimate of the staff-student ratio at universities and their forerunners for each year from 1974–75 to 1997–98. [30345]

Mr. Boswell: Information on the student-staff ratios in former English UFC and PCFC funded institutions was presented in table G of the Department's annual report, Cm 2810, published in March this year, a copy of which is in the Library. This table provides information for both sectors for the academic years 1990–91 to 1992–93. Information for earlier years, calculated on a different basis, is available in previous departmental reports.

Mr. Bruce: To ask the Secretary of State for Education what was the average cost to the Exchequer of each student in university education for each year from 1984–85 to 1994–95, broken down by *(a)* maintenance grant, *(b)* fees and *(c)* other. [30353]

Mr. Boswell: The information is not available in the form requested. The average maintenance grants received by mandatory award holders domiciled in England and Wales in the academic years 1984–85 to 1993–94 are shown in the table. Since 1990–91, most students in full-time education up to first degree level have had access to student loans. The average loan to students studying in England and Wales in the academic years 1990–91 to 1993–94 are also shown.

In England, the estimated average funding council grant and income from tuition fees per student for the financial years in question are also provided.

Expenditure and funding on higher education in England and Wales: 1984–85 to 1994–95

£ (cash terms)

	England and Wales Academic Years			*England only Financial Years*
	Average maintenance grant per mandatory award holder[1]	*Average fees per mandatory award holder*[1 2]	*Average student loan per loan holder*[3]	*Estimated average funding council grant and income from tuition fees per student*[2 4 5]
1984–85	1,240	580	—	4,000
1985–86	1,170	610	—	4,100
1986–87	1,220	620	—	4,200
1987–88	1,240	640	—	4,400
1988–89	1,320	670	—	4,700
1989–90	1,390	710	—	4,900
1990–91	1,480	1,700	390	4,800
1991–92	1,550	2,250	540	4,800
1992–93	1,610	2,310	660	4,600
1993–94	1,670	2,100	740	4,600
1994–95	n/a	n/a	n/a	4,600

n/a = Not available.

[1] Based on award holders normally domiciled in England and Wales.

[2] The fee element per student of the funding council grant plus tuition fee income is not directly comparable with the average fee per mandatory award holder.

[3] Based on loan holders studying in England and Wales.

[4] Based on higher education students studying in England.

[5] Figures estimated using the real terms unit public funding index published in successive DfE departmental reports, copies of which are available in the Library. Figures have been rounded to the nearest £100.

Mr. Bruce: To ask the Secretary of State for Education what are her estimates of the university or polytechnic total student population for each year from 1974–75 to 1998–99. [30351]

Mr. Boswell: Projections of the student population for home full-time and sandwich students in GB institutions are presently not available for years beyond 1997–98. However, comparable 1998–99 projections will be available later in the year as a direct consequence of this years public expenditure survey.

Outturn data for the years 1974–75 to 1993–94, provisional data for 1994–95 and projections for 1995–96 to 1997–98 are shown in the table, which shows figures underlying the 1994 budget settlement.

In addition, the number of students in English institutions is published in the Department for Education and Office for Standards in Education departmental

report, copies of which are held in the Library. Following is table G: Higher Education student and staff numbers, England 1989–90 to 1997–98, from the March 95 edition.

Table: 1994 Budget Settlement.
Home full-time and sandwich higher education student numbers in Great Britain

Thousands

Academic year	*Total*
1974–75	447
1975–76	456
1976–77	459
1977–78	451
1978–79	448
1979–80	455
1980–81	467
1981–82	492
1982–83	507
1983–84	515

Table: 1994 Budget Settlement,
Home full-time and sandwich higher education student numbers in Great Britain

Thousands

Academic year	*Total*
1984–85	521
1985–86	530
1986–87	540
1987–88	549
1988–89	565
1989–90	600
1990–91	650
Actual	
1992–93	841
Provisional	
1993–94	930
Projected	
1994–95	990
1995–96	995
1996–97	984
1997–98	983

Table G: Higher education student and staff numbers, England 1989–90 to 1997–98

Academic year	*1989–90 actual*	*1990–91 actual*	*1991–92 actual*	*1992–93 actual*	*1993–94 provisional*	*1994–95 projected*	*1995–96 projected*	*1996–97 projected*	*1997–98 projected*
Home full-time and part-time students (thousands)									
Full-time and sandwich students	484	527	599	686	749	798	800	793	792
Part time students[3]	339	359	380	402	407	423	434	442	452
Total full and part-time	823	887	980	1,088	1,157	1,220	1,234	1,235	1,244
Total full-time equivalent students of which students funded by TTA	603	653	732	826	892	945	952(61)	948(60)	950(59)
Age Participation Index (GB)per cent.[4,5]	17	19	23	28	30	30–31	30–31	30–31	30–31
EC Students' (thousands)									
Total full-time equivalent students	16	20	24	27	33	33	34	35	36
Other Overseas Students									
Total full-time equivalent students	46	48	51	53	59	60	60	61	61
Total full-time equivalent students (FTEs)	664	721	807	907	984	1,038	1,047	1,044	1,047
Academic Staff (thousand FTEs)									
Universities[7]	24.9	24.9	25.6	26.1	26.6				
Former PCFC funded institutions	n/a	22.8	23.6	24.9	n/a				
Student: Staff Ratio[8]									
Universities[7]	11.1	11.7	12.4	13.2	14.0				
Former PCFC funded institutions	n/a	15.3	17.1	18.7	n/a				

Notes:
Totals based on unrounded figures, therefore may not always equal sum of the omponents
[1] Covers undergraduates and postgraduates.
[2] Higher education students in higher education institutions and further education colleges
[3] Includes a small number of OU full-time postgraduate students.
[4] The Age Participation Index (API) is defined as the number of initial home entrants to HE aged under 21 expressed as a percentage of the average number of 18 and 19 years olds in the population.
[5] The Age Participation Index (API) over the protection period will depend upon universities recruitment policies to maintain total numbers within DFE 'guidelines'; depending upon these factors, the API may fall outside the forecast range.
[6] Includes Finland, Austria and Sweden from 1995–96.
[7] Excludes OU Covers former UFC funded institutions.
[8] Student numbers used in the calculation of SSRs are on a different basis to those appearing in the table.
n/a Not available.
Sources:
DFE surveys Further Educatin Statistical Record, Form 618G and Annual Monitoring Survey, Universities' Statistical Record, Open University, PCFC Surveys PARISS and Staff Record.

Mr. Bruce: To ask the Secretary of State for Education (1) what is her estimate of the annual cost of providing the full maintenance grant to all university students; [30331]

(2) what would be the annual cost of paying *(a)* all fees for, and *(b)* the full maintenance grant to, all part-time university students. [30330]

Mr. Boswell: The cost in either case would depend upon the decisions taken about eligible courses, their duration, the maximum payable fee and maintenance grant, and the account to be taken of the personal circumstances of potentially eligible students.

Mr. Bruce: To ask the Secretary of State for Education (1) what has been the value of the full university student grant for each year since 1974–75 in 1994 prices; [30347]

(2) if she will list the change to university and polytechnic student maintenance grant entitlement since 1974. [30349]

Mr. Boswell: The information requested is given in the table.

Value of the standard maintenance grant and grant plus loan in England and Wales: 1974–75 to 1994–95

	Standard maintenance grant (cash terms) £[1]	*Standard maintenance grant plus loan (cash terms)* £[2]	*Standard maintenance grant (real terms)* £[3]	*Standard maintenance grant plus loan (real terms)* £[3]
1974–75[4]	605	—	3056	—
1975–76[4]	740	—	2,945	—
1976–77[4]	875	—	3,041	—
1977–78[4]	1,010	—	3,033	—
1978–79[4]	1,100	—	3,062	—
1979–80[4]	1,245	—	2,996	—
1980–81[4]	1,430	—	2,997	—
1981–82[4]	1,535	—	2,875	—
1982–83[4]	1,595	—	2,783	—
1983–84[4]	1,660	—	2,753	—
1984–85	1,775	—	2,832	—
1985–86	1,830	—	2,766	—
1986–87	1,901	—	2,778	—
1987–88	1,972	—	2,784	—
1988–89	2,050	—	2,752	—
1989–90	2,155	—	2,733	—
1990–91	2,265	2,685	2,624	3,111
1991–92	2,265	2,845	2,483	3,119
1992–93	2,265	2,980	2,387	3,141
1993–94	2,265	3,065	2,311	3,128
1994–95	2,040	3,190	2,040	3,190

[1] The standard maintenance grant rate is that applicable to students living away from home and studying outside London.

[2] Since 1990–91 student support has included grant and loan; the grant was frozen at the 1990–91 level (ie: £2,265) until 1994–95 when it was reduced to £2,040. Figures for 1990–91 and subsequent years include grant plus full year loan for students living away from home.

[3] Based on the Retail Price Index (excluding mortgage interest payments) in September at the beginning of each academic year.

[4] Upto and including 1983–84 students claimed, and were individually reimbursed, full travelling expenses; form 1984–85 most students had to meet travel costs from within their main rate of grant.

Mr. Bruce: To ask the Secretary of State for Education what was the drop-out rate for university and polytechnic courses in each year since 1979. [30327]

Mr. Boswell: Full-time and sandwich first degree drop-out rates for each year from 1982–1983 to 1992–1993 are shown in the table. The figures are published in the 1995 and 1994 departmental annual reports.

Academic year	*Percentage drop-out rate*
1982–83	13
1983–84	14
1984–85	15
1985–86	14
1986–87	16
1987–88	17
1988–89	14
1989–90	16
1990–91	15
1991–92	17
1992–93	17

Sources:

Universities' Statistical Record leavers and enrolment records

CNAA enrolment records England and Wales (1982–83 to 1990–91)

DFE Further Education Statistical Record (1991–92 to 1992–93)

The figures show that drop-out rates have fluctuated but they appear low by international standards.

Mr. Bruce: To ask the Secretary of State for Education what would be the cost of reducing the level of university fees paid by non-European Community country students to the fee levels paid by students from European Community Countries. [30333]

Mr. Boswell: Information on fees for overseas students, which are set separately by each university and college, is not available.

Mr. Bruce: To ask the Secretary of State for Education what is her estimate of the cost in the current year of restoring the value of the student maintenance grant to its real 1979 level. [30352]

Mr. Boswell: The cost would depend on whether or not the changes made to the student support system since 1979, including the major changes made in 1990 when loans were introduced, were to be reversed.

Mr. Bruce: To ask the Secretary of State for Education, what was the average level of student loan for university students in 1994–95. [30332]

Mr. Boswell: The average level of loan for all borrowers in the academic year 1993–94, the latest year for which data are available, was £736. Separate figures for university students are not available.

Mr. Bruce: To ask the Secretary of State for Education, what has been the total Government expenditure on university and polytechnic maintenance grants, for each year since 1974–75 in 1994 prices. [30348]

Mr. Boswell: The information requested for England and Wales is shown in the table.

Government expenditure on maintenance grants to mandatory award holders and on student loans in England and Wales: Academic years 1974–75 to 1993–94

£ million (real terms)[1]

	Student maintenance grants[2]	*Student loans*[3]	*Total expenditure*
1974–75	n/a[4]	—	n/a
1975–76	631	—	631
1976–77	653	—	653
1977–78	700	—	700
1978–79	757	—	757
1979–80	799	—	799
1980–81	834	—	834
1981–82	830	—	830
1982–83	824	—	824
1983–84	833	—	833
1984–85	766	—	766
1985–86	692	—	692
1986–87	701	—	701
1987–88	710	—	710
1988–89	734	—	734
1989–90	774	—	774
1990–91	826	68	894
1991–92	942	129	1,072
1992–93	1,102	204	1,306
1993–94	1,227	275	1,502

[1] In 1994–95 prices based on the Retail Price Index (excluding mortgage interest payments) in September at the beginning of each academic year.

[2] Expenditure on grants to mandatory award holders normally domiciled in England and Wales.

[3] Expenditure on loans to higher education students studying in England and Wales.

[4] Information on expenditure on maintenance grants to mandatory award holders in 1974–75 is not available.

Mr. Bruce: To ask the Secretary of State for Education what is her estimate of the number of students in higher education in the year 2000. [30328]

Mr. Boswell: Projections for students in Great Britain institutions of higher education are not available for academic years beyond 1997–98.

Mr. Bruce: To ask the Secretary of State for Education what is her estimate of the total number of university students with a student loan in each year from 1987–88 to 1997–98. [30334]

Mr. Boswell: The information is not readily available in the format requested. The Student Loans Company first issued loans in the academic year 1990–91. The total numbers of loans issued in each academic year to students in higher education are:

1990–91: 180,000

1991–92: 261,000

1992–93: 345,000

1993–94: 430,000

The latest forecast of the number of student loans that will be issued in 1994–95 is 525,000.

The forecast of student loan numbers, as used in calculating the figures for the supply estimates, was:

1995–96: 672,000

1996–97: 731,000

1997–98: 768,000

Mr. Bruce: To ask the Secretary of State for Education what was the percentage of university/polytechnic students entitled to *(a)* full maintenance grant and *(b)* no maintenance grant in each year since 1979. [30350]

Mr. Boswell: The information requested on this topic which the Department collects relates only to mandatory award holders domiciled in England and Wales. The available information is shown in the table.

Mandatory award holders receiving full and nil maintenance grants in England and Wales: 1979–80 to 1993–94

Percentages

	Full maintenance grant	*Nil maintenance grant*
1979–80	39	—[1]
1980–81	40	—[1]
1981–82	40	—[1]
1982–83	37	—[1]
1983–84	36	—[1]
1984–85	35	—[1]
1985–86	35	22
1986–87	37	22
1987–88	37	25
1988–89	37	25
1989–90	36	25
1990–91	37	25
1991–92	39	25
1992–93	42	24
1993–94	44	22

Note:

[1] Up to 1984–85 all mandatory award holders received at least a non-zero minimum maintenance grant (£335 in 1979–90 and £410 in 1983–84).

Mr. Don Foster: To ask the Secretary of State for Education to what extent maintenance for younger children assessed under the Child Support Act 1991 is taken into account in assessing parental contributions towards grants for students in higher education; and if she will make a statement. [31213]

Mr. Boswell: Certain payments which are made by others for the benefit of a student are treated as part of the gross income of the parent in assessing that parent's contribution to the student's grant. These payments include any made under a trust deed or other enactment or instrument for or towards the maintenance, education or other benefit of the student, or of any person dependent on the student's parent, and include payments assessed under the Child Support Act. Where a parent makes such payments in respect of his children, other than the student whose grant is being assessed, and those children are wholly or mainly financial dependent on him, his contribution to the student's grant is reduced by £75.

Unemployed Graduates

23. **Mr. Jamieson:** To ask the Secretary of State for Education what percentage of first degree graduates where unemployed in the December following graduation in the latest year for which figures are available. [29130]

Mr. Boswell: Short-term graduate unemployment increased during the recession. But 1993 provisional figures for England show increased numbers going

straight into employment and a fall in the proportion believed unemployed in the December following graduation to 12 per cent. As the economy improves, graduates should be well placed to find jobs.

Class Sizes, Barnsley

24. **Mr. Illsley:** To ask the Secretary of State for Education what assessment she has made of class sizes in schools in Barnsley in the current financial year. [29131]

Mr. Robin Squire: Information on class sizes is derived from returns made by individual schools to the Department in January each year. This will include class size information for maintained nursery, primary and secondary schools in Barnsley. In January 1994 the average size of one-teacher classes in Barnsley was 27.4 for maintained primary schools and 22.9 for maintained secondary schools. Information for January 1995 will be available in the autumn.

Science

25. **Mr. Battle:** To ask the Secretary of State for Education what percentage of 16-year-olds last year went on to study an A-level science subject. [29132]

Mr. Boswell: This information is not held centrally in the required form. In 1993, at the end of the academic year, 10.7 per cent. of 18-year-olds had at least one science GCE A-level compared with 8 per cent. in 1980.

University Fees

26. **Mr. Pickthall:** To ask the Secretary of State for Education what plans she has to redistribute the student top-up tuition fees for Oxbridge colleges to all British universities. [29133]

Mr. Boswell: There are no plans to redistribute Oxbridge college fees in this way. A college fee is paid in recognition of the tuition and other facilities that the colleges provide to their students. The Higher Education Funding Council for England takes account of the Oxbridge colleges' fee income in determining the level of grant payable to the universities of Oxford and Cambridge and abates those universities' grants accordingly.

Nursery Education

27. **Mr. Raynsford:** To ask the Secretary of State for Education if she will make a statement on the progress to date on the extension of nursery education provision. [29134]

Mr. Harry Greenway: To ask the Secretary of State for Education when she expects to make a statement on Government plans to widen the availability of nursery education; what is the estimated cost of these proposals, and if she will make a statement. [29365]

Mr. Forth: My right hon. Friend and I have been considering a range of options for implementing the Prime Minister's commitment to provide, over time, a pre-school place for every four-year-old whose parents wish to take it up. An announcement will be made as soon as the details have been finalised.

Bradford (Ministerial Visit)

29. **Mr. Madden:** To ask the Secretary of State for Education when she intends next to visit Bradford for discussions with the local education authority. [29136]

Mr. Robin Squire: My right hon. Friend enjoyed visiting schools in Bradford on 1 March. There are no immediate plans for a return visit.

Music Teaching

Mr. Dalyell: To ask the Secretary of State for Education what assessment she has made of musical instrument teaching in schools and changes since 1985. [29263]

Mr. Forth: The Office of Standards in Education is responsible for reporting on the standards of music teaching in schools. It has recently published a review of its inspection findings in music in 1993–94, a copy of which is in the Library.

Sixth-form and Further Education

Ms Tessa Jowell: To ask the Secretary of State for Education what proportion of 16-year-olds stay on at school or further education colleges in *(a)* Southwark, *(b)* Lambeth, *(c)* Camden, *(d)* Hammersmith, *(e)* Birmingham, *(f)* Leeds, *(g)* Newcastle, and which of these authorities provide assistance with their travel cost.

Mr. Boswell: The proportions of 16-year-olds in full-time and part-time education in inner London, Birmingham, Leeds and Newcastle in the 1993–94 academic year are shown in the table:

Percentage

	Full-time	*Full and part-time*
Inner London	74	78
Birmingham	70	77
Leeds	66	78
Newcastle upon Tyne	68	75

Figures for individual inner London boroughs cannot be estimated reliably.

Information on authorities providing assistance with travel costs is not held centrally.

Further Education Institutions

Mr. Don Foster: To ask the Secretary of State for Education (1) what are the total units of activity done or estimated to be done at further education institutions in *(a)* 1993–94, *(b)* 1994–95 and 1995–96; [31216]

(2) what is the percentage change in the average level of funding per unit at further education institutions, using 1993–94 as a base, in *(a)* 1994–95 and *(b)* 1995–96; [31215]

(3) what are the figures for the average level of funding per unit of activity at further education institutions in *(a)* 1993–94, *(b)* 1994–95 and *(c)* 1995–96. [31214]

Mr. Boswell: Details of the allocations of the funding to colleges are matters for the Further Education Funding Council. I am therefore asking the council's chief executive to write to the hon. Member.

School Leavers

Sir Irvine Patnick: To ask the Secretary of State for Education what was the total number of school leavers in the United Kingdom for each of the last five years. [31148]

Mr. Boswell: Data on school leavers in England, and hence the United Kingdom, were collected only up to 1991–92. The table shows the available information.

Pupils leaving school in the United Kingdom, 1988–89 to 1991–92

Thousands

Year	*School leavers*
1988–89	753
1989–90	706
1990–91	661
1991–92	636

Sources:
Education Statistics for the United Kingdom, 1993 and 1992 editions, HMSO.

Teachers' Pensions Agency

Mr. McNamara: To ask the Secretary of State for Education how many representations were received to her proposals to privatise the administration of the Teachers' Pensions Agency; and how many were opposed to it. [31266]

Mr. Robin Squire: I refer the hon. Member to table 1 of the paper "The Future of the Teachers' Pensions Agency (TPA): Results of the Government's consultation exercise", which I placed in the Library of the House on 7 June 1995.

We had made no proposals, either before or during that consultation exercise, to let a contract to administer the teachers' superannuation scheme. My announcement of 7 June, *Official Report*, columns *205–7*, said that we shall invite expressions of interest for a contract, but that we shall let such a contract only if it would provide better value for money than keeping the administration of the scheme in the public sector.

Table 1

Category of correspondent	*Number submitting comments*	*Number supporting contracting*	*Number opposing contracting*	*Other*
Bodies representing teachers	12	0	12	0
Teachers in schools and other educational institutions	40	1	35, and 1 petition with 18 names	3
Employers of teachers, and bodies representing teachers' employers	25	1	11	13
Civil service unions	3	0	3	0
Staff of the Department for Education, including the TPA	39	0	36, and 3 petitions with 831, 80 and 8 names respectively[1]	0
Members of Parliament, writing on their own behalf	1	0	1	0
Members of the European Parliament, writing on their own behalf	1	0	1	0
Local councils	1	0	1	0
Potential contractors	4	1	0	3
Members of the public	2	0	2	0
Other	3	0	1	2
Total	131	3	103 and 4 petitions	21

[1] Certain names appear on more than one of the petitions.

Written Answers to Questions

Wednesday 28 June 1995

FOREIGN AND COMMONWEALTH AFFAIRS

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for Foreign and Commonwealth Affairs by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative. [30841]

Mr. Goodlad: Spending by the FCO, including the Overseas Development Administration, did not change during 1994–95 as a result of the private finance initiative. Savings will be achieved in 1995–96 if better value for money can be secured under the PFI; it is not possible to forecast the impact on employment.

Mr. Betts: To ask the Secretary of State for Foreign and Commonwealth Affairs how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long have they been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30840]

Mr. Goodlad: No schemes were approved under the private finance initiative in the FCO, including the Overseas Development Administration, during 1994–95. The FCO faces special considerations beyond its control (e.g. legal requirements overseas) and it is not yet possible to estimate the numbers or value of capital projects to which the PFI can be applied in 1995–96. Currently two overseas building projects are at the feasibility stage and expressions of interest have been invited for PFI options in up to five projects within the FCO's communications strategy. The projects have been under assessment as PFI schemes for less than six months.

Capital Spending

Mr. Betts: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30882]

Mr. Goodlad: A total of £138 million and £149 million in 1994–95 and 1995–96 respectively.

Common Agriculture Policy

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs if the reform of the common agriculture policy to permit the further enlargement of the European Union requires amendment of articles 38 to 47 of the EC treaty will be reviewed as part of the 1996 intergovernmental conference. [31264]

Mr. David Davis: No. Reform of the CAP is possible without treaty amendments, as the 1992 MacSharry reforms showed. We will continue to press in the appropriate fora for the further reform of the CAP needed to permit EU enlargement.

UN Troops

Mr. Grocott: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries where troops under United Nations authority are currently stationed, including in each case the numbers and nationalities of the troops involved. [30762]

Mr. Douglas Hogg: There are currently 16 UN operations, involving the deployment of over 64,000 troops from 84 countries. A full list of troop contributions to current United Nations peacekeeping operations has been placed in the House of Commons Library.

Inter-Parliamentary Union

Dame Jill Knight: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will support the initiative of the Inter-Parliamentary Union in placing the topic of co-operation between the United Nations and the IPU on the agenda of the General Assembly of the United Nations. [30943]

Mr. Baldry: We broadly welcome closer co-operation between the United Nations and the Inter-Parliamentary Union. We will carefully consider the draft resolution which Senegal has requested to be included in the next session of the General Assembly.

Nuclear Testing

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the French Government concerning its resumption of nuclear testing in the Pacific. [31085]

Mr. David Davis: None. We have, however, close contacts with the French Government on a wide range of defence questions, including nuclear matters, and they are aware of our views.

UN Conference on Women

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the adequacy of arrangements for the participation of non-governmental organisations in the United Nations fourth international conference on women. [31086]

Mr. Douglas Hogg: The Chinese authorities have accepted the criteria for arrangements at the conference set by the NGO facilitating committee. We are concerned that facilities should be consistent with those provided at other UN conferences and will continue to monitor progress made by the Chinese to meet their commitments.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations

concerning the Chinese Government's one child policy he made to the UN in connection with the choice of venue for the UN conference on women. [28948]

Mr. Goodlad *[holding answer 19 June 1995]:* None. Peking was chosen in accordance with the UN practice that the venue of the world conference on women should rotate geographically. The Chinese Government are fully aware of UK concerns about their family planning policy and its implementation.

Gibraltar

Mr. Trimble: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all the EC directives that he is asking the Gibraltar Government to implement. [31088]

Mr. David Davis: I refer the hon. Member to the answer I gave to the hon. and learned Member for Fife, North-East (Mr. Campbell) on 27 June 1995, *Official Report*, column *543*.

Kashmir

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussion he has had with the Indian Government to ensure that the International Red Cross and similar organisations are allowed free and unrestricted entry into the Indian-occupied area of Kashmir to administer help and aid to people in need of such services; and if he will make a statement. [31098]

Mr. Baldry: This is a subject that we have discussed regularly with the Indian Government. We welcome the signing of the memorandum of understanding on 22 June between the Indian Government and the ICRC, which will allow the latter to operate in Jammu and Kashmir.

Diplomats

Mr. Hutton: To ask the Secretary of State for Foreign and Commonwealth Affairs which British ambassadors or high commissioners use Rolls Royce cars in connection with their official duties overseas; and what was the cost of purchasing and operating such vehicles in each of the last five years. [28319]

Mr. Goodlad *[holding answer 14 June 1995]:* Rolls-Royce cars are in use at British diplomatic missions in:

Bonn
Paris
Tokyo
Washington
Brasilia
New York UKRep
Peking
Riyadh
Canberra

Purchasing and Operating Costs

1990–91: 31,221
1991–92: 37,085
1992–93: 96,846
1993–94: 133,317
1994–95: 191,804

These figures include the cost of discreetly armoured vehicles whose conversion and running costs are far higher than those of normal cars. They also include the cost of cars no longer in use in Pretoria and Moscow.

TREASURY

Bank of England

Mr. Henderson: To ask the Chancellor of the Exchequer (1) what is the annual cost of operating the regional office of the Bank of England in Bristol; and what proportion of those costs is staffing costs; [30329]

(2) what is the annual cost for recreational facilities for staff at the Bank of England. [30200]

(3) what is the annual cost of operating the regional office of the Bank of England in Birmingham; and what proportion of those costs is staffing costs; [30328]

(4) what is the annual cost of operating the regional office of the Bank of England in Newcastle; and what proportion of those costs is staffing costs; [30198]

(5) what is the annual cost of operating the regional office of the Bank of England in Manchester; and what proportion of those costs is staffing costs; [30197]

(6) what is the annual cost of operating the Roehampton recreational and sporting area of the Bank of England; [30201]

(7) what is the annual cost of catering and hospitality *(a)* in the governor's and deputy governor's departments and *(b)* in the whole of the Bank of England; [30329]

(8) what is the annual cost of operating the regional office of the Bank of England in Leeds; and what proportion of those costs is staffing costs. [30199]

Mr. Nelson: The annual operating expenses of the bank's branches are £8.6 million, of which £6.4 million relates to staff. The expenses of recreational facilities for staff at the Bank of England, including the Roehampton sports centre, and of catering and hospitality, are not separately available. The bank's total operating expenses in 1994–95 were £238 million, of which £140 million related to staff.

Scotch Whisky

Sir David Steel: To ask the Chancellor of the Exchequer if he will make a statement on the change in the amount of scotch whisky released for sale since the rise in duty imposed on spirits in the 1994 mini-budget, and on the loss to the Revenue. [30035]

Mr. Heathcoat-Amory: The figures relating to spirits consumption since the increase in the rate of duty following the Budget should be read in the context of the cyclical nature of spirits sales. Little significance can be read into off season figures. The main season for spirits sales is the Christmas period, and the industry had a good Christmas in 1994. There was a greatly increased level of activity during late 1994 when the industry, quite understandably, took advantage of the delay between the announcement of the increase and the date of implementation to make substantial clearances during December.

Prices Increases

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will publish the non-food items listed in table 3 of the "CSO First Release" (95)91 in rank order of price increase since *(a)* May 1994 and *(b)* August 1992 indicating which increases he classifies as inflationary; and what is the basis for this classification. [30004]

Mr. Nelson: The information requested is given in the tables. Any increases over 12 months in the retail prices index component indices contributes to the all items' 12 monthly rate of inflation.

(a) Retail Prices Index: Sections excluding food ranked by percentage increases May 1994 to May 1995

Section	Percentage change over May 1994 to May 1995	Rank
Mortgage interest payments	19	1
Cigarettes	7	2
Petrol and oil	7	3
Personal services	6	4
Canteen meals	6	5
Other tobacco	6	6
Water and other charges	6	7
Rent	6	8
Council Tax/Rates	6	9
Household consumables	6	10
Wines and spirits on sales	5	11
Entertainment and other recreation	5	12
Furniture	5	13
Rail fares	5	14
Pet care	5	15
Beer on sales	5	16
Chemists goods	5	17
Take-away and snacks	4	18
Beer	4	19
Furnishings	4	20
Restaurant meals	4	21
Wines and spirits	3	22
Bus and coach fares	3	23
Domestic services	3	24
Other clothing	3	25
Wines and spirits off sales	2	26
Other household equipment	2	27
Television licences and rentals	2	28
Dwelling insurance and ground rent	2	29
Repairs and maintenance charges	2	30
Beer off sales	2	31
DIY materials	2	32
Gas	2	33
Children's outerwear	2	34
Maintenance of motor vehicles	2	35
UK holidays	1	36
Fees and subscriptions	1	37
Foreign holidays	1	38
Books and newspapers	1	39
Purchase of motor vehicles	1	40
Other travel costs	1	41
Postage	1	42
Footwear	0	43
Men's outerwear	0	44
Electrical appliances	0	45
Electricity	0	46
Coal and solid fuels	0	47
Gardening products	0	48
Tapes and discs	0	49
Women's outerwear	-1	50
Toys photographic and sport goods	-1	51
Vehicle tax and insurance	-2	52
Telephones telemessages etc.	-3	53
Oil and other fuel	-4	54
Personal articles	-5	55
Audio-visual equipment	-5	56

Notes:

1. Percentage changes for individual sections are given rounded to integers, reflecting the reduced accuracy of these disaggregated indices.

2. Information for the Depreciation section is not available.

(b) Retail Prices Index: Sections excluding Food Ranked by percentage increases August 1992 to May 1995

Section	Percentage change over August 1992 to May 1995	Rank
Cigarettes	24	1
Water and other charges	23	2
Other tobacco	21	3
Petrol and oil	20	4
Entertainment and other recreation	20	5
Rent	20	6
Canteen meals	19	7
Rail fares	17	8
Personal services	15	9
Vehicle tax and insurance	14	10
Take-aways and snacks	13	11
Beer on sales	12	12
Wines and spirits on sales	12	13
Restaurant meals	12	14
Beer	11	15
Pet care	11	16
Oil and other fuel	11	17
Chemists goods	11	18
Domestic services	11	19
Coal and solid fuels	11	20
Bus and coach fares	10	21
Other clothing	9	22
Maintenance of motor vehicles	9	23
Fees and subscriptions	9	24
Wines and spirits	8	25
Repairs and maintenance charges	7	26
Household consumables	7	27
Footwear	6	28
Furnishings	6	29
Postage	6	30
Furniture	6	31
Books and newspapers	6	32
Gas	6	33
Other travel costs	6	34
Other household equipment	5	35
Men's outerwear	5	36
Wines and spirits off sales	5	37
Children's outerwear	5	38
Personal articles	5	39
Women's outerwear	5	40
Beer off sales	4	41
Electricity	3	42
Tapes and discs	3	43
Gardening products	3	44
Purchase of motor vehicles	2	45
DIY materials	2	46
Television licences and rentals	2	47
Electrical appliances	1	48
Toys photographic and sport goods	0	49
Dwelling insurance and ground rent	0	50
Council Tax/Rates	-1	51

(b) Retail Prices Index: Sections excluding Food Ranked by percentage increases August 1992 to May 1995

Section	Percentage change over August 1992 to May 1995	Rank
Mortgage interest payments	–2	52
Telephones telemessages etc.	–7	53
Audio-visual equipment	–10	54

Notes:

1. Percentage changes for individual sections are given rounded to integers, reflecting the reduced accuracy of these disaggregated indices.

2. Information for the Foreign Holidays, UK Holidays and Depreciation sections is not available.

Customs and Excise Information Systems

Ms Primarolo: To ask the Chancellor of the Exchequer what plans he has to privatise, contractorise or give agency status to the VAT computer facilities at Shoeburyness and Southend-on-Sea. [30511]

Mr. Heathcoat-Amory: There are no plans to privatise the Customs and Excise information systems facility at Shoeburyness and Southend-on-Sea or to give it full agency status.

The system development and service delivery aspects of the organisation were recently market tested. The in-house team was awarded the resulting service agreements because they demonstrated best value for money. The division that provides these services, and other functions in addition to those recently market tested, is an executive unit, in accordance with the Department's next steps strategy, but full agency status is not considered appropriate.

PSBR

Mr. Shore: To ask the Chancellor of the Exchequer if he will list the public sector borrowing requirement from 1965–66 to 1994–95 *(a)* in cash terms, *(b)* adjusted for inflation and *(c)* as a percentage of gross domestic product. [30796]

Mr. Aitken: The following table sets out the information requested.

Public sector borrowing requirement (PSBR) in cash terms, real terms (1993–94 = 100) and as a percentage of gross domestic product (GDP)

	PSBR in cash terms £ billion	PSBR in real terms[1] £ billion	PSBR as a percentage of GDP
1965–66	0.9	9.5	2.6
1966–67	1.1	10.9	3.0
1967–68	2.0	18.8	5.0
1968–69	0.4	3.2	0.8
1969–70	–0.6	–5.1	–1.3
1970–71	0.8	6.0	1.5
1971–72	1.0	6.9	1.7
1972–73	2.4	16.0	3.7
1973–74	4.3	26.8	5.9
1974–75	8.0	41.2	9.1
1975–76	10.3	42.1	9.4
1976–77	8.3	29.9	6.5
1977–78	5.4	17.1	3.6
1978–79	9.2	26.3	5.4
1979–80	9.9	24.4	4.9
1980–81	12.5	26.0	5.4
1981–82	8.6	16.3	3.4
1982–83	8.9	15.7	3.2
1983–84	9.7	16.3	3.2
1984–85	10.1	16.3	3.1
1985–86	5.6	8.6	1.6
1986–87	3.6	5.3	0.9
1987–88	–3.4	–4.8	–0.8
1988–89	–14.7	–19.3	–3.1
1989–90	–7.9	–9.8	–1.5
1990–91	–0.4	–0.5	–0.1
1991–92	13.9	14.9	2.4
1992–93	36.2	37.3	6.0
1993–94	45.4	45.4	7.1
1994–95	35.3	34.6	5.2

[1] Real terms figures calculated using the GDP deflator.

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer, pursuant to his answer of 21 June, *Official Report*, column *262*, what considerations underlie the change of his objective for fiscal policy from the policy of bringing the public sector borrowing requirement back to balance over the medium term, as set out in the "Financial Statement and Budget Report 1995–96"; to the policy of bringing the PSBR back towards balance, as set out in his answer; and if he will make a statement. [31250]

Mr. Aitken *[holding answer 27 June 1995]:* There has been no change in the Government's fiscal objective. The answer of 21 June repeats what my right hon. and learned Friend the Chancellor said in his Mansion house speech on 14 June.

National Lottery

Mr. George Howarth: To ask the Chancellor of the Exchequer if grants made through funds derived from the national lottery are classified as public expenditure. [30997]

Mr. Aitken: These grants are classified as general Government expenditure in the national accounts. However, as my right hon. and learned Friend the Chancellor announced on 22 June, the grants are to be excluded from the definition of the public spending objective as well as from the public expenditure control total.

Open Government

Mr. Llew Smith: To ask the Chancellor of the Exchequer, pursuant to the reply to the hon. Member for Southport (Mr. Banks) *Official Report*, 19 June, columns *7–8* on the Customs and Excise open government policy, to whom notice 950 has been circulated; and if he will place a copy in the Library. [31149]

Mr. Heathcoat-Amory: Notice 950 has been circulated to all Customs and Excise's open government contact points, inquiry offices and advice centres, and to the independent adjudicator's office and the Office of the Parliamentary Commissioner for Administration. Copies have been placed in the Library.

Midwives' Allowances

Mr. Alex Carlile: To ask the Chancellor of the Exchequer which allowances paid to midwives are tax deductible; what changes to the rules governing the deduction of tax from midwives' allowances have been made over the last year; and if she will make a statement. [30264]

Sir George Young *[holding answer 26 June 1995]:* Generally, any allowances paid to midwives are taxable in the same way as allowances paid to any other employee or office holder. The corollary is that midwives may claim certain tax deductions in connection with the performance of their duties, in the same way as employees and office holders generally. There have been no changes in the last year to the statutory rules governing the deduction of tax from midwives' allowances. If the hon. Member has a particular case in mind he may like to write to me, and I shall be happy to look into it.

Hotels (VAT)

Mrs.Ewing: To ask the Chancellor of the Exchequer if he will list the current relevant level of VAT levied by hotels in each of the European Union countries in respect of *(a)* accommodation and *(b)* food purchase. [30499]

Mr. Heathcoat-Amory *[holding answer 27 June 1995]:* The VAT rates applied in European Union member states to hotel accommodation and meals are shown in the table:

VAT on Hotel Accommodation and Meals in the EU

Country	*Hotel accommodation Percentage*	*Hotel meals Percentage*
Austria	10	20
Belgium	6	20.5
Denmark	25	25
Finland	22	22
France	5.5	18.6
Germany	15	15
Greece	8	8
Ireland	12.5	12.5
Italy[1]	9	9
Luxembourg	15	15
Netherlands	6	17.5
Portugal[2]	5	17
Spain	7	7
Sweden	12	21
UK[3]	17.5	17.5

Notes:
[1] The standard rate of 19 per cent. applies in both instances to luxury hotels.
[2] Lower rates of 4 per cent. and 13 per cent. respectively apply in Madeira and the Azores Archipelagoes.
[3] A rate of 5 per cent. applies to hotel accommodation in the Isle of Man.

Competitiveness

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what estimate he has made of the effect of the Government's monetary and exchange rate policies since 1968 on the competitiveness of United Kingdom manufacturers relative to those of the EC 15 measured in terms of relative unit values. [29975]

Mr. Nelson *[holding answer 27 June 1995]:* It is not possible to isolate with any confidence the effects on competitiveness stemming from monetary and exchange rate policies. However, the Government's commitment to deliver permanently low inflation will provide a stable climate within which British manufacturing can compete successfully, in both world and domestic markets.

Prosperity

Mr. Gill: To ask the Chancellor of the Exchequer what evidence he has on the extent to which Britain's prosperity depends on EU membership. [31107]

Mr. Heathcoat-Amory *[holding answer 27 June 1995]:* I have nothing to add to the reply I gave on 21 April 1995, *Official Report*, column *295*, in response to a very similar question from my hon. Friend.

EDUCATION

Capital Spending

Mr. Betts: To ask the Secretary of State for Education what is the expected capital spending figure for her Department for 1994–95; and what is the latest budget figure. [30885]

Mr. Robin Squire: The figures requested are given:

£ million

Capital expenditure DFE and OFSTED	*1994–95*	*1995–96*
Central Government's own expenditure	694	735
Local Authorities	708	n/a

Notes:
1. Capital expenditure is given on a national accounts basis.
2. For 1995–96, a functional split of local authority capital spending is not available as the allocation of spending between services is a matter for determination by individual local authorities.

Source:
Statistical Supplement to the Financial Statement and Budget Report 1995–96, Cm 2821.

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for Education (1) by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative; [30849]

(2) how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long they have been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30848]

Mr. Robin Squire: All expenditure on the staffing and work of the private finance units both in this Department

and at the funding councils have been contained within the resources already available for education spending. In 1994–95 this Department published its booklet "Education means business" about private finance in education. The total cost of designing and printing the 50,000 copies was £101,000 with estimated distribution costs of about £19,000 for the 1994–95 financial year. The Department is setting up a full-time private finance unit which will cost approximately £150,000 in the current financial year.

The Department does not, in general, directly fund education institutions. Resources for the higher and further education sectors, grant-maintained schools and maintained schools are distributed by the funding councils and the local education authorities respectively. Although a great deal of private sector activity takes place in the higher and further education sectors, at present neither the Higher Education Funding Council nor the Further Education Funding Council collect the information requested. The Department is encouraging joint ventures between local authorities, schools and the private sector; legislative measures which came into effect on 1 April 1995 provide additional flexibilities for this area. Information about what has been achieved already by local education authorities and what is currently under consideration is not available centrally.

Higher Education

Sir Irvine Patnick: To ask the Secretary of State for Education what was the total number of school leavers entering higher education for each of the last five years; and if she will make a statement. [31147]

Mr. Boswell: Information on the numbers of young entrants to full-time HE is as follows:

Full-time and sandwich home-domiciled undergraduate entrants to English FE and HE institutions

Thousands

Academic year	*Entrants aged*[1] *18 years and under*	*19 years*
1989–90	73.3	41.3
1990–91	78.0	48.5
1991–92	85.9	55.7
1992–93	97.1	60.4
1993–94	102.7	61.3

Note:
[1] Ages at 31 August during the academic year.
Sources:
"University Statistics", volume 1, 1989–90 to 1993–94; "Statistics of Education, Further and Higher Education", 1989–90 to 1993–94.

Information on the numbers who entered full-time HE directly on leaving school is not readily available. In some cases, progression to HE will be direct from FE or tertiary college, and some students will enter after a year abroad or other sabbatical.

Nursery Education

Mr. William O'Brien: To ask the Secretary of State for Education if she will make a statement on the assistance provided by the Department to help local authorities to provide nursery places where there is a demand by parents. [30763]

Mr. Forth: At present, it is for local education authorities to determine their spending priorities including the level of pre-school education at the schools they maintain. My right hon. Friend will announce soon how the Prime Minister's commitment to provide, over time, a pre-school place for all four-year-olds whose parents wish to take it up will be fulfilled.

English Test

Mr. Bradley: To ask the Secretary of State for Education if the key stage 3 English tests were carried out and marked according to new Department guidelines; and if she will make a statement. [31150]

Mr. Forth: There is no hard evidence yet of a systematic problem with the marking of the English tests for 14-year-olds.

The School Curriculum and Assessment Authority, which is responsible for developing the tests and organising the marking, has taken a number of steps to ensure that the system is robust and reliable; tests and the marking instructions were trialled extensively in schools; all the external markers were trained to national standards; and there were quality checks in place during marking process.

If schools are not satisfied with the results their pupils received, there is a procedure for requesting a re-mark which schools should use.

Head Teachers' Pay

Ms Estelle Morris: To ask the Secretary of State for Education if she will list by local education authority area the average salary of the head teachers in each of the last four years in *(a)* primary schools and *(b)* secondary schools in the (i) local education sector and (ii) grant- maintained sector. [30700]

Mr. Robin Squire: The table shows the average salary of head teachers in all maintained nursery, primary and secondary schools for the most recent years available. The average salary is derived from information provided by local authorities and grant-maintained school primarily for pensions purpose. Information may be incomplete in some cases.

Separate figures for grant maintained schools are shown only at national level. This is to avoid both the disclosure of individual head teacher's salaries and the potential for distortion of average salaries where few head teachers are present. For the same reasons, some average salaries are not shown in the smaller LEA areas.

Head teachers are paid on 51-point pay spine with ranges of points from different sizes of schools. There is no automatic progression up the spine, but a governing body may appoint a head teacher at a point above the minimum of the range, and may move the head teacher as far along the spine as they think appropriate.

Average salary includes allowances such as London allowance.

Average salary of full-time head teachers in the maintained nursery, primary and secondary school sectors. Salary as at 31 March of each year shown.

	1990		1991		1992		1993	
	Nursery and primary	Secondary	Nursery and primary	Secondary	Nursery and primary	Secondary	Nursery and primary	Secondary
Corporation of London	n/a	n/a	[1]—	n/a	[1]—	n/a	[1]—	n/a
Camden	n/a	n/a	24,230	34,416	26,673	38,385	28,645	41,600
Greenwich	n/a	n/a	24,177	33,361	26,927	37,845	29,094	[1]—
Hackney	n/a	n/a	23,777	33,892	26,635	37,291	28,597	39,986
Hammersmith	n/a	n/a	23,612	[1]—	26,366	[1]—	28,655	[1]—
Islington	n/a	n/a	23,754	30,954	27,264	35,215	29,158	36,872
Kensington and Chelsea	n/a	n/a	23,676	[1]—	26,180	[1]—	31,364	[1]—
Lambeth	n/a	n/a	24,009	29,935	27,578	35,233	29,897	36,638
Lewisham	n/a	n/a	24,283	31,596	27,191	35,072	29,626	37,444
Southwark	n/a	n/a	24,113	30,801	27,318	34,782	29,553	38,443
Tower Hamlets	n/a	n/a	24,818	33,803	28,682	38,801	31,247	41,283
Wandsworth	n/a	n/a	23,482	33,966	26,657	[1]—	28,879	[1]—
Westminster	n/a	n/a	25,883	[1]—	29,674	[1]—	32,275	[1]—
ILEA	21,022	28,496	n/a	n/a	n/a	n/a	n/a	n/a
Barking	21,327	31,043	23,716	34,417	27,376	40,909	29,873	43,343
Barnet	20,596	29,025	22,906	32,715	26,066	36,968	28,252	40,992
Bexley	21,031	28,672	23,178	32,261	26,154	36,377	28,348	39,679
Brent	21,778	28,964	25,383	32,690	29,784	36,952	32,109	39,597
Bromley	20,961	28,834	23,020	32,518	26,450	38,919	28,734	n/a
Croydon	20,783	28,705	22,816	31,454	26,129	36,128	28,194	38,744
Ealing	21,552	31,604	23,809	34,329	26,797	38,776	28,988	n/a
Enfield	21,319	27,212	24,800	31,877	27,785	36,435	30,367	39,649
Haringey	20,954	29,684	23,708	33,568	26,654	37,528	28,715	41,822
Harrow	21,686	26,558	23,903	30,365	28,285	35,089	30,479	38,183
Havering	21,043	29,073	23,126	31,891	26,514	35,863	28,696	39,075
Hillingdon	20,761	29,265	22,806	32,101	26,536	36,643	29,074	40,842
Hounslow	21,136	29,570	23,351	32,551	26,542	37,049	28,522	41,412
Kingston upon Thames	20,674	[1]—	22,795	[1]—	25,801	[1]—	28,192	[1]—
Merton	21,493	25,787	24,086	30,398	27,835	34,397	30,222	36,855
Newham	21,634	29,856	24,006	32,606	27,204	37,512	29,383	40,406
Redbridge	21,393	28,329	24,228	31,577	27,566	36,626	30,116	39,850
Richmond upon Thames	20,635	27,971	22,708	[1]—	25,664	[1]—	28,133	[1]—
Sutton	20,942	27,554	23,098	31,245	26,465	35,474	29,010	38,849
Waltham Forest	21,260	27,000	23,375	29,918	26,426	34,007	28,648	36,640
Birmingham	20,314	26,295	22,309	29,226	25,323	33,881	27,334	35,810
Coventry	20,014	29,166	21,945	32,962	25,611	37,189	28,011	40,001
Dudley	20,599	25,629	22,678	28,736	25,571	32,289	27,601	35,498
Sandwell	19,769	26,022	21,878	28,408	24,816	32,054	27,086	34,437
Solihull	20,171	26,572	22,126	28,815	25,492	33,922	27,663	37,451
Walsall	19,716	26,353	21,692	28,757	24,663	32,137	26,779	35,128
Wolverhampton	19,525	26,275	21,472	28,812	24,632	33,221	26,534	36,025
Knowsley	19,804	28,049	21,971	31,288	24,878	35,137	26,756	37,155
Liverpool	19,470	25,858	21,556	28,565	24,409	32,184	26,443	35,133
St. Helens	19,621	29,049	21,551	31,700	24,537	36,357	26,658	38,061
Sefton	19,785	28,122	21,939	31,635	25,292	35,808	27,339	37,949
Wirral	20,093	27,522	22,234	30,945	25,031	35,515	26,991	38,506
Bolton	19,531	29,252	21,493	32,527	24,548	36,771	26,519	38,483
Bury	19,452	26,945	21,419	29,320	24,208	33,565	26,098	35,784
Manchester	19,864	27,386	21,947	30,116	25,066	35,178	27,583	37,653
Oldham	19,556	27,822	21,659	31,060	24,465	34,167	26,374	37,061
Rochdale	19,794	26,330	21,756	30,048	24,667	32,752	26,672	36,181
Salford	19,629	26,445	21,437	28,450	24,056	33,365	26,082	35,971
Stockport	19,445	27,667	21,522	31,230	24,499	35,882	26,402	38,948
Tameside	19,722	27,238	21,683	29,703	24,512	33,417	26,381	36,028
Trafford	19,599	25,747	21,566	29,058	24,478	33,416	26,312	36,502
Wigan	19,749	26,166	21,757	28,922	24,550	32,797	26,498	35,398
Barnsley	19,205	26,599	21,177	29,462	24,097	34,188	25,954	36,184
Doncaster	19,513	25,208	21,429	27,554	24,213	30,918	26,140	33,222
Rotherham	19,404	28,503	21,366	31,076	24,134	34,805	25,856	37,415
Sheffield	19,828	27,767	21,835	30,268	24,669	34,790	26,803	37,395
Bradford	19,503	23,304	21,481	25,669	24,326	28,925	26,232	31,158
Calderdale	19,363	26,065	21,363	29,115	24,136	32,659	25,815	35,609
Kirklees	19,362	26,025	21,330	28,935	24,047	32,506	25,844	35,275
Leeds	19,669	24,037	21,634	26,420	24,404	29,742	26,420	36,526
Wakefield	19,346	24,628	21,246	27,012	23,979	30,379	25,768	33,129
Gateshead	19,439	27,019	21,382	30,210	24,136	34,689	25,983	37,499
Newcastle upon Tyne	19,844	25,905	21,827	28,094	24,526	32,360	26,393	35,427
North Tyneside	19,634	23,844	21,654	26,015	24,373	29,674	26,241	32,557
South Tyneside	19,292	27,484	21,294	31,238	24,216	35,541	26,322	37,559
Sunderland	19,812	28,838	21,788	31,590	24,748	35,303	26,662	37,926

Average salary of full-time head teachers in the maintained nursery, primary and secondary school sectors. Salary as at 31 March of each year shown.

	1990		1991		1992		1993	
	Nursery and primary	Secondary	Nursery and primary	Secondary	Nursery and primary	Secondary	Nursery and primary	Secondary
Isles of Scilly	[1]—	[1]—	[1]—	n/a	[1]—	n/a	[1]—	n/a
Avon	19,403	26,817	21,377	29,636	24,133	32,919	26,008	35,466
Bedfordshire	19,051	24,655	21,097	27,096	24,107	30,684	26,058	33,590
Berkshire	19,548	25,021	21,724	28,222	24,750	32,784	26,761	35,399
Buckinghamshire	19,415	25,982	21,383	29,383	24,293	33,245	26,383	36,114
Cambridgeshire	19,381	26,992	21,384	30,380	24,141	36,484	26,051	38,957
Cheshire	19,242	27,945	21,275	31,304	24,450	35,647	26,452	38,907
Cleveland	20,033	27,057	22,133	29,414	24,922	33,681	26,810	36,374
Cornwall	18,739	24,710	20,792	26,868	23,516	30,305	25,407	33,175
Cumbria	18,585	26,322	20,482	28,178	23,196	31,744	25,010	34,361
Derbyshire	19,114	27,527	21,092	30,421	23,838	34,366	25,625	37,465
Devon	18,962	27,599	21,011	30,906	23,971	35,317	26,018	39,635
Dorset	19,254	25,509	21,333	28,285	23,985	32,409	25,884	35,455
Durham	18,975	28,079	20,902	31,092	23,576	35,102	25,345	38,009
East Sussex	19,369	28,557	21,420	31,722	24,676	35,865	27,028	39,026
Essex	19,621	27,245	21,725	29,619	24,961	34,685	27,114	38,551
Gloucestershire	18,926	26,347	20,899	30,157	23,560	34,110	25,562	36,523
Hampshire	19,555	28,211	21,614	31,761	24,814	36,232	26,986	39,037
Hereford and Worcester	18,933	24,770	20,995	27,483	23,931	31,485	25,792	34,007
Hertfordshire	19,444	27,410	21,401	30,277	24,428	33,942	26,658	36,791
Humberside	19,489	27,668	21,469	30,492	24,288	34,136	26,194	36,743
Isle of Wight	18,764	22,917	20,668	25,101	23,355	28,023	25,209	31,176
Kent	19,408	26,814	21,740	30,381	25,035	35,141	27,241	38,583
Lancashire	19,225	27,256	21,165	30,223	23,913	34,103	25,772	36,538
Leicestershire	19,727	27,434	21,706	29,769	24,647	33,434	26,765	36,898
Lincolnshire	18,828	24,923	21,073	29,087	23,910	33,076	26,048	36,000
Norfolk	18,840	25,423	20,814	28,022	23,569	31,324	25,443	34,842
North Yorkshire	18,624	25,508	20,826	28,198	23,313	31,743	25,080	34,548
Northamptonshire	19,109	25,272	21,014	28,470	23,720	32,377	25,596	35,259
Northumberland	18,789	23,765	20,702	25,949	23,276	29,435	25,049	31,608
Nottinghamshire	19,396	26,850	21,420	30,065	24,585	34,130	26,533	35,949
Oxfordshire	18,948	25,082	20,967	28,294	23,935	31,949	25,958	34,312
Shropshire	18,852	24,485	20,757	26,515	23,445	30,144	25,488	33,577
Somerset	18,747	25,820	20,727	29,324	23,409	33,883	25,313	35,626
Staffordshire	19,351	25,955	21,310	28,757	24,368	32,805	26,279	35,292
Suffolk	18,968	24,607	20,898	27,397	23,888	31,463	25,716	34,027
Surrey	19,750	27,132	21,856	29,998	25,053	33,901	27,120	36,947
Warwickshire	19,239	26,424	21,181	28,916	23,885	32,243	25,689	34,916
West Sussex	19,417	28,794	21,375	32,344	24,622	37,346	26,848	40,352
Wiltshire	19,001	25,993	21,114	28,753	23,719	32,058	25,474	35,110
England	19,521	26,540	19,814	27,865	24,561	33,513	26,573	36,464
Of which								
LEA	19,521	26,533	21,538	29,462	24,561	33,416	26,565	36,212
GM	[1]—	28,190	[1]—	32,330	24,695	37,448	28,729	40,360

Note:
[1] Average salary not shown because of small numbers of head teachers.
n/a = not applicable.
Source:
Database of Teacher Records.

NATIONAL HERITAGE

Royal Palaces

Mr. Coe: To ask the Secretary of State for National Heritage when he will make available to the House the annual report on the maintenance of the occupied royal palaces. [31721]

Mr. Dorrell: I have today placed in the library copies of the annual report and accounts on the grant-in-aid for the maintenance of the occupied royal palaces in England, as promised in the Government's response to the 40th report of the Committee of Public Accounts. The annual report shows a significant reduction in the grant-in-aid since responsibility was transferred from the Department of the Environment to the royal household in 1991. The report also shows a continuation of the record of success which has already been noted by the Committee of Public Accounts.

Galleries and Museums

Mr. Callaghan: To ask the Secretary of State for National Heritage what information he has on the current level of admissions to national galleries and museums. [30981]

Mr. Dorrell *[holding answer 26 June 1995]:* I list forecasts for the number of visits to the national museums

and galleries in England, Northern Ireland, Scotland and Wales. More accurate figures for 1994–95 for the English and Welsh national museums and galleries will be available in July.

	Number of visits in 1993–94 (million)	Forecast number of visits in 1994–95 (million)
England		
British Museum	6.03	6.32
Imperial War Museum	1.19	1.23
National Gallery	4.02	4.00
National Maritime Museum	0.53	0.54
National Museums and Galleries on Merseyside	1.34	1.38
National Portrait Gallery	0.79	0.85
Natural History Museum	1.74	1.54
National Museum of Science and Industry	2.67	2.48
Tate Gallery	2.75	2.80
Victoria and Albert Museum	1.58	1.60
Wallace Collection	0.15	0.16
Northern Ireland		
Ulster Folk and Transport Museum	0.18	[1]0.19
Ulster Museum	0.27	[1]0.26
Scotland		
National Gallery of Scotland	0.76	[1]0.89
National Museums of Scotland	1.09	[1]1.52
Wales		
National Museums and Galleries of Wales	0.96	0.87

[1] These are actual figures. It is not possible to identify the number of visits to the Royal Armouries because at present it forms part of the Tower of London.

National Lottery

Mr. Hardy: To ask the Secretary of State for National Heritage (1) how many grants have been provided from the income arising from the national lottery; and if he will state the number of these within each region of the United Kingdom; [30016]

(2) what payments have been made to charities and good causes from the income arising from *(a)* the national lottery and *(b)* the associated scratch cards; and what proportion of the income such payments represent. [30029]

Mr. Dorrell *[holding answer 22 June 1995]:* The national lottery distribution fund receives a payment from Camelot Group plc each week relating to the sale of both on-line and instant win tickets. A total of £673 million has been raised for the five good causes since the national lottery began in November last year. Of this, £95.5 million—15 per cent., has been awarded to 486 projects. The awards are listed according to region.

Regional breakdown of lottery awards made

	Sport	Arts	Heritage	Mill. Com	Charities	Total
England						
North West	28	11	2	0	0	41
North East	16	2	1	0	0	19
Yorkshire	29	7	3	0	0	39
Eastern	27	7	3	0	0	37
East Midlands	30	7	1	0	0	38
West Midlands	19	2	1	0	0	22
South West	49	5	4	0	0	58
South East	70	17	4	0	0	91
Total	268	58	19	0	0	345
Scotland	34	20	4	0	0	58
Wales	23	18	2	0	0	43
Northern Ireland	28	11	1	0	0	40
Total	353	107	26	0	0	486

LORD CHANCELLOR'S DEPARTMENT

Private Finance Initiative

Mr. Betts: To ask the Parliamentary Secretary, Lord Chancellor's Department by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date and how many jobs have been lost as a consequence in the public sector; and what is the forecast transfer of employment from public to private sector over the last five years because of the initiative. [30837]

Mr. John M. Taylor: For the Lord Chancellor's Department, including the Court Service and the Public Trust Office, there was no change in spending in 1994–95 as a result of the private finance initiative, nor is there likely to be any change in 1995–96. No schemes have been approved to date. There has been no transfer of employment from the public to the private sector since the launch of the private finance initiative in November 1992.

Mr. Betts: To ask the Parliamentary Secretary, Lord Chancellor's Department how many schemes and to what value have been approved in 1994–95 under the private

finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long have they been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30836]

Mr. Taylor: For the Lord Chancellor's Department, including the Court Service and the Public Trust Office, no schemes were approved in 1994–95 under the private finance initiative. It is possible that one will be approved in the current financial year, though its value cannot be quantified accurately at the present time. Five schemes are being considered currently, but their value cannot yet be quantified accurately. Of those five schemes three have been under consideration and in the assessment process for over six months and two for less than six months.

Civil Service (Retirement Packages)

Mr. Milburn: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 17 May, *Official Report*, column *232*, if he will provide comparable details on civil service early retirement packages on grounds of efficiency. [29281]

Mr. John M. Taylor *[holding answer 19 June 1995]:* Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years' salary may be made where a Department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over age 55, this may be forgone in favour of immediate payment of the accrued superannuation benefits which would otherwise be preserved for payment at retiring age. There have been 11 departures on inefficiency grounds in the past five financial years. Details are as follows:

£

	Immediate lump sum compensation	*Annual pension from age 60 (rate per annum)*	*Superannuation lump sum payable at age 60*
1990–91	14,088.18	2,437.65	7,344.57
1991–92	—	—	—
1992–93	9,207.96	1,969.84	5,926.71
1993–94	2,682.34	771.39	2,314.71
1994–95	104,846.97	19,629.52	59,060.55

Capital Spending

Mr. Betts: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30879]

Mr. John M. Taylor: Expenditure on capital in 1994–95 was £142,000,000. The latest budget figure—forecast of expenditure for 1995–96—is £108,000,000. The figures include expenditure by the Court Service Agency and the Public Trust Office Agency.

Local authority capital expenditure on magistrates' courts was £56,000,000 in 1994–95. The latest local authority budget figure for 1995–96 is £74,000,000. The Lord Chancellor's Department pays grants to local authorities at a rate of 80 per cent. of approved expenditure of magistrates' courts.

HOUSE OF COMMONS

Bicycles

Mr. Tyler: To ask the Chairman of the Administration Committee what steps are being taken to improve access and facilities for storage for the bicycles of hon. Members, staff and visitors in the Palace of Westminster.

Mr. Michael J. Martin: Racks are provided under cover for 12 bicycles in Star Chamber Court, for 32 bicycles in the colonnade in New Palace Yard, and for 15 bicycles in the 1 Cannon Row courtyard, for the use of hon. Members and staff. There are racks for a further 12 bicycles in the store at the exit to the underground car park. In random checks, the Serjeant at Arms has always found spare capacity available among the existing racks.

There are no plans to increase the number, or to provide facilities for the storage of visitors' bicycles.

PRIME MINISTER

Information Technology Security

Mr. Cohen: To ask the Prime Minister, pursuant to paragraph 5 of the report by the National Audit Office into IT security in Government services if he will describe the liaison arrangements between the security services and GCHQ which ensure consistency of advice to Government Departments; who is the Minister responsible for such arrangements; what liaison arrangements with the CCTA relate to the implementation of IT security policy; and if he will make a statement. [29773]

The Prime Minister: Responsibility for co-ordinating policy and advice on IT security in government rests with an inter-departmental committee chaired by the Cabinet Office. The Foreign Secretary the Home Secretary and the Chancellor of the Duchy of Lancaster have responsibility for the work of GCHQ, the Security Service and CCTA respectively. Specialists in all three organisations work closely together.

Mr. Cohen: To ask the Prime Minister, pursuant to paragraph 5 of the report by the National Audit Office into IT security in Government Departments, if he will authorise detailed responses to parliamentary questions concerning the resources, and deployment of resources expended by the security services and GCHQ, which relate to the provision of IT security advice to Government Departments; if such responses do not jeopardise national security. [29772]

The Prime Minister: It has been the policy of successive Governments not to provide information in response to parliamentary questions on the operation of the security and intelligence agencies.

Mr. Cohen: To ask the Prime Minster, pursuant to paragraph 5 of the report by the National Audit Office into IT security in Government Departments, if he has taken legal advice as to whether the functions of the security services in GCHQ which relate to the provisions of IT security advice to Government Departments are consistent with the functions outlined in the Security Service Act 1989 and Intelligence Services Act 1994; and if he will make a statement. [29771]

The Prime Minister: Preventing the unauthorised disclosure of information held on Government computer systems is an important element in the protection of national security, and as such falls within the terms of the Security Service Act 1989 and the Intelligence Services Act 1994.

ENVIRONMENT

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for the Environment (1) how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long have they been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved; [30844]

(2) by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative. [30845]

Sir Paul Beresford: The Department of the Environment and its sponsored bodies attracted around £4 million in private investment in support of its programmes in 1994–95 and expects to lever-in a similar amount in 1995–96. This will assist the delivery of a very large number of projects, most notably ones relating to housing, inner cities and regeneration. Moreover, regulations to encourage and facilitate private finance initiative schemes in the local authority sector were implemented by the Government with effect from 1 April 1995 and further PFI-related legislative changes for local authorities are imminent. It is not practicable for the Department to collect detailed information on each project being advanced under private financing arrangements. There have been no changes in the Department's spending directly attributable to the PFI.

Capital Spending

Mr. Betts: To ask the Secretary of State for the Environment what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30883]

Sir Paul Beresford: My Department's total capital expenditure for 1994–95 is expected to be £4,488,000,000. This includes central Government's own expenditure, and capital expenditure by local authorities and public corporations, on a national accounts basis. The latest estimate for 1995–96 is £1,767,000,000. This excludes local government spending, for which a departmental breakdown is not yet available. These figures are the latest published, and appear in the statistical supplement to the "Financial Statement and Budget Report 1995–96", Cm 2821.

Housing Corporation

Mrs. Gillan: To ask the Secretary of State for the Environment if he will make a statement about the finance management and policy review of the Housing Corporation. [31650]

Mr. Curry: On 14 December 1994 I informed the House that as part of the Government's programme of regular five-yearly finance management and policy reviews—FMPRs—of non-departmental public bodies, my Department would be carrying out a review of the Housing Corporation in 1995.

The prior options stage of the FMPR has been completed, and I have placed a copy of the report in the Library.

The purpose of the prior options stage was to assess whether the corporation's functions remained necessary for the achievement of the Government's policies, and whether there was scope for privatising, contracting out or transferring all or part of its functions to another body.

The Government's White Paper, "Our Future Homes", indicates the Government's commitment to a social rented sector, and sets out the Government's plans to enable a wider range of landlords to provide social rented housing, alongside housing associations. Systems for allocating Government subsidy, monitoring the provision of dwellings and overseeing the operation of social landlords therefore continue to be needed. Against this background, the Government accept the prior options review conclusions, that the Housing Corporation should continue to be responsible for the funding and regulation of housing associations in England; that the corporation should take on responsibility for payment of grant to and supervision of the proposed new social landlords, including landlords receiving transferred local authority stock; and that non-departmental public body status remains appropriate to the corporation's functions.

The review also recommends that the Housing Association tenants' ombudsman service should be put on a statutory footing. As announced in the Housing White Paper, the Government accept this, and my Department will be consulting shortly on detailed proposals for legislation.

The Housing Corporation accepts and will take forward a number of other operational recommendations in the report. In particular, it will review the work it does on promotion of housing associations and focus it further on promoting the efficient and effective use of housing resources; develop improved liaison with county councils on care in the community and other issues; and confine its future monitoring of housing associations' employment practices to matters in relation to which the corporation has a statutory duty, under the Race Relations Act 1976; and expose a number of activities to competition from the private sector, where this is found to be relevant.

The review identifies a number of particular issues to be examined in the second stage of the FMPR, including the corporation's approach to registration and regulation in the context of the prospective introduction of new social landlords; the procedures for the appointment of corporation board members and for dealing with potential conflict of interest arising from board members' involvement in other housing-related activities;

arrangements for liaison between the corporation and Government regional offices; and the scope for contracting out or market testing support services within the corporation.

I am grateful for contributions received in the course of the review from the local authority associations, the Chartered Institute of Housing, the National Federation of Housing Associations, individual housing associations, and many other bodies and individuals. The report contains a list of the contributions. Copies of individual contributions are available through the DOE central library.

The review has underlined the importance of the corporation's work, and the effective way it is carried out. This is greatly to the credit of the staff of the corporation and to the chairman and members of the board, and I should like to place on record the Government's gratitude for this.

Mrs. Gillan: To ask the Secretary of State for the Environment if he will make a statement about the board of the Housing Corporation. [31651]

Mr. Curry: Three members of the board of the Housing Corporation are due to retire in the next few months—the right Rev. Wilfred Wood, Mrs. Stella Clarke and Mr. David Cochrane, after nine, seven and 12 years of service respectively. I am extremely grateful to them for the energy and abilities which they have brought to the corporation.

In appointing new members to the board, I wish to be able to consider the widest possible range of candidates. I should, therefore, welcome nominations and expressions of interest in being appointed to these posts.

The Housing Corporation is responsible for the funding and regulation of over 2,000 registered housing associations, and has an annual budget of some £1,750 million. Membership of the corporation board calls for ability and judgment of the highest level. In making these appointments, I particularly wish to consider candidates with expertise also in the fields of urban regeneration, regulatory or other quasi-judicial processes, special needs housing, or academic study of housing issues. I will consider candidates with or without previous involvement in a housing association.

Bedfordshire County Council

Mr. Heald: To ask the Secretary of State for the Environment what action he has decided to take against Bedforshire county council following the notice served on them last year for anti-competitive behaviour in awarding a school and welfare catering contract in-house. [31857]

Mr. Robert B. Jones: On 8 November 1994, my right hon. Friend, the Secretary of State, served a notice under section 13 of the Local Government Act 1988 on Bedfordshire county council, setting out his view that the authority had acted anti-competitively during a competition for school and welfare catering work.

My right hon. Friend has given careful consideration to the response to that notice and has today given the authority a direction under section 14 of the Act which requires it to retender its school and welfare catering work by 1 September 1996. Its direct service organisation will be limited to undertaking 70 per cent. of the total value of the work and it must seek the Secretary of State's consent before it assigns it any of the work in-house.

Bedfordshire awarded six contracts for school and welfare catering to its direct service organisation when it had received substantially lower bids for them from a private company. In the Secretary of State's view it did not have well-founded reasons for doing so.

European Pollution Directives

Mr. Dobson: To ask the Secretary of State for the Environment what assessment he has made, or has been supplied to him by the local authority associations, of the effect on local authority services and local government finance of European directives dealing with bathing water and with clean air and emissions; and if he will make a statement. [30999]

Mr. Gummer *[holding answer 26 June 1995]:* The framework directive on ambient air quality assessment and management will have no direct effect on local authority services and local government finance. The effects of the subsequent daughter directives will be assessed when the proposals are adopted.

The directives on bathing waters and on integrated pollution prevention and control may entail a slight increase in existing co-ordination or provision of information functions for the local authorities. No assessment of these functions has been supplied by the local authority associations.

Ozone Air Pollution

Mr. Matthew Taylor: To ask the Secretary of State for the Environment what research he has conducted into which people suffer discomfort when ozone levels exceed 90 parts per billion; and if he will make a statement. [31033]

Mr. Sackville: I have been asked to reply.

In 1991 the Department of Health advisory group on the medical aspects of air pollution episodes undertook a detailed review of the effects of ozone on health. Its report was published and is available in the Library.

WALES

Mrs. A. Griffin

Mr. Barry Jones: To ask the Secretary of State for Wales if he will establish a public inquiry to ascertain the factors underlying the refusal to treat the two children of Mrs. A. Griffin whose case is currently before his Department at the Breakspear hospital. [30164]

Mr. Richards: This remains a matter for Clwyd district health authority. The authority is undertaking an investigation under independent chairmanship into the conduct of the officers concerned with the referral requested by Mrs. Griffin. I understand that Clwyd district health authority has made an offer to Mrs. Griffin, for an independent paediatrician appointment through an NHS consultant of her choice. That offer remains open.

Prescription Charges

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what was the revenue raised through prescription charges in Wales during (i) 1992–93, (ii) 1993–94 and (iii) 1994–95; and if he will make a statement. [29585]

Mr. Richards: The information for 1994–95 is not available. Figures for 1991–92 to 1993–94 are as follows:

Financial year	*Total income from charges (£000s)*
1991–92	13.372
1992–93	14.706
1993–94	16.008

Capital Spending

Mr. Betts: To ask the Secretary of State for Wales what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30871]

Mr. David Hunt: Consistent with the figures shown in table 1.7 of Cm 2821, the estimated outturn for 1994–95 for public sector capital expenditure within Welsh Office responsibilities is £1,433 million. This total includes an estimate of aggregate local authority capital spending; as explained in paragraph 1.9 of Cm 2821 no equivalent estimate is available for 1995–96. Excluding local authority spending, planned public sector capital expenditure for 1995–96 is £702 million.

Accident and Emergency Services

Mr. Rhodri Morgan: To as the Secretary of State for Wales (1) when he proposes to commence the statutory decision making procedure for determining the future of accident and emergency services in the Cardiff area; [31260]

(2) what notification he has been given by South Glamorgan health authority of its disagreement with Cardiff community health council regarding the proposed switch of accident and emergency services from the Cardiff royal infirmary to the University hospital of Wales; [31262]

(3) what public consultation he expects to carry out before reaching his decision concerning the future of accident and emergency services for Cardiff; and how long he estimates it will take him to announce his verdict; [31261]

(4) what consultation's he has had with the chairman of South Glamorgan health authority concerning its failure to agree with Cardiff community health council about proposals for future accident and emergency services for Cardiff. [31263]

Mr. Richards: The future of accident and emergency services at the Cardiff royal infirmary is a matter for South Glamorgan health authority at this stage. Although the health authority has kept this Department closely in touch with developments, including the position of Cardiff Community health council and the independent review of accident and emergency provision in Cardiff, the matter has not been discussed with the chairman of the health authority at ministerial level.

If the authority and the community health council are unable to agree on the way ahead, the proposals will be submitted to the Secretary of State for decision. If this happens, the Secretary of State's decision will be announced as quickly as possible, taking into account all the views presented.

HOME DEPARTMENT

Immigration Controls

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department (1) if people detained at immigration controls are now offered refreshments; [30769]

(2) what has been the percentage change in the number of complaints against the immigration service from young travellers over the last five years; [30770]

(3) what documentation is now required for a young traveller to be allowed entry into the United Kingdom; [30771]

(4) if the review of complaint statistics for immigration service complaints has been completed; and what categories now replace the category of complaints that gave other reasons; [30772]

(5) what progress has been made to improve the provision of interpreters for the immigration service: [30773]

(6) what representations he has received alleging that black British citizens are facing lengthy delays at immigration controls; [30774]

(7) what action he proposes to prevent black citizens being discriminated against at immigration control points; [30775]

(8) what discussions have taken place between the immigration service and ports and airports to improve holding and interview areas; and what were the results; [30776]

(9) what figures he has regarding the number and proportion of *(a)* black and *(b)* white citizens who experienced substantial delay at immigration control points. [30777]

Mr. Nicholas Baker: I will write to the hon. Member and place a copy of that letter in the Library.

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for the Home Department by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative. [30835]

Mr. Howard: Capital spending in the Home Office did not change in 1994–95, nor is it expected to do so in 1995–96, as a result of the private finance initiative. In these two years my Department will have incurred no contractual payments associated with service delivery. Staff resources allocated specifically to overseeing and developing the initiative cost approximately £100,000 per annum.

All Home Office capital expenditure proposals are examined to see if better value for money could be obtained through the private finance route. However, at present all Home Office schemes that have reached detailed consideration for private finance are additional to, not a substitute for, existing public capital provision.

It is not possible to assess how many jobs have been created so far in the private sector in response to the private finance initiative. However, in addition to those that will be created in construction of capital assets—for which public finance would not have been available–preliminary estimates suggest that around 1,000 operational long-term jobs could result from current private finance schemes. As these projects are new facilities, it is not envisaged that public sector jobs will be lost.

Probation Officers

Mr. Tipping: To ask the Secretary of State for the Home Department if he will place in the Library copies of responses to his consultation document on the recruitment and training of probation officers. [30818]

Mr. Nicholas Baker: I refer the hon. Member to the reply I gave to the hon. Member for Newham, South (Mr. Spearing) on 6 June, *Official Report*, column *125*.

Mr. Betts: To ask the Secretary of State for the Home Department how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long have they been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30834]

Mr. Howard: No private finance initiative contracts were approved in 1994–95. Planning took place on eight projects expected to be approved in 1995–96. These are projects estimated to have a capital value of approximately £150 million.

All capital schemes are now considered for private finance. Eight further schemes are currently receiving more detailed consideration. The value is likely to be of the order of £1 billion.

Capital Spending

Mr. Betts: To ask the Secretary of State for the Home Department what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30880]

Mr. Howard: The Home Office, including Charity Commission capital expenditure is published in the statistical supplement to the "Financial Statement and Budget Report", Cm 2821. For 1994–95 the total figure recorded is £622 million. This includes local authority and Charity Commission expenditure. Planned central Government capital expenditure for 1995–96 is £369 million. There are no published figures for local authority capital expenditure.

Hackney Council

Mr. Sedgemore: To ask the Secretary of State for the Home Department (1) what considerations underlie his decision to decline to allow Hackney council to interview

Ms Jill Arnfield as part of an enquiry to identify an individual or individuals who have broken the law; [31228]

(2) when his Department was informed by Hackney council that names and other information concerning council employees were unlawfully removed from council payroll records; and if he will publish the minutes of that meeting; [31229]

(3) how Ms Jill Arnfield of the immigration and nationality division of the Home Office came to be in possession of details of employees of Hackney council; [31230]

(4) for what reasons Ms Arnfield asked the Benefits Agency to carry out checks on employees of Hackney council; upon what evidence or allegations this request was made; what instructions she gave as to how widely this request was to be made known; and for what reasons; [31231]

(5) what is his Department's policy on co-operation with Hackney council's investigation of alleged unlawful acts in relation to information from the council's payroll records; and what is the reason for this policy; [31232]

(6) when information concerning employees of Hackney council was passed to his Department; who supplied the information; what steps the Home Office took to inform the council that it had received the information and for what reasons; and what lawful authority the Home Office had to act on the information. [31233]

Mr. Nicholas Baker: Ms Arnfield is one of a number of immigration officers employed in the enforcement directorate of the immigration service. One of her main tasks is to investigate allegations and information, from whatever source, about persons who may be working and/or residing in this country illegally. All information alleging breaches of the immigration laws is thoroughly researched both within the Department and with other agencies and is discounted wherever it is possible to identify the person(s) concerned as being lawfully resident here.

A number of allegations about persons from abroad working illegally at Hackney council have been received from various sources over a long period. It would not be appropriate to disclose these sources publicly, but the immigration service has never received a computer disk containing details of Hackney employees. Where it has been established that the subject(s) of the information was illegally in the United Kingdom, the council has been informed. So far, eight council employees—three finance officers, two teachers, an estate manager, a personnel officer and a cook—have been served with either notice of illegal entry or notice of intention to deport and three others were dismissed by the council after the immigration service asked to interview them.

Discussion have taken place between representatives from Hackney council and members of the immigration service and a further meeting scheduled for 28 June has been postponed at the council's request. At a meeting on 10 March, the assistant chief finance officer of Hackney council suggested that an inquiry into an alleged breach of the Data Protection Act 1984 concerning the unauthorised release of details of Hackney council employees was being considered. The draft minutes of this meeting were circulated to Hackney council on 17 March for approval, but the council has not responded.

Alleged breaches of council security are for the local authority to pursue with the police and/or the Data Protection Registrar.

The general question of disclosure of sources of information made available to the immigration service is a matter for the Home Office. In these circumstances, it has been made clear that the Home Office would be happy to respond to any written inquiries but not to allow individual immigration officers to be interviewed about matters which go beyond their responsibilities.

Burglaries

Mr. Robert Ainsworth: To ask the Secretary of State for the Home Department what is the nature of the information retrieval system used by the Metropolitan police to record burglaries; if information on burglaries is retrievable for *(a)* individual addresses, *(b)* persons or organisations burgled and *(c)* date of burglary; and if the information on crimes reported to individual police stations is recorded on a central database. [30950]

Mr. Maclean: I understand from the Commissioner of Police of the Metropolis that the Metropolitan police currently use two systems for recording crime information. The first is a paper based, manual system, and the second, which is replacing the first, is the crime reporting and information system, which is computerised. Information about individual addresses, names of persons or organisations involved and date of incident is retrievable on both systems at local level. Certain details of reported crimes are forwarded to a central database for statistical purposes, but as this database does not contain personal information, retrieval is not possible centrally.

Metropolitan Police (Race Relations)

Mr. Bernie Grant: To ask the Secretary of State for the Home Department what force-wide strategy the Metropolitan police have for community and race relations training; what progress has been made in implementing this strategy especially at local level; to what extent and in what ways contributors from local minority ethnic communities are involved in such training; and what use is currently made by the Metropolitan police of the services of his Department's funded specialist support unit. [30723]

Mr. Maclean: I understand from the Commissioner of Police of the Metropolis that, to date, 73 police trainers and 13 training managers have attended the six-week course on these subjects at the Home Office specialist support unit and that a further nine officers have attended the condensed version of the course, enabling them to assist the trainers. Focused training sessions are held at the recruit school in Hendon, involving ethnic community representatives. In addition to this, local training is often organised at divisional or area level, involving members of local minority ethnic communities.

Police Training

Mr. Bernie Grant: To ask the Secretary of State for the Home Department how many *(a)* civilians and *(b)* lay

contributors are currently employed or were used in the last four trainers' courses at the central planning and training unit; what subject areas they covered; and what was their ethnicity. [30722]

Mr. Maclean: The last four trainers' courses held at the central planning and training unit were led by eight directors of study, one of whom was a white civilian. These courses are designed to train police officers to act as trainers generally but also include elements of equal opportunities and community and race relations training. In exploring these issues, 15 ethnic minority police officers were used as members of discussion groups or panels.

Wheelclamping

Mr. Spellar: To ask the Secretary of State for the Home Department, pursuant to his answer of 6 June, *Official Report*, column *134*, if he will introduce legislation to permit local authorities in areas affected by the activities of unscrupulous wheelclampers to introduce byelaws to ban or regulate their activities. [30440]

Mr. Maclean: Byelaws are generally used to regulate behaviour in public places and cannot apply to private land without the consent of the landowner. In the context of wheelclamping, therefore, byelaws are unlikely to provide an effective means of regulation.

Post-natal Prisoners

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what guidelines are given to magistrates concerning imprisoning women who have just given birth. [30384]

Mr. Maclean: The Government do not issue guidelines to the courts as to how they should use their discretion in dealing with individual cases. The Magistrates Association does issue guidelines to its members, but we are not aware that the association has provided any advice on the treatment of women who have just given birth.

Privatisation

Mr. McNamara: To ask the Secretary of State for the Home Department if he will list those parts of his Department or departmental agencies which were privatised without an in-house bid; if he will indicate the expertise which was absent in his Department or departmental agencies which prevented an in-house bid taking place; which future parts of his Department or departmental agencies he intends to privatise; and which of them do not have the necessary in-house expertise to mount an in-house bid. [29417]

Mr. Howard: In the Prison Service, three new-built prisons and half the prisoner escort services have been contracted out to the private sector without an in-house bid since 1992 under the "Competing for Quality" initiative. This reflected a policy decision that such activities should in future be carried out by the private sector and consequently in-house bids were not invited. In-house bids were not prevented by any absence of expertise. The Prison Service intends to pursue this policy by contracting out further new-build prisons and the four remaining geographical areas of prisoner escort services; again in-house bids will not be invited.

Estate management in the Forensic Science Service has been contracted out to the private sector without an in-house bid. No such bid for this work was made, but, if one had been, it would have been considered on the same basis as bids from external contractors.

The United Kingdom Passport Agency has invited outline proposals from service providers, including travel agents, banks and the Post Office with a view to these outlets receiving and checking completed passport applications. The aim is to enhance customer choice and convenience.

As I announced in response to a question from my hon. Friend the Member for Uxbridge (Sir M. Shersby) on 8 February, *Official Report*, columns *254-55*, a decision about the future management of the police national computer will be taken about the middle of 1996 when the likely nature, size and scope of the proposed new computer system is clearer.

Elsewhere in the Home Office, activities reviewed under the "Competing for Quality" initiative have been contracted out to the private sector only where an external bidder has won in competition with the in-house team. "Competing for Quality" reviews are in progress or are planned across a range of functions, but there are at present no plans to contract out any further functions of the non-prisons Home Office without the in-house team having had the opportunity to bid for the work against the private sector.

Organised Crime

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department in what form the November 1993 recommendation of the European ad hoc working group on organised crime for an annual report on the scale and trends of organised crime was fulfilled in respect of 1994; and how the information relating to the United Kingdom was compiled. [30053]

Mr. Maclean *[holding answer 27 June 1995]:* The Justice and Home Affairs Council adopted a situation report on organised crime in the European Union in 1993 at its meeting on 9 and 10 March 1995. This confidential report was prepared for Ministers by the German presidency of the European Union drugs and organised crime working group on the basis of member states' responses to a presidency questionnaire.

The United Kingdom contribution was compiled by the Home Office in consultation with the national criminal intelligence service. HM Customs and Excise and the Association of Chief Police Officers.

Victims Charter

Mrs. Roche: To ask the Secretary of State for the Home Department what plans he has to update the victims charter; and when he will do so. [27275]

Mr. Maclean *[holding answer 8 June 1995]:* We are hoping to publish a charter-style statement of service standards for victims of crime later this year.

Confiscation Orders

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department if he will update the figures on

sums ordered to be confiscated and sums realised, given in his answer to the hon. Member for Wallsend (Mr. Byers) of 1 February, *Official Report*, column *679*, to include the figures for 1994–95. [30056]

Mr. Maclean *[holding answer 27 June 1995]:* The information requested will not be available until the Autumn 1995.

OVERSEAS DEVELOPMENT ADMINISTRATION

Arms Sales

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral statement by the Minister of State, the hon. Member for Eddisbury (Mr. Goodlad), of 19 June, *Official Report*, column 93, if he will now meet representatives of the World Development Movement to discuss the basis of its allegations regarding alleged links between aid and arms sales. [30536]

Mr. Goodlad: I have no plans at present to meet World Development Movement representatives. Allegations regarding links between aid and arms sales are completely unfounded. Senior ODA officials met WDM representatives on 21 June to discuss recent WDM work on development issues. Discussions were useful and productive, and part of the process through which non-governmental organisations and the ODA regularly discuss help to the developing world.

TRADE AND INDUSTRY

Exports

Mr. Brandeth: To ask the President of the Board of Trade what have been the results of the consultations that his Department has undertaken with the private sector about barriers to United Kingdom exports.

Mr. Heseltine: I set out in this year's competitiveness White Paper a new strategy for tackling barriers erected by other countries to our exports. Dossiers on 20 of our major markets have now been completed, and I have placed copies in the Library of the House. Copies are also being sent to the trade associations that have contributed to the study, and will be available from my Department on request. Dossiers on our other top markets will also be drawn up.

Telecommunications Council

Mr. Merchant: To ask the President of the Board of Trade if he will make a statement on the outcome of the Telecommunications Council on 13 June.

Mr. Ian Taylor: The Commission made a presentation on progress within the Commission on drawing up a draft legislative framework for the single market in postal services, and undertook to produce proposals by July. The presidency adopted conclusions on the principles of terminal dues for the delivery of international mail, although there was no agreement at this stage within the Council.

The Council agreed a resolution on a future regulatory framework for telecommunications, necessary to implement the full liberalisation of network infrastructure and services by 1 January 1998, agreed in principle at the last Council on 17 November 1994. A resolution on policy in the mobile and personal communications sector was also agreed.

The Council also agreed a common position on the resubmitted directive applying open network provision to voice telephony. In addition, the Commission reported to the Council on the amendments made by the European Parliament at its second reading to the Council's 22 December 1994 common position on a directive on standards for digital television. The draft directive was referred back to the Committee of Permanent Representatives for further discussion.

Following a short debate, the Council agreed conclusions on a draft Commission directive on the use of cable television networks for the provision of telecoms services already liberalised by the Community.

The Commission made representations on the progress of multilateral negotiations on basic telecommunications, and on its communication on the status and implementation of Commission directive 90/338/EEC on competition in the markets for telecoms services. There was also a Commission presentation and a short debate on a Commission communication on a methodology for implementation of the information society application areas identified by the Bangemann group, and a draft proposals for a decision on guidelines for the development of telecoms Trans-European networks.

No formal vote was taken at this Council.

Mr. Allen: To ask the President of the Board of Trade if he will publish the minutes of the meeting of the Council of Telecoms Ministers in the week beginning 12 June. [30243]

Mr. Ian Taylor: The minutes of the Telecommunications Council have not yet been produced. The outcome of the Telecommunications Council is summarised in the reply I gave earlier today to my hon. Friend the Member for Beckenham (Mr. Merchant) and the Council secretariat press release giving an account of it has been deposited in the Library of the House. The procedures set down in Council decision 93/731/EC—printed in the *Official Journal* of 31 December 1993 also deposited in the Library of the House—provide for public access to Council documents. The hon. Member may request access to the minutes from the Council secretariat.

Private Finance Initiative

Mr. Betts: To ask the President of the Board of Trade how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long they have been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and

what was the average length of time taken to assess schemes so far approved. [30820]

Mr. Heseltine: My Department has a number of major exercises underway which will involve the use of private sector finance in the delivery of services. Private finance is being used in the refurbishment of 1 Victoria street and the Radiocommunications Agency's relocation to docklands initiated in 1993–94 and 1994–95 respectively. No specifically PFI projects were approved during 1994–95. Procedures have recently been introduced to consider PFI for all DTI's capital projects but it is too early to estimate the number or value which may be approved in 1995–96. My Department is also pursuing a major programme of privatisation and contracting out involving almost all the executive agencies, which themselves account for around half of my Department.

Offshore Installations

Ms Roseanna Cunningham: To ask the President of the Board of Trade if he will publish the findings of his Department's oil and gas abandonment review body on the issue of the disposal of redundant installations; and if he will make a statement. [31251]

Mr. Eggar: The work of the review body is reflected in a consultation document entitled, "Guidance Notes for Industry—Abandonment of Offshore Installations and Pipelines under the Petroleum Act 1987" which was published by my Department on 4 May 1995. Copies have been placed in the Library of the House.

Solar Technology

Mr. O'Neill: To ask the President of the Board of Trade what studies have been undertaken on the potential for deploying solar photovoltaic technology and/or solar water heating on *(a)* Government buildings and *(b)* other public sector-buildings. [30081]

Mr. Page: No studies have been carried out specifically into the potential for solar technologies on Government or public sector buildings, although general potential resource estimates have been made. The potential for photovoltaics has been investigated by the University of Northumbria and published in ETSU S/1365; the potential for solar water heating has been investigated by Halcrow Gilbert Associates and published in ETSU S/1337. Copies of both publications are being placed in the Library of the House.

Mr. O'Neill: To ask the President of the Board of Trade what estimates his Department has made of the maximum potential contribution to the United Kingdom's energy requirements from *(a)* solar photovoltaic technology and *(b)* solar water heating. [30080]

Mr. Page: Technical resource estimates, for photovoltaics and solar water heating were published in "New and Renewable Energy, future prospects for the UK", Energy Paper 62;"An Assessment of Renewable Energy for the UK (R.62)"; and "An Appraisal of UK Energy Research, Development Demonstration and Dissemination"—Energy Paper 61. Copies are available in the Library of the House.

Nuclear Holding Company

Mr. Salmond: To ask the President of the Board of Trade when the Untied Kingdom nuclear holding company will be properly constituted and established in Scotland; and if he will make a statement. [31257]

Mr. Eggar: The new nuclear holding company will be established to a timetable which will enable the Government to secure the privatisation of the United Kingdom's advanced gas-cooled reactor and pressurised water reactor stations during 1996.

Mr. Salmond: To ask the President of the Board of Trade who is to be appointed chief executive of the new United Kingdom nuclear holding company; and if he will make a statement. [31256]

Mr. Eggar: Further appointments to the new nuclear holding company will be announced in due course.

Magnox

Mr. Llew Smith: To ask the President of the Board of Trade (1) what is the reason underpinning the estimate of a 10 per cent. saving in total Magnox liability costs in the table setting out Magnox liabilities in his Departmental press notice P/95/310; [31119]

(2) what discount rate was adopted to calculate the present value of the net cash receipts for further operations in the table on Magnox liabilities issued in his Departmental press notice P/95/310 of 9 May; and what is the justification for its use. [31120]

Mr. Eggar: The decision to assume a 10 per cent. figure for potential savings in the costs of Magnox liabilities was taken in the light of the views of advisers—KPMG—who looked at the specific question of nuclear liabilities for the nuclear review.

A discount rate of 3.5 per cent. was used to calculate the present value of net cash receipts for further Magnox operations, and is based on the current yield from 25 year index-linked gilts.

Nigeria

Mr. Spellar: To ask the President of the Board of Trade how much money Nigeria owes to the Export Credits Guarantee Department; which steps are being taken to recover this money; and what action is being taken to prevent further losses. [30435]

Mr. Needham: Amounts due to ECGD have been rescheduled under bilateral agreements between Her Majesty's Government and the Government of Nigeria signed under the auspices of the Paris Club. This is the normal mechanism for the recovery of sovereign debt. Since 1986 three agreements have been signed with Nigeria. Nigeria is currently in substantial arrears under these agreements. The total amount outstanding, excluding delay interest, is £2.3 billion. The Paris Club collectively, and individual creditors including HM Government, continue to press Nigeria to adopt policies aimed at economic reform and to regularise its relations with the international financial institutions. Sustained

economic reform is regarded as the best method of promoting economic growth which in turn will allow Nigeria to meet its obligations under these agreements.

The debts covered by these agreements relate to contracts signed before 1 October 1985. ECGD has been off cover for new medium term business since 1 February 1984.

BMARC

Mr. Byers: To ask the President of the Board of Trade, pursuant to his oral statement of 13 June, *Official Report*, column 595–97, on what date his Department made available to Customs and Excise all the information which emerged from its inquiry into possible breaches of export control offences by BMARC. [29260]

Mr. Ian Taylor *[holding answer 19 June 1995]:* Information which emerged from our researches into BMARC export licences was passed to Customs and Excise as and when it became available over a period between late April and early June.

Civil Service Retirement Packages

Mr. Milburn: To ask the President of the Board of Trade, pursuant to his answer of 2 May, *Official Report*, column *132*, if he will provide comparable details on civil service early retirement packages on the ground of inefficiency. [29295]

Mr. Heseltine *[holding answer 19 June 1995]:* Inefficiency is a ground for dismissal. An immediate lump sum payment of up to two years' salary may be made where a Department judges payment of compensation to be appropriate. Where compensation is agreed and the person dismissed is over age 55, this may be foregone in favour of immediate payment of the accrued superannuation benefits which would otherwise be preserved for payment at retiring age. There have been six departures from the Department of established staff on inefficiency grounds in the past five financial years. None received an early retirement package, although five officers were awarded immediate compensation, totalling £30,890. There is one award pending. Details are as follows:

	Number of cases	*Total compensation £*
1990–91	1	86
1991–92	1	21,212
1993–94	3	9,592
1994–95	1	[1]—

[1] Pending.

Domestic Housing Market

Mr. Barry Field: To ask the President of the Board of Trade what percentage of retail sales and manufacturing output is attributable to the domestic housing market. [30416]

Mr. Nelson: I have been asked to reply.

Information detailing annual retail sales is published in the CSO "Business Monitor SDA25—Retailing". In 1992 the percentage of retail turnover attributed to sales of furniture, domestic appliances and other household goods was 16.8 per cent.

The percentage of manufacturing output attributable to the domestic housing market is unavailable.

TRANSPORT

A1

Mr. Beith: To ask the Secretary of State for Transport (1) when he expects to announce starting dates for the three dualling schemes on the A1 between Morpeth and Alnwick as set out in the roads programme; [30620]

(2) when he expects consultants to be appointed to prepare for work on the Morpeth-Lanehead section of the A1. [30619]

Mr. Watts: Dualling of the section between Hitchcroft and Cawledge is due to start this year.

A decision to proceed with dualling between Willowburn and Denwick was published on 5 June. Additional design work will be required to comply with the inspectors' report.

The dualling proposals for Morpeth to Lanehead are in the early stages of preparation and will be taken forward as quickly as resources permit.

Capital Spending

Mr. Betts: To ask the Secretary of State for Transport what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30873]

Mr. Norris: The Department of Transport's capital spending figure for 1994–95 on a national accounts basis is expected to be £5,106 million. The latest capital budget figure available for 1995–96 is £3,592 million, excluding local authority capital which is a matter for determination by individual local authorities.

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for Transport how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered, and at what value; for how long have they been considered, and how many have been in the assessment process for over *(a)* 6 months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30822]

Mr. Norris: The information is as follows:

Schemes approved 1994–95

Schemes	*Value £ million*
Northern Line trains	400

Expected to be approved 1995–96

Schemes	*Estimated value (£ million)*
Channel Tunnel Rail Link	2,700 (Q4 1992 prices)
DBFOs	500
Croydon Tramlink	160
Midland Metro Line 1	150

Schemes under consideration

Schemes	*Estimated value (£ million)*
Crossrail	2,800
Thameslink 2000	Under assessment
East London Line extension	83
WCML signalling	50
Leeds Supertram	95
LT global revenue strategy	75
LUL power supplies	120
LUL track repair maintenance machine	0.5
Manchester Metrolink extension to Salford Quays	100
New Scottish ATC Centre	200
Oceanic Flight Data Processing System	25

The wide diversity of scheme types and their expected procurement routes mean that figures for the length of time they have been under consideration could not be provided on a consistent basis. However, the average length of time taken to progress schemes so far approved from invitation to tender to award of contract was 16 months.

Mr. Betts: To ask the Secretary of State for Transport by how much has Government spending changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative. [30823]

Mr. Norris: There is no direct correlation between Government spending in a given year and the level of private capital levered in through the private finance initiative. Information on the employment consequences of private finance schemes is not available.

Buses

Mr. Betts: To ask the Secretary of State for Transport how many representations have been made to the traffic commissioners with regard to bus companies failing to fulfil their established timetables; which companies have been involved; and in which areas of the country. [30858]

Mr. Norris: The information is not available in the form requested.

A3

Mr. Peter Griffiths: To ask the Secretary of State for Transport (1) what assessment he has made of *(a)* the justification and *(b)* the management of restrictions to traffic during the last five years by roadworks on the A3 as it bypasses Guildford; [30803]

(2) what assurances have been received by his Department from *(a)* the Highways Agency, *(b)* the county council and *(c)* other bodies of free passage for vehicles during the next three years when the current roadworks on the A3 where it bypasses Guildford are completed; [30806]

(3) what estimate his Department has made of the economic cost in the last five years to businesses in the Portsmouth travel-to-work area of delays caused by roadworks on the A3 as it bypasses Guildford; [30805]

(4) during how many days in the last five years has free passage for vehicles been restricted by roadworks on the A3 as it bypasses Guildford. [30807]

Mr. Watts: These are operational matters for the Highways Agency. I have asked the chief executive to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Peter Griffiths, dated 18 June 1995:

The Minister for Railways and Roads, Mr John Watts, has asked me to write to you in reply to your recent Parliamentary Questions about roadworks on the A3 at Guildford.

The works that have been carried out on the A3 over the past 5 years have been necessary because much of this 20–30 year old and heavily used road has reached the end of its design life and therefore requires urgent attention. Left too long, structural damage would have occurred and would have been much more costly and difficult to rectify.

Restrictions to traffic during the works have been necessary in the interests of both the workforce and road users. I am satisfied that the restrictions have been managed as efficiently as possible bearing in mind the difficulty of operation on this busy road.

No assessment has been made of the economic cost of these works on businesses in Portsmouth.

Data showing daily lane restrictions on the A3 in the Guildford area for the past 5 years is not available. However, major maintenance was undertaken between Burpham and Wisley during the period November 1993—May 1994 and between Abbotswood and the A31, work started in January this year and is due for completion in July. In addition, some lane restrictions and local diversions were necessary for about six weeks last Summer whilst temporary supports for the A31 bridge over the A3 were put in place.

The Agency has given no assurance that there will be no further roadworks on the A3 in the vicinity of Guildford over the next 3 years. Major maintenance is planned next year between Burpham and Abbotswood. Strengthening work is also planned for around the end of this year on the bridge which carries the A3 southbound slip road to the A31 Hogs Back, although we do not expect this to cause undue disruption to A3 traffic.

When the A3 roadworks are complete we do not expect the road to require major maintenance for another 15–20 years from completion of each section. Some routine maintenance will of course be required from time to time, but this can be dealt with at off-peak periods with little disruption to traffic.

I hope this is helpful.

London Fort William Sleeper

Mr. Wilson: To ask the Secretary of State for Transport how many representations have been received by *(a)* his Department, *(b)* the Rail Regulator and *(c)* the Office of the Passenger Rail Franchising Director in support of the retention of the London-Fort William sleeper. [31087]

Mr. Watts: The Department of Transport has received 178 representations in support of retention of the Fort William sleeper. A number of letters to the Department

of Transport were also transferred to Opraf for reply. Opraf has received 875 representations, including letters transferred by the Department of Transport. The Rail Regulator has received 1,525.

Rail Fares

Mr. Meacher: To ask the Secretary of State for Transport what proposals he has to limit increases by private operators in the rail system in cases where he assesses increases to be unjustified; and if he will make it his policy to cap future increases to the rate of inflation. [30652]

Mr. Watts: The franchising director proposes to limit annual increases in key rail fares to retail prices index for three years from 1 January 1996 and to RPI -1 per cent. for the subsequent four years.

Unlicensed Trucks

Sir Donald Thompson: To ask the Secretary of State for Transport what recent results have been obtained from checks for unlicensed trucks; and if he will now consider introducing measures to seize unlicensed operators' trucks. [30732]

Mr. Norris: We have no reliable estimate of the number of vehicles operated illegally. A special series of roadside checks by the vehicle inspectorate in 1993 indicated that up to 9 per cent. of vehicles checked were not on an operator's licence. In a similar exercise in 1994 in the south-east, 7 per cent. of vehicles checked were suspected of being operated illegally outside the operator licensing system. However, these exercises, as is normal for such checks, were targeted on areas where offenders were thought most likely to be and vehicles stopped were also those thought most likely to be offending. These figures cannot, therefore, be taken as representative of the commercial vehicle population as a whole.

In a recent cross-check of goods vehicles involved in accidents recorded by the police, no operator's licence could be traced for 24 per cent. of the vehicles. But this figure also cannot be taken as representative as the total included many vehicles below the limit for operator licensing, and also others exempt from operator licensing for another reason. It may also include vehicles "on the margin", that is, being used legally under the arrangements whereby operators have up to one month to notify licensing authorities of newly acquired vehicles.

We are currently looking at ways to obtain a better indication of the extent of the problem. We are also keeping under review a number of possible new measures against illegal operations, including impounding of vehicles.

Port and Harbour Police

Mr. George: To ask the Secretary of State for Transport which local authorities are legally empowered to establish or operate ports or harbour police; and what is the statutory basis for each force. [30093]

Mr. Norris: The information requested could be provided only at disproportionate cost.

Rail Track Closures

Mr. Meacher: To ask the Secretary of State for Transport how many miles of rail track were closed in each year since 1980; and what percentage this represented of the total track network in each year. [30451]

Mr. Watts: Information on miles of track closed since 1980 is not available.

Ferry Evacuations

Mr. Flynn: To ask the Secretary of State for Transport, pursuant to his answer of 15 June, *Official Report*, column *614*, what is the difference in procedure for passengers embarking on to survival crafts from roll-on roll-off ferries and catamarans. [30302]

Mr. Norris *[holding answer 26 June 1995]:* This is an operational matter for the Marine Safety Agency. I have asked the chief executive to write to the hon. Member.

Letter from R. M. Bradley to Mr. Paul Flynn, dated 28 June 1995:

The Secretary of State for Transport has asked me to reply to your Question about differences in evacuation procedure between roll-on-roll-off ferries and catamarans.

The evacuation procedures for passengers embarking into survival craft are governed by the systems in place. For roll-on-roll-off ferries, the main systems are davit launched liferafts or lifeboats, or marine evacuation systems. On some vessels, overside ladders may also be used to reach inflated liferafts if access cannot be gained directly from lower decks.

In the case of catamarans, the same options are available, but, due to lower deck levels, it is unlikely that davit launched liferafts or lifeboats would be used.

A40-M40 Link

Mr. Soley: To ask the Secretary of State for Transport when he expects to announce the start date and the completion date of the work on the A40-M40 link between Shepherd's Bush and Ealing Acton. [31152]

Mr. Norris *[holding answer 27 June 1995]:* This is a operational matter for the Highways Agency. I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Clive Soley, dated 28 June 1995:

As you know, the Minister for Transport in London, Mr. Steven Norris, has asked me to reply to your Parliamentary Question asking the Secretary of State for Transport, when he expects to announce the start date and the completion date of the work on the A40/M40 link between Shepherd's Bush and Ealing Acton.

We have assumed you are referring to the improvements of the A40 trunk road at Gypsy Corner in the London Borough of Hounslow and at Western Circus in the London Borough of Ealing. These schemes are expected to start in 1996 and take 30 months to complete.

Until tenders are received and have been assessed, it will not be possible to announce a more exact start date.

Road Construction

Mr. David Marshall: To ask the Secretary of State for Transport what studies his Department has made into the possibility of using channel tunnel construction methods to build roads in urban areas; and if he will make a statement. [30958]

Mr. Watts: This is an operational matter for the Highways Agency. I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Mr. David Marshall, dated 28 June 1995:

Mr. John Watts has asked me to reply to your recent Parliamentary Question about the possibility of using Channel Tunnel construction methods for building roads in urban areas.

The notable success of the civil engineering construction on the UK side of the Channel Tunnel project included the performance of the full-face boring machines that were used to excavate and line the main running tunnels and the service tunnel that link the UK with mainland Europe, the construction of a huge underground cross-over chamber by means of excavation and ground support techniques known as the New Austrian Tunnelling Method (NATM) and extensive cut and cover construction at the terminals. The full-face boring machine techniques and cut and cover construction are well established and already used to construct urban roads where appropriate.

NATM is a relatively new, very flexible and economic form of tunnelling that promises to be of particular benefit in the construction of the comparatively short lengths of tunnel required in most urban developments (i.e. less than 1 km long). The technique has been a topic of research and development commissioned by the Agency. NATM has already been adopted for two recently constructed twin trunk road tunnels (A20 Round Hill 390 m and A27 Southwick 490 m) both of which were constructed in chalk. Experience gained from studies carried out at both of these projects has shown that NATM could be well suited to the demands of underground construction in urban areas. Work is continuing to justify this assumption.

DEFENCE

Duke of York's Royal Military School

Mr. Sykes: To ask the Secretary of State for Defence what key targets have been set for the Duke of York's Royal Military School in 1995–96. [31905]

Mr. Soames: The key targets for the Duke of York's Royal Military School in 1995–96 are as follows:

Curriculum

To achieve at least 98 per cent. of GCSE passes at grades A to G in August 1995. To achieve at least five GCSE passes at grades A to C for 74 per cent. of pupils in August 1995. To achieve 85 per cent. of A-level passes at grades A to E in August 1995. To achieve 3 A-level passes at grades A to E for 80 per cent. of candidates in August 1995. To achieve 20 per cent. of A-level passes at grades A and B in August 1995. To achieve 100 per cent. award rate for BTEC national diploma courses in August 1995. To implement key stage 3 modifications to national curriculum programmes of study by September 1995. To achieve places in higher education for 70 per cent. of sixth form leavers by October 1995. To extend staff appraisal of all teaching staff in a two-year cycle by September 1995.

Pastoral

To ensure Marlborough house is prepared as a girls' senior house by September 1995. To ensure Kitchener house is prepared as a boys' senior house by September 1995. To expand involvement of girls in representative games by September 1995. To develop a school concert band—on-going.

Finance and Administration

To reduce pupil per capita costs to £11,081—at 1994 prices—by April 1996. To generate income of £400,000 by April 1996. To introduce phase 2 of new pupil billing system by September 1995.

Review

To assist MOD with agency review during 1995. To achieve 200 applicants for September 1996 intake by April 1996. To update school prospectus and poster by July 1995.

Territorial Army

Mr. Duncan Smith: To ask the Secretary for Defence if he will make a statement on senior appointments in the Territorial Army. [31904]

Mr. Soames: Territorial Army officers regularly command TA units at lieutenant colonel level and there are at present 39 TA officers at colonel level in staff appointments. At brigadier level, there is currently one dedicated TA post at Headquarters Land Command. Following consultation with senior military advisers, we intend that in future suitably qualified TA officers should have the opportunity to be considered for a range of staff and certain command appointments at brigadier level. Specifically, and subject to the availability of candidates of the appropriate calibre, we shall be establishing a post of brigadier (TA) development and doctrine within the Army's directorate of development and doctrine from 1996, to be filled by a TA officer. We also intend, probably from 1997, and subject again to the availability of suitable candidates, that the post of director reserve forces and cadets in the central staff of the Ministry of Defence, currently filled by a regular officer, should be filled by a one-star officer from the volunteer reserves of one of the three services.

I know that this will be welcomed by all reservists as further evidence of our commitment to the reserve forces.

Departmental Property

Ms Maddock: To ask the Secretary of State for Defence if he will place in the Library a list of the sites of his Ministry's residential properties in the counties of *(a)* Dorset, *(b)* Hampshire, *(c)* Isle of Wight, *(d)* Berkshire and *(e)* Wiltshire; and if he will give for each site both the total number of properties and the number which are currently unoccupied. [30220]

Mr. Soames: As at 31 March, my Department owned the following properties in the areas shown:

	Stock	*Vacancies*
Dorset	1,631	327
Hampshire	8,880	1,162
Isle of Wight	1	0
Berkshire	1,625	303
Wiltshire	6,819	1,103

Of the vacant properties, 86 in Dorset, 25 in Hampshire, 72 in Berkshire and 168 in Wiltshire were in the process of being sold. Many of the vacant properties were undergoing or awaiting major maintenance work, held for unit deployments, already allotted to families due to move in shortly or formed part of the management margin needed to ensure that accommodation is available for entitled service families.

Information on individual sites is not held centrally and could be provided only at disproportionate cost.

Royal Navy Trainees

Mr. Hicks: To ask the Secretary of State of Defence if he will outline the sequence of events that occurred on 15 June involving two Royal Navy sea helicopters which dropped and later collected a party of Royal Navy trainees at the China Fleet Club, Saltash; what was the training purpose of this exercise; what the total cost involved; how long the Royal Navy trainees stayed at the club; what they did there; and if he will make a statement. [30017]

Mr. Soames: RN Sea King aircraft of 848 squadron based at RNAS Yeovilton are used for the training of operational aircrew. Two of these aircraft were tasked to carry out operational training on 15 June involving low level navigation and formation flying.

To enhance the training value, the opportunity was taken to load the aircraft to operational all-up-weight with a group of off-duty maintenance ratings. These individuals were dropped at the China Fleet Club in Saltash from where they were retrieved five hours later by aircraft with different crews who were also carrying out operational training. No additional cost to public funds were incurred as a result of these individuals being transported.

Insurance

Ms Rachel Squire: To ask the Secretary of State for Defence if he will make a statement on the application of personal insurance schemes for military personnel who are killed or injured on or while travelling in military property. [30603]

Mr. Soames: It is a matter for individuals as to whether they take out insurance and what company, policy and level of cover they choose. My Department will refund a proportion of a life premium loading for hazardous duty. Application to travelling in military property would depend on the terms and conditions of the insurance policy chosen by the individual.

Isle of Lewis

Mr. Macdonald: To ask the Secretary of State for Defence what military personnel were present on the Isle of Lewis on 20 June; whether any were members of the special forces; and if the presence of any military personnel was connected to the attempt to dump the Brent Spar at sea. [30696]

Mr. Soames: The following military personnel were present on the Isle of Lewis on 20 June:

Elements of the Territorial Army company based in Stornoway.

The permanent RAF detachment based at RAF Stornoway.

Personnel manning the permanent RAF transmitter station at Aird Uig.

Personnel from the sub-aqua clubs at RAF Lyneham an RAF Leuchars, carrying out adventurous training.

None of these personnel was connected in any way with the disposal operation for the Brent Spar oil platform.

French Nuclear Tests

Dr. Lynne Jones: To ask the Secretary of State for Defence what are the implications of the French decision to resume nuclear testing for the successful negotiation of a comprehensive test ban treaty. [30518]

Mr. Soames: The decision by France to undertake a short programme of tests before signature of a comprehensive nuclear test ban treaty is not incompatible with the goal of an indefinite CTBT. The Government believe that it should be possible to conclude negotiations on such a treaty by the end of 1996 and will continue to work actively for that end. All the nuclear weapons states—including France—have expressed similar sentiments.

Research and Development

Mr. Colvin: To ask the Secretary of State for Defence what is his budget for the current financial year for industrial research and development. [30523]

Mr. Freeman: This year, we plan to spend some £630 million on research and £1.6 billion on development, the greater part of the latter being with industry. The annual publication "UK Defence Statistics" analyses expenditure by recipient sectors over recent years. The 1995 edition is planned for publication this July.

Dr. David Clark: To ask the Secretary of State for Defence what are the figures at current prices for Government-funded defence research and development over each of the last 10 years. [31258]

Mr. Freeman: The figures at constant 1993–94 prices for Government-funded defence research and development based on table 3.2 of "Forward Look 95" are as follows:

Year	*Total amount £ million*
1985–86	2900.5
1986–87	2847.2
1987–88	2802.4
1988–89	2584.4
1989–90	2632.6
1990–91	2462.2
1991–92	2372.2
1992–93	2139.0
1993–94	2299.0
1994–95[1]	2431.4

[1] Estimate only.

These figures update those previously published in "UK Defence Statistics 1994" by retrospectively applying to the earlier years' statistical—including Frascati—adjustments made in 1992–93 and 1993–94.

Trident

Mr. Simpson: To ask the Secretary of State for Defence if he will give a breakdown of the estimated lifetime decommissioning costs of *(a)* Trident and *(b)* Polaris. [30624]

Mr. Freeman: As part of an exercise to determine the lifetime operating and support costs, the comprehensive costs of both decommissioning and eventual disposal of the Trident submarines were estimated—at 1992–93 prices—at £150 million. No revision of this estimate has been made pending greater experience of Trident operations. Although no similar estimates are available for the Polaris submarines, the approximate decommissioning cost—covering defuelling, decommissioning and lay-up preparations—of HMS Revenge, the one Polaris

submarine fully to have undergone this process, was £18.7 million. The cost does not include the costs of final disposal.

Mr. Simpson: To ask the Secretary of State for Defence what is his latest estimate of the costs of the Trident works programme at Faslane and Coalport. [30645]

Mr. Freeman: The latest estimate of the cost of the Trident works programme, including projects at the Clyde submarine base, Faslane, and the royal naval armament depot, Coulport, is £1.956 billion.

Mr. Simpson: To ask the Secretary of State for Defence to what extent *(a)* inflation and *(b)* the exchange rate have been taken into account in estimating the current costs of the Trident programme. [30622]

Mr. Freeman: The current estimate of the cost of the Trident programme, where past expenditure is included at the prices and exchange rates incurred, with future spend expressed at today's prices and exchange rates, is £9,770 million. With past expenditure revalued to current levels, the current Trident cost estimate is £11,682 million, which also takes into account inflation and exchange rate variations since the original 1981 estimate.

Mr. Simpson: To ask the Secretary of State for Defence what disciplinary action *(a)* has been taken and *(b)* is proposed to be taken against individuals as a result of cost overruns of the Trident works programme; and if he will make a statement. [30623]

Mr. Freeman: The original 1984 estimates for the Trident works programme were based on the best advice available at the time. The subsequent increase in costs is much regretted, but neither the Ministry of Defence's own internal review nor the Comptroller and Auditor-General's report suggested any culpability by individuals which would warrant disciplinary action.

Mr. Simpson: To ask the Secretary of State for Defence what was the estimated original cost of all the works at AWE Aldermaston for the Trident programme; and what are the present estimated costs of these works. [30643]

Mr. Freeman: The information is not readily available in the format requested. However, the current estimated total of the major programme of capital works at AWE Aldermaston which includes work in support of Trident is £1.2 billion compared to the original estimate of £974 million at 1987 economic conditions.

Devonport Nuclear Refit Facility

Mr. Simpson: To ask the Secretary of State for Defence if he will list the concerns that the nuclear installations inspectorate have expressed over the siting and construction of the new works at the Devonport nuclear refit yard. [30631]

Mr. Freeman: Her Majesty's nuclear installations inspectorate has expressed no concerns over the siting or construction of the new works at Devonport.

Mr. Simpson: To ask the Secretary of State for Defence in what circumstances construction would take place in respect of the new Trident refit facility at Devonport, before a design has been agreed with all regulatory bodies, including the nuclear installations inspectorate. [30628]

Mr. Freeman: Construction will not commence until both Her Majesty's nuclear installations inspectorate and the MOD nuclear safety authority are satisfied that the proposed design is safe and meets all the current standards and regulations.

Mutual Defence Agreement

Mr. Simpson: To ask the Secretary of State for Defence how many times employees of the Atomic Weapons Establishment have travelled to the United States under the auspices of *(a)* the 1958 mutual defence agreement and *(b)* the Trident sales agreement in each of the last five years. [30630]

Mr. Freeman: The following table gives the number of occasions on which one or more employees of the Atomic Weapons Establishment have travelled to the United States under the aegis of the 1958 mutual defence agreement in each of the last five financial years.

Financial years	*Visits*
1990–91	110
1991–92	129
1992–93	127
1993–94	129
1994–95	136

These figures include visits on duties relating to the Trident sales agreement as these are invariably arranged through 1958 agreement channels.

Explosives and Propellants

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement about the explosives, propellants and related products agreement with Royal Ordnance. [30507]

Mr. Freeman: The explosives, propellants and related end products agreement between the Ministry of Defence and Royal Ordnance plc—now the Royal Ordnance division of British Aerospace Defence Ltd.—was signed on 28 July 1988. Under EPREP, the Ministry of Defence had to purchase 80 per cent. of its requirements for certain natures of ammunition and explosives from Royal Ordnance during the five-year period from 1 April 1988 to 31 March 1993.

The agreement was part of the arrangements for the sale of the Royal Ordnance factories to British Aerospace. The guarantee of a core work load over the five-year period assisted in establishing the newly privatised company as an efficient competitor and provided a guaranteed source of supply to the Ministry of Defence during what would otherwise have been a period of instability.

The value of the orders placed with Royal Ordnance under the EPREP agreement was £560 million and covered over 40 types of ammunition.

BMARC

Mr. Cousins: To ask the Secretary of State for Defence on what date General Donald Isles passed a copy of the BMARC contract agreement for naval guns for Chartered Industries Singapore to his Department. [30089]

Mr. Freeman: In the absence of any specific information, my Department is unable to find any trace of such a contract being passed to it.

Capital Spending

Mr. Betts: To ask the Secretary of State for Defence what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30888]

Mr. Freeman: The present estimated capital spending for defence for 1994–95 is £759 million for central Government's own expenditure and £46 million for public corporations' expenditure. The planned capital spending for defence in 1995–96 is £110 million for central Government's own expenditure and £42 million for public corporations' expenditure.

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for Defence (1) by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative; [30853]

(2) how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long they have been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30852]

Mr. Freeman: The Ministry of Defence is fully committed to the private finance initiative and is actively pursuing potential opportunities. To this end, we have identified a range of prospects with potential for private finance including a number of PFI "Pathfinder" projects in areas such as information technology, works and logistics. It would be premature at this stage to attempt to predict spending or the impact on employment, which will be determined by the development of individual projects.

Attack Helicopters

Dr. David Clark: To ask the Secretary of State for Defence what assessment he had made of the financial cost of attack helicopter marinisation; and if he will make a statement. [31259]

Mr. Freeman: The ability to sustain continuous operations in a harsh maritime environment was not a requirement of the attack helicopter competition invitation to tender. However, bidders were asked a range of questions designed to establish their contender's ability to operate occasionally from ships in support of amphibious operations, together with costs for a number of specific modifications. Their responses have been considered together with many other factors as part of the overall assessment process. It would not be appropriate to comment on the details of individual bids.

HEALTH

School Nurses

Mrs. Beckett: To ask the Secretary of State for Health how many school nurses there were in each of the last five years. [30420]

Mr. Sackville: The information is shown in the table.

School nursing staff (excluding agency), England 1989–1993 as at 30 September each year

	Whole-time equivalents
1989	2,440
1990	2,510
1991	2,460
1992	2,440
1993	2,470

Source:
PD(STATS)B Non-Medical Workforce Census.
Note:
Figures are rounded to the nearest ten whole-time equivalent.

GP Fundholding

Mrs. Beckett: To ask the Secretary of State for Health what has been the average expenditure per fundholding practice on purchasing care from the private sector in each year since 1990–91. [30436]

Mr. Malone: The first wave of fundholders took responsibility for their own budgets on 1 April 1991. The average expenditure per fundholding practice on purchasing care from non-national health service providers is shown in the table.

	Number of fundholding practices	*Expenditure on health-care from non-NHS providers per GP fundholding practice £000s*
1991–92	306	12
1992–93	587	22
1993–94	1,235	24

Notes:
The figures for 1993–94 are provisional: the summarised accounts for 1993–94 are subject to audit by the National Audit Office.

Prescriptions

Mr. Miller: To ask the Secretary of State for Health, pursuant to her answer of 20 June, *Official Report*, columns *209–10*, in respect of discrepancies in answers on prescriptions if she will make a statement on the steps she has taken to eliminate such errors; what are the implications that the corrected information will have on her assessment of the level of fraud in the NHS; and what are the differences between the data she placed in the Library on 15 June and the information provided to the Chester and Ellesmere Port community health council which make the latter commercial-in-confidence. [31049]

Mr. Malone: The Department is reviewing internal procedures and use of the database package to minimise the risk of such errors reoccurring. The data supplied to the Chester and Ellesmere Port community health council

have not been used within the Department and so have no implications for any other analyses.

The information provided to the community health council included details of the numbers of prescription items and net ingredient cost for each preparation, which are considered to be commercial-in-confidence. The data placed in the Library on 15 June included only the names of the preparations, in alphabetical order.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health what is her estimate for the cost of administering the present prescription and exemption charges system in the United Kingdom; and if she will make a statement. [29584]

Mr. Malone: The available information for England is shown in the table.

Administration cost of the National Health Service prescription system[1] and the prescription charge exemption and remission arrangements in England in 1994–95

Item	*Cost £ Million*
Purchase of prescription forms for supply to doctors and dentists[2]	1.3
Pricing of prescriptions dispensed by community pharmacists, appliance contractors and doctors[3]	28.0
Operation of the NHS Low Income Scheme in England and Wales[3]	5.2
Total	34.5

Notes:
[1] Excludes fees paid to doctors, dentists and pharmacists for professional services and expenditure on the drugs bill.
[2] Expenditure by Family Health Services Authorities. Other FHSA administration costs associated with the NHS prescription system and the charge exemption and remission arrangements are not separately identified.
[3] Expenditure by the Prescription Pricing Authority. The costs of operating the NHS Low Income Scheme in England and Wales are not separately identified. The scheme provides remission of prescription charges and help with other NHS costs to eligible claimants and their dependents.

Information relating to Wales, Scotland and Northern Ireland are matters for my right hon. Friends the Secretaries of State for Wales and for Scotland and my right hon. and learned Friend the Secretary of State for Northern Ireland.

Mr. Jones: To ask the Secretary of State for Health what was the revenue raised through prescription charges in the United Kingdom in (i) 1992–93, (ii) 1993–94 and (iii) 1994–95; and if she will make statement. [29586]

Mr. Malone: I refer the hon. Member to the reply I gave the right hon. Member for Derby, South (Mrs. Beckett) on 9 December 1994 at column *397*. Figures for 1994–95 are not yet available. Information relating to Wales, Scotland and Northern Ireland are matters for my right hon. Friends the Secretaries of State for Wales and for Scotland and my right hon. and learned Friend the Secretary of State for Northern Ireland.

Mrs. Ewing: To ask the Secretary of State for Health if she will list the cost of prescription charges since 1965 indicating the figure as a percentage of *(a)* average earnings, *(b)* the cost of living, *(c)* basic state pensions and *(d)* taxable pensions. [30501]

Mr. Malone: Prescription charges since 1965 are shown in the table. Details of average gross weekly earnings are contained in the "New Earnings Survey", a copy of which is in the Library. Everyone of state retirement pension age is entitled to free prescriptions, as are people of working age on low incomes who qualify for full remission of charges under the national health service low income scheme. In 1994, about 83 per cent. of prescribed items were dispensed free of charge compared with some 42 per cent. in 1968 when prescription charges were reinstated.

Prescription charges at 1 April 1965–1995

Year	*Prescription charges £*
1965	0.00
1966	0.00
1967	0.00
1968	0.00
1969	0.13
1970	0.13
1971	0.20
1972	0.20
1973	0.20
1974	0.20
1975	0.20
1976	0.20
1977	0.20
1978	0.20
1979	0.20
1980	0.70
1981	1.00
1982	1.30
1983	1.40
1984	1.60
1985	2.00
1986	2.20
1987	2.40
1988	2.60
1989	2.80
1990	3.05
1991	3.40
1992	3.75
1993	4.25
1994	4.75
1995	5.25

Waiting Times Fund

Mrs. Beckett: To ask the Secretary of State for Health how much has been spent on the waiting list initiative in total, by region, in the NHS sector and the private sector in each of the last five years; and how many patients have been treated in the NHS and private sectors under the waiting list initiative, by region and in total. [30767]

Mr. Malone: The central waiting times fund operated from 1987–88 to 1993–94 during which time the number of patients waiting more than one year for treatment fell from 209,440 to 64,508, and has since fallen further to 31,635. The table shows allocations from the fund to regional health authorities. Information is not available centrally on spending of these funds between the national health service and the private sector, or on the number of patients treated in the NHS and the private sector under the waiting times initiative.

£ thousands

	Allocations					
	1989–90	1990–91	1991–92	1992–93	1993–94	Total
Northern	1,737	1,798	1,665	2,216	3,002	10,418
Yorkshire	2,538	2,017	2,178	2,659	3,562	12,954
Trent	2,489	2,923	2,779	3,307	3,988	15,486
East Anglian	1,327	1,135	2,099	1,846	1,939	8,346
North West Thames	2,428	1,690	2,768	3,549	5,230	15,665
North East Thames	3,400	3,808	4,769	3,169	4,083	19,229
South East Thames	2,653	2,738	3,909	3,562	5,220	18,082
South West Thames	1,674	2,138	2,938	2,332	3,172	12,254
Wessex	1,518	2,024	2,217	2,317	2,875	10,951
Oxford	992	1,638	1,733	2,056	2,604	9,023
South Western	1,665	1,546	2,137	2,773	3,537	11,658
West Midlands	3,250	4,472	4,440	3,424	4,780	20,366
Mersey	1,925	1,515	2,300	2,272	2,579	10,591
North Western	2,407	2,860	2,735	3,344	4,311	15,657
Total	30,003	32,302	38,667	38,826	50,882	190,680

North West Regional Health Authority

Mrs. Beckett: To ask the Secretary of State for Health what representations she has received from the British Medical Association relating to the impact of the waiting list initiative on clinical care in the North West regional health authority; and if she will make a statement. [30768]

Mr. Malone: None.

Press and Public Relations Officers

Mrs. Beckett: To ask the Secretary of State for Health how much was spent on press and public relations by *(a)* the NHS Executive, *(b)* regional offices, *(c)* regional health authorities, *(d)* district health authorities, *(e)* family health service authorities and *(f)* trusts in each of the last five years; and how many press and public relations officers were employed by *(a)* to *(f)*. [30783]

Mr. Sackville: I refer the right hon. Member to the reply I gave her on 3 May, *Official Report*, column *241*. Information about the costs of press and public relations in the national health services is not available centrally.

NHS Communications

Mr. Trend: To ask the Secretary of State for Health what action is being taken to improve the standard of communications in the NHS; and if she will make a statement. [31821]

Mr. Malone: The National Health Service Executive's business plan for 1995–96, copies of which are available in the Library, reflects the priority now given to improving communications in the NHS. Improved communications will assist the accountability of the NHS to those it serves. It will now also enhance responsiveness to patients and ensure that the NHS is better able to promote good health. The NHS Executive is taking action both to improve its own communications and to encourage best practice within the service.

The executive has taken steps to improve the quality of information it supplies to both the NHS and the public. The volume of publications issued is being reduced and printed communications are being targeted more precisely to ensure resources are used to best effect. Information is now supplied through:

regular briefings on service developments for NHS staff;

a guide to the NHS for the public;

quarterly reviews of the most up to date performance data;

annual reports; and

more clearly targeted newsletters including "NHS Magazine".

The NHS Executive has ceased production of six NHS newsletters and is seeking a more cost-effective approach. The new quarterly "NHS Magazine" replaced an old monthly publication and its production costs are met in part by advertising. The magazine is projected to cost £130,000 in its first year, against an estimated annual saving of £227,000 from discontinued publications.

The executive is working with the NHS to develop measurable standards for communication to improve the clarity and accessibility of information for the public. Such standards would ensure a consistent approach to communication throughout the NHS. It is also working on training and development packages opportunities covering NHS communications. These explain the benefits to be gained from promoting open communications with staff and include material on the importance of clear, jargon-free communication. The executive is working closely, where appropriate, with other health organisations, such as the National Association of Health Authorities and Trusts, on projects to develop higher standards in NHS communications.

Health Service Expenditure

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health if she will express health service expenditure in the United Kingdom as a proportion of United Kingdom gross domestic product for (i) 1990–91, 1993–94 and (iii) 1994–95; and if she will make a statement. [29587]

Mr. Sackville: National health service expenditure in the United Kingdom as a whole has increased from the equivalent of 4.7 per cent. of gross domestic product in 1978–79 to 5.3 per cent. in 1990–91, 5.9 per cent. in 1993–94 and an estiamted 5.8 per cent. in 1994–95.

Medical Cost Inflation

Mr. Malcolm Bruce: To ask the Secretary of State for Health, pursuant to her answer of 20 June, *Official Report*, column *206*, on medical cost inflation, what are her estimates of the inflation rate for the hospital and community health services for each year from 1979–80 to 1992–93; and what components of national health service spending are covered by this inflation measure. [31056]

Mr. Sackville: Estimates for hospital and community health services inflation are shown in the table. The inflation measure covers HCHS expenditure on staffing and the purchase of goods and services.

HCHS inflation 1979–80 to 1992–93

Year	*HCHS inflation estimate*
1979–80	20.5
1980–81	28.0
1981–82	8.2
1982–83	6.5
1983–84	5.1
1984–85	5.8
1985–86	4.9
1986–87	7.0
1987–88	8.5
1988–89	10.6
1989–90	6.3
1990–91	8.7
1991–92	10.1
1992–93	6.9

Capital Spending

Mr. Betts: To ask the Secretary of State for Health what is the expected capital spending figure for her Department for 1994–95; and what is the latest budget figure. [30881]

Mr. Sackville: The information is shown in the table.

Capital expenditure[1,2]

£ million

	1994–95 estimated outturn	*1995–96 plan*
Public Corporations[3]	1,582	1,702
Central Government's own expenditure[4]	318	120
Total	1,900	1,822

Notes:
[1] These figures are consistent with the Statistical Supplement to the Financial Statement and Budget Report 1995–96, Cm 2821.
[2] Figures are not available for local authority capital expenditure in 1995–96. Estimated outturn for 1994–95 is £165 million.
[3] NHS trusts and the Medicines Control Agency.
[4] Includes health authorities.

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for Health by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative. [30843]

Mr. Sackville: Capital made available as a result of the private finance initiative is additional to publicly-funded capital. I refer the hon. Member is to the reply I have the right hon. Member for Derby, South (Mrs. Beckett) on 2 May at cols *175–76* for information on spending in 1994–95 and 1995–96 on the National Health Service Executive private finance unit.

Information on numbers of public and private sector jobs affected by the private finance initiative in the NHS is not available centrally.

Mr. Betts: To ask the Secretary of State for Health how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long they have been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30842]

Mr. Sackville: I refer the hon. Member to the reply I gave the hon. Member for Newcastle upon Tyne, East (Mr. Brown) on 24 May at column *594*, for the available information.

Health Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Health, pursuant to her answer of 20 June, *Official Report*, column *205*, on health expenditure, if she will specify the monetary sum relating to local authorities' new community care responsibilities for 1996–97, which is at present held in the Department of the Environment's local government programme. [31057]

Mr. Bowis: A sum of £2,256 million is at present held in the Department of Environment's local government programme for local authorities' new community care responsibilities for 1996–97. Part of this sum will form the special transitional grant for 1996–97 and will be transferred to this Department's programme. The amount is not yet decided.

Health and Housing Policy

Mr. Alex Carlile: To ask the Secretary of State for Health on which dates in the last three years she has met her ministerial colleagues responsible for housing to discuss the co-ordination of the Government's health and housing policies; and if she will make a statement. [31027]

Mr. Sackville: Ministers in the Department of Health hold frequent meetings with Ministers in other Government Departments to discuss a variety of matters, which will sometimes include health and housing.

AGRICULTURE, FISHERIES AND FOOD

Phytoestrogens

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what are the approved levels of oestrogen and phytoestrogen in food and drinks given to babies and toddlers. [29990]

Mrs. Browning: There are no United Kingdom advisory limits or regulations controlling levels of phytoestrogens in foods specially prepared for infants and toddlers.

Mr. Jones: To ask the Minister of Agriculture, Fisheries and Food what research has been *(a)* started and *(b)* completed on phytoestrogen in soya milk following the 1992 recommendations of the Committee of Toxicity on Foodstuffs. [29993]

Mrs. Browning: Two MAFF-funded studies are currently in progress. These studies include an analysis of soya milk and infant formula. In addition, a surveillance project measuring levels of oestrogens in the diets of infants, toddlers and young children will start shortly. None of these projects has been completed.

Mr. Jones: To ask the Minister of Agriculture, Fisheries and Food what levels of oestrogen or phytoestrogen are normally found in soya-based cooking oil and spread. [29997]

Mrs. Browning: Information available to the Ministry indicates that phytoestrogens are not present in soya-based cooking oil and spread.

Mr. Jones: To ask the Minister of Agriculture, Fisheries and Food what monitoring his Department undertakes on the levels of oestrogenic chemicals in food; and what is the budget and total full-time staff for this study. [30541]

Mrs. Browning: Several chemicals claimed to have oestrogenic properties are included in MAFF's food chemical surveillance programme. It is not possible to separate out the costs and staff allocated to this group of chemicals.

Sheep Dips

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food (1) what representations were made to him or to farming organisations by the French authorities before benzene hectochlorine sheep dip was banned in the United Kingdom; and if such dip is currently used in France; [30273]

(2) if he will make a statement on the circumstances which led him to ban the sheep dip containing benzene hectochlorine. [30274]

Mrs. Browning: Following expressions of concern from the French authorities in the 1980s, about levels of lindane residues in sheep meat, United Kingdom manufacturers ceased to use benzene hexachloride in treatments for sheep scab. The decision to make this change was taken by the manufacturers; there has not been a ban. I am not aware if benzene hexachloride is still used in France.

Mr. Nicholson: To ask the Minister of Agriculture, Fisheries and Food what advice, in view of the report entitled "CULS 50/93, Diazinon: post-Dipping Exposure in Humans", he gives to those handling sheep which have been dipped with this compound; for how long after dipping this advice applies; and when this advice was issued. [30269]

Mrs. Browning: Advice on various aspects of using sheep dips, including the handling of sheep that have been dipped with diazinon, or with any other organophosphorus product, is contained in the free leaflet AS29, available from the Health and Safety Executive. This leaflet, which was sent to sheep farmers in 1994, includes advice to observe the label withdrawal periods for the product used. It also advises that it is good practice not to shear sheep for three months after dipping.

Mr. Nicholson: To ask the Minister of Agriculture, Fisheries and Food what measures he takes to ensure that sheep are effectively dipped against scab, with particular reference to a repeat treatment at a specific time after the first dipping. [30275]

Mrs. Browning: All treatments for sheep scab must be approved by the Veterinary Medicines Directorate under the provisions of the Marketing Authorisations for Veterinary Medicinal Products Regulations 1994, S.I. 1994/3142. As part of the authorisation process, consideration is given to the safety quality and efficacy of the product. The instructions, including any necessity for repeat applications, are clearly printed on the containers and should always be carefully followed. Most sheep scab treatments do not require repeat applications.

General advice on dealing with sheep scab is given in the Ministry's current publicity leaflet—PB 1927—which advises consulting a veterinary surgeon if farmers are in doubt about treatments. Advice on dipping procedures is given in the leaflet "Sheep Dipping"—AS29—available from the Health and Safety Executive.

Mr. Nicholson: To ask the Minister of Agriculture, Fisheries and Food what evidence he has that particular working conditions, weather conditions, and existing medical conditions among those handling sheep which are, or have been, dipped with organophosphorus compounds, exacerbate reactions to exposure to the compounds; and if he will make as statement on the particular advice he gives in these circumstances. [30268]

Mrs. Browning: Information on reported suspected adverse reactions is collected by the Veterinary Medicines Directorate but details provided on individual reports vary inequality and would be very unlikely to lead to any meaningful conclusions. Extracting the specific information requested could not in any case be done readily.

Leaflet AS 29 (rev), "Sheep dipping", issued by the Health and Safety Executive includes the joint advice of the HSE, the Veterinary Medicines Directorate and the Department of the Environment to those involved in sheep dipping on protecting their health.

Mr. Nicholson: To ask the Minister of Agriculture, Fisheries and Food what advice he has issued to those shearing sheep, regarding shearing within *(a)* one week *(b)* two weeks and *(c)* up to five weeks after dipping. [30276]

Mrs. Browning: The leaflet "Sheep Dipping"—(AS29)—which was sent to sheep farmers in 1994, includes the advice that

"It is good practice not to shear sheep for three months after dipping."

The leaflet, which is available from the Health and Safety Executive, gives advice on various aspects of sheep dipping. It was prepared jointly by the Health and Safety Executive, the Veterinary Medicines Directorate and the Department of the Environment.

Mr. Nicholson: To ask the Minister of Agriculture, Fisheries and Food what research he has evaluated, and what *(a)* representations or *(b)* claims he has received suggesting that there is a link between the numbers of suicides among farmers and the mental and physical effects of reactions to exposure to organophosphate sheep dips. [30272]

Mrs. Browning: I am aware that a recent report by the Office of Population Censuses and Surveys on suicide deaths in England and Wales, 1982–92 indicates that farmers are among the occupational groups with the highest rate of suicide. The reasons for this are not clear, but factors such as access to the means of suicide, firearms for example, and physical and social isolation are likely to play a part.

Anti-androgens

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what research his Department is undertaking on anti-androgens in food. [30538]

Mrs. Browning: The Department is not carrying out any specific research on anti-androgens in food.

Nutritional Labelling

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what additional nutritional labelling regulations have been made since 1991. [30544]

Mrs. Browning: The Food Labelling (Amendment) Regulations 1994, S.I. 1994 No. 804, implemented EC directive 90/496 on nutritional labelling for foodstuffs. These regulations set out the format for nutrition labelling when given and require it to be given if a claim is made on the label about a particular nutrient.

DDT

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what is the approved level of DDT in food; and what checks are undertaken on the levels of DDT in imported foods. [30540]

Mrs. Browning: Maximum residue levels for DDT in a wide range of foodstuffs are included in schedule 2, part 2, to the Pesticides (Maximum Residues Levels in Crops, Food and Feeding Stuffs) Regulations 1994. Generally, the MRL is 0.05 mg/kg. As part of the Govenment's food surveillance programme for pesticide residues, imported foodstuffs are checked selectively for residues of DDT. The results of this programme are published annually in reports of the working party on pesticide residues, copies of which are available from HMSO.

Organic-based Fertilisers

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what research is being funded into organic based fertilisers. [30543]

Mrs. Browning: The Ministry of Agriculture, Fisheries and Food will be spending around £1 million in 1995–96 on research on organic-based fertilisers. The main emphasis of this work is to improve our understanding of the behaviour of the nitrogen and phosphorus in animal manures and to develop practical methods and improved recommendations to enable farmers better to utilise the fertiliser value of manures.

The project titles, contractors and estimated costs for 1995–96 are as follows:

On-farm monitoring of nitrate leaching from organic rotations
Elm Farm Research Centre
£54,000

Phosphorous losses to surface water following organic manure applications to agricultural land
ADAS
£36,000

Phosphate loss from drained clay soils receiving organic manures
ADAS
£65,000

Use of injectors and low trajectory spreaders
ADAS/Institute of Grassland and Environmental Research
£47,000

To improve guidelines on waste management practices which will minimise the short and long term risk of nitrate leaching from animal manures applied to land
ADAS
£103,000

Improving the conservation of nitrogen during storage of slurries and manures
Silsoe Research Institute
£65,000

Grassland manuring: Nitrogen loss and efficiency from use of organic manures
ADAS
£124,000

Nitrogen losses from organic manures
ADAS
£66,000

Nitrogen losses from drained clay soils receiving organic manures
ADAS
£19,000

Effective utilisation of animal manures in fertilising forage
Levington Agriculture
£44,000

Development of user-friendly systems for on-farm estimation of the available nitrogen content in solid manures and slurries
ADAS/Institute of Grassland and Environmental Research
£26,000

Utilisation of slurry on grazed and silage areas during the growing season
Institute of Grassland and Environmental Research
£51,000

Nitrate leaching from livestock manures
Harper Adams Agricultural College
£54,000

Improved prediction of nitrogen availability and losses following land application of organic manures
ADAS
£20,000

Development and evaluation of a rapid paper test strip method for determining the nitrogen supplying power of slurries and manures
Institute of Grassland and Environmental Research
£25,000

Improved precision of manure and slurry application

ADAS

£20,000

Improved precision of manure application

Silsoe Research Institute

£65,000

Fate of nitrogen from organic manures

ADAS/Institute of Grassland and Environmental Research

£61,000

Effect of organic manures on medium-term N cycling and nitrate leaching

ADAS

£93,000

The Ministry of Agriculture, Fisheries and Food is also spending about £1 million every year, in England and Wales, on a programme of research and development into economic and practical questions concerned with organic agriculture and horticulture.

Genetically Modified Organisms

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 13 June, *Official Report*, column *511*, if he will list foods cleared for sale in the United Kingdom produced using genetically modified organisms. [30535]

Mrs. Browning: Ministers have accepted the advice of the Advisory Committee on Novel Foods and Processes and cleared, on food safety grounds, a genetically modified baker's yeast; three chymosin enzymes; used in cheese production, derived from GM micro-organisms; a GM brewer's yeast; tomato paste from a GM tomato; processed food products derived from a GM soya bean; and two oils derived from GM oilseed rapes. To our knowledge, only the chymosins are currently in commercial use.

Capital Spending

Mr. Betts: To ask the Minister of Agriculture, Fisheries and Food what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30889]

Mr. Jack: The Ministry's expected capital figures—as published in the statistical supplement to the "Financial Statement and Budget Report 1995–96 Cm 2821"—are £118 million for 1994–95 and £144 million for 1995–96. The 1994–95 figure includes net receipts of £22 million from local authorities, but there is no equivalent figure available for 1995–96 and the totals for the two years are not comparable.

Private Finance Initiative

Mr. Betts: To ask the Minister of Agriculture, Fisheries and Food, by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative. [30857]

Mr. Jack: The Ministry's spending in 1994–95 was not affected by the private finance initiative. The position may be similar in 1995–96. No schemes have yet been approved and as a consequence no jobs have been created or lost as a result of the private finance initiative.

Mr. Betts: To ask the Minister of Agriculture, Fisheries and Food, how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long they have been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30856]

Mr. Jack: No schemes have been approved to date under the private finance initiative and it is thought unlikely that any will reach the approval stage in 1995–96.

The whole of the Ministry's capital expenditure is currently being assessed for its possible application to the private finance initiative with eight schemes being considered. An estimate of the value of the schemes is difficult to make as there are often several private finance and other options for each scheme. Two of the schemes under consideration have been in the assessment process for between six and 12 months.

ADAS

Mr. Deva: To ask the Minister of Agriculture, Fisheries and Food whether he has reached any conclusions as to the future of the ADAS agency; and if he will make a statement. [31861]

Mr. Waldegrave: The Secretary of State and I have now agreed that a number of ADAS's functions are suitable for privatisation. We have however concluded that certain of the non-research and development functions that ADAS carries out for MAFF and Welsh Office—about two thirds of this work in all, including most of that in connection with the agri-environment schemes—should remain in the public sector. We have accordingly agreed to prepare for eventual privatisation a body which comprises all the ADAS commercial consultancy services, its laboratory services and the remainder of the non-research and development work performed for Departments. As to the present ADAS research centres, ownership of the sites and their facilities and arrangements for future access to both by the privatised body will be further considered. We expect, however, that the privatised body would continue to manage a proportion of our Departments' existing programmes at those sites.

ADAS has met all its financial targets since it was launched as an agency. We have concluded that the precise timing for privatisation of such a body should be determined in the light of continuing improvements in its financial performance, particularly as regards its commercial consultancy services. We have accordingly decided that ADAS will be required to recover 100 per cent. of its costs for advisory services in 1996–97 through charges to its commercial customers. If this and other

objectives are met in 1996–97, we shall proceed to privatisation in the course of 1997. We do not exclude an earlier disposal if the agency's performance warrants it.

A management team has indicated that it would be interested in preparing a management and employee buy-out of a business similar to that described above. We welcome this signal from the agency's staff of their confidence in its future but will, of course, consider all bids that may be forthcoming for that business or for parts of it.

Mr. Mark Robinson: To ask the Minister of Agriculture, Fisheries and Food what performance targets he has set for ADAS for 1995–96. [31860]

Mr. Waldegrave: The Secretary of State and I have decided that for 1995–96, ADAS will be asked to recover 73 per cent. of its costs for advisory services through charges to commercial customers; the balance will be met by my Department. The other financial, efficiency and service delivery targets for ADAS for 1995–96 will be:

to achieve full cost recovery from all other work;

to reduce the total cost per hour in contract delivery in real terms by 2 per cent.;

to maintain average debtor days at or better than 55 days;

to meet 90 per cent. of Research and Development project milestones;

to continue to achieve customer satisfaction as measured by customer surveys.

Salmon

Sir Cranley Onslow: To ask the Minister of Agriculture, Fisheries and Food what action the Government are taking to implement the recommendations in the Salmon Advisory Committee's report "The Run Timing of Salmon". [31942]

Mr. Waldegrave: My right hon. Friends the Secretary of State for Scotland, the Secretary of State and I have carefully studied the Salmon Advisory Committee's report. In our view, it makes a valuable contribution to our understanding of the factors that determine the age at which salmon return to their native rivers to spawn and of the various possible reasons for the recent decline in the number of early running, spring salmon that spend more than one winter at sea. The report concludes that changes in environmental conditions in the sea are likely to be a major factor in the current low abundance of spring fish, but that it is also likely that heavy selective exploitation of older sea-age classes and early running fish is implicated.

The report makes a number of recommendations. The majority of these are for further research, and the fisheries departments will take particular account of the SAC's views when reviewing their existing research programmes on salmon and commissioning further research.

The report also recommends that consideration be given to protection, and perhaps enhancement, of early running fish, particularly in stocks where spring runs have suffered the most acute decline. Actions that it suggests might be appropriate include protection, rehabilitation and development of habitat; additional control of exploitation in both commercial and sport fisheries; and protection of stocks from illegal fishing. It further recommends that for such fisheries management action should be undertaken on a river-by-river basis.

My right hon. Friends and I are drawing these recommendations for management action to the attention of the National Rivers Authority and the district salmon fisheries boards in Scotland and, asking them, in particular, to consider urgently whether, and if so what, action is needed to conserve the runs of spring fish in the fisheries for which they are responsible. We will take full account of the SAC's views in considering any proposals for further action that they make.

In this context, I am asking the National Rivers Authority to reconsider the recommendation, in the report on salmon net fisheries presented to Parliament in 1991, that the opening date for the drift net fisheries of Northumbria and Yorkshire should be postponed until 1 May so as to reduce the level of exploitation of spring running salmon. The NRA decided not to implement this recommendation, on the grounds that any action on spring fish needed to be part of a wider programme embracing rod and net fisheries in both England and Scotland. In the light of the Salmon Advisory Committee's report, and in the expectation that appropriate action will be taken in other fisheries, there is now an opportunity for a postponement of the opening of the drift netting season until 1 May to form part of such a wider programme.

Barley

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food what quantity of barley has been sold to Spain for pigfeed and other purposes from intervention stocks in each of the past three years for which figures are available. [30487]

Mr. Jack *[holding answer 26 June 1995]:* The information requested is not available. United Kingdom intervention barley sold onto the Community market can go to any member state; barley for export must go to third country.

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food at what figure below the intervention price available to United Kingdom pig farmers barley from intervention stocks is being sold to Spain. [30488]

Mr. Jack *[holding answer 26 June 1995]:* The sale of UK intervention barley to Spain will be by tender starting on 29 June. Tenderers will bid to buy grain out of intervention and ship it to a store in Spain. They will be required to cover transportation and shipping costs—excluding the cost of transferring grain from UK intervention stores to the nominated port of exit which will on this occasion be met by the ELT. It is not possible to predict the cost at which barley will be resold onto the Spanish market which is a commercial decision for the Spanish trade.

Sows

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food if he will ask the Farm Animal Welfare Council to investigate claims of welfare advantages for sows confined to sow stalls for the first 35 days. [31015]

Mrs. Browning *[holding answer 26 June 1995]:* Claims of welfare advantages for sows confined to sow stalls for the first 35 days of pregnancy have not been

supported by scientific evidence. I see no basis therefore on which the Farm Animal Welfare Council could be asked to investigate them further.

Eastern European Fishing Fleets

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the honourable Member for Great Grimsby, (Mr. Mitchell) of 25 May, *Official Report*, column *684–85*, (1) what changes he expects to make to the common fisheries policy when the entry of *(a)* Poland, *(b)* Hungary, *(c)* the Czech Republic, *(d)* Slovakia, *(e)* Romania, *(f)* Bulgaria, *(g)* Slovenia, *(h)* Lithuania, *(i)* Latvia and *(j)* Estonia begin negotiations for entry into the EU; [28919]

(2) what benefits he expects to come to the British fishing fleet when *(a)* Poland, *(b)* Hungary, *(c)* the Czech Republic, *(d)* Slovakia, *(e)* Romania, *(f)* Bulgaria, *(g)* Slovenia, *(h)* Lithuania, *(i)* Latvia and *(j)* Estonia are admitted to the common fisheries policy. [28918]

Mr. Jack *[holding answer 19 June 1995]:* All the countries listed, with the exception of Slovenia, have signed Europe agreements with the EU—Slovenia's has been negotiated and is now awaiting signature). These agreements contain the prospect of eventual EU accession. Only Poland and Hungary have formally applied to join the EU although a number of other central European states have indicated their wish to follow suit by the end of 1995.

It is too early to say when any of these countries will join the EU, nor is it yet possible to predict what changes may be made to the common fisheries policy or what benefits there would be to the British fishing fleet consequent upon their joining. In any negotiations on changes to the common fisheries policy consequent upon the accession of further countries to the EU, we will have uppermost in our minds the interest of the UK fishing industry.

ATTORNEY-GENERAL

Roger Levitt Case

Mr. Mike O'Brien: To ask the Attorney-General (1) if he consulted Mr. David Cocks QC on the wording of his answer to the hon. Member for Hendon, South (Mr. Marshall) on 9 December 1993, *Official Report*, columns *332–33*; and if the specific wording of the answer was given prior approval by *(a)* Mr. George Staple and *(b)* the Solicitor-General; [30375]

(2) whom he consulted on the wording of the answer before giving answers to the hon. Member for Hendon, South (Mr. Marshall) on 9 December 1993, *Official Report*, columns *332–33* on the case of Roger Levitt. [30397]

The Attorney-General: The wording of my answer on 9 December 1993 to my hon. Friend the Member for Hendon, South was prepared on the basis of information provided by the Serious Fraud Office. The specific wording was checked for accuracy by the case controller at the Serious Fraud Office and by leading counsel for the prosecution, Mr. David Cocks QC, but not by the director of the Serious Fraud Office personally. The answer was shown to the Lord Chief Justice, who did not ask for any change, so that he could see how references to the trial judge and the question of sentence were being handled. It was cleared by the Solicitor-General.

Mr. O'Brien: To ask the Attorney-General on how many occasions a person has been convicted of misleading FIMBRA; and on each occasion what was the sentence imposed for that charge. [30374]

The Attorney-General: In the case of R *v.* Levitt the misleading of FIMBRA was pleaded as a particular to the count of fraudulent trading, as set out more fully in my answer to question No. 30405. The misleading of FIMBRA can give rise to a variety of offences. No central record is kept of such convictions and a complete check would involve disproportionate cost.

Mr. O'Brien: To ask the Attorney-General, pursuant to his answer to the hon. Member for Swansea, East (Mr. Anderson) 19 June 1995, *Official Report*, columns *68–70*, what other discussions took place between the director of the Serious Fraud Office and counsel for the prosecution of Roger Levitt before 22 November 1993; in what circumstances; what was their content and place; and if he will place the notes or records of those discussions in the Library. [30398]

The Attorney-General: The director of the Serious Fraud Office and counsel discussed aspects of the case other than possible pleas at conferences on 24 February 1993 at 5 King's Bench Walk and 8 June 1993 and 19 November 1993, both at the Serious Fraud Office. It is not my practice to disclose the content of such discussions which concerned the general conduct of the case. To do so would be prejudicial to the proper administration of justice.

Mr. O'Brien: To ask the Attorney-General if he will place in the Library copies of the record or notes of meetings or conversations between the Serious Fraud Office and prosecution counsel in the case of Roger Levitt between September 1993 and 27 November 1993 which refer to *(a)* possible pleas to be entered by Levitt and *(b)* possible sentence which might arise from those pleas. [30399]

The Attorney-General: Neither the Serious Fraud Office nor prosecuting counsel has any record or notes as to the substance of meetings or conversations with counsel referring to these matters. There is a worksheet prepared by junior prosecuting counsel, Mr. Jonathan Fisher, for cost purposes which merely lists "conf with SFO re: pleas" on 5 November 1993 among other matters.

Mr. O'Brien: To ask the Attorney-General (1) if he will list the dates on which he was informed that his answer to the hon. Member for Hendon, South (Mr. Marshall) of 9 December 1993, *Official Report*, columns *323-33*, may not have been full or correct in all particulars; by whom he was so informed and in what form; what action he took as a result of being so informed; and when he took it; [30400]

(2) when he was informed that authorised plea discussions described in his answer to the hon. Member for Swansea, (Mr. Anderson) of 19 June, *Official Report*, columns *68-70*, had taken place; when he initiated inquiries to ascertain what discussions had taken place on pleas in respect of Mr. Roger Levitt; what has been the outcome of those enquiries; and if he will make a statement; [30409]

(3) whom he consulted before giving his reply to the hon. Member for Swansea, East of 19 June 1995, columns *68-70*, on the case of Roger Levitt; and when; [30410]

(4) what information he received from Mr. Jonathan Goldberg QC in respect of his answer to the hon. Member for Hendon, South on 17 December 1993, *Official Report*, columns *1054-46*; what account he took of it in his answer to the hon. Member on 16 December, *Official Report*, column *1049*; what action he took in response to the representations of Mr. Goldberg; and when he took it. [70411]

The Attorney-General: Mr. Jonathan Goldberg QC copied to me a letter from himself dated 13 December 1993 to Mr. David Cocks QC in which he suggested that my answers on 9 December 1993 to my hon. Friend the member for Hendon, South (Mr. Marshall) were misleading as the result of the information provided to me by prosecuting counsel and/or the Serious Fraud Office. The letter was considered with the Deputy Director of the SFO, the case controller and prosecuting counsel at a meeting chaired by my hon. and learned Friend the Solicitor General on 16 December 1993 to consider the terms of answers subsequently given to my hon. Friend the Member for Hendon, South on 17 December 1993. He was assured by prosecuting counsel and representatives of the Serious Fraud Office that the answers given on 9 December and the answers to be given were accurate and not misleading.

The fact that there were differences of view between the prosecution and defence about the case was referred to incidently but unspecifically at a meeting which I had with My hon. Friend the Member for Hendon, South, on the conduct and outcome of the case generally on 12 January 1994.

Mr. Goldberg wrote a further letter on 21 February 1994 again asserting that prosecuting counsel had offered a plea deal prior to the case being opened before the jury which was only marginally less favourable than the plea Mr. Levitt finally entered. He enclosed copies of letters to him written by other defence counsel in the case in the context of a complaint under consideration by the professional conduct committee of the Bar Council. I replied to Mr. Goldberg, saying that the correspondence confirmed the degree of difference between counsel in the case but that the Law Officers were not in a position to resolve those differences. Nor, although it was helpful to be kept informed, would it be right for them to try to do so, particularly since the matter was being considered by the professional conduct committee.

On 31 May 1995 my hon. Friend the Member for Hendon, South wrote to me and drew attention to the programmes on BBC Radio 5 on plea bargaining. In that letter and at a subsequent meeting with me and the Solicitor-General on 6 June 1995 he asked that I re-examine the replies given to him on 9 December 1993. In the light of that letter and meeting, and a question tabled by the hon. Member for Swansea, East and media reports, the Serious Fraud Office and prosecuting counsel were asked to re-examine the events that led up to Mr. Levitt's plea. My hon. and learned friend the Solicitor-General chaired further meetings on 12 June, 14 June and 15 June with the director and other members of the SPTO, prosecuting counsel and my own officials. Following the meeting on 12 June the Solicitor-General asked to see the SFO files and counsel's notebooks for the period 1 to 22 November 1993. The SFO files were sent to my office on the evening of 13 June under cover of a letter from the deputy director. The Solicitor-General was given the notebooks of Mr. Cocks and junior prosecuting counsel's—Mr. Fisher's—worksheet during 14 June and the notebooks of both prosecuting junior counsel on 23 June. The Solicitor-General examined the material supplied but, with the exception of the worksheet to which I refer in my answer to question No. 30399, and Mr. Cock's note of the mitigation advanced on behalf of Mr. Reed could find no reference to possible pleas.

Following his appearance before the Treasury and Civil Service Select Committee the director considered in detail with prosecuting counsel and the case controller the letter from the solicitor for Mr. Levitt—Mr. Goldkorn—to his client, which had been handed to him during his appearance He also recovered his diary from storage and from that it was apparent that a meeting had taken place at the SFO at 8.45am on 5 November 1993 between prosecuting counsel and the director and the case controller. The deputy director's letter referred to this meeting and the possibility that pleas had been discussed between prosecuting counsel and the director of the SFO. Mr. Cocks and the director spoke to my office about his on 14 June prior to the meeting later that day. At that meeting the director explained that it had become apparent that a meeting had taken place on 5 November 1993. As was set out in my written answer to the hon. Member for Swansea, East given on 15 June, *Official Report*, 19 June 1995, columns *68–70*, the joint recollection of all present was that the director had been then informed of possible pleas which leading counsel for the Crown advised should, in the event that they were tendered, be accepted. I was informed of the 5 November 1993 meeting on 14 June 1995 and joined the 15 June meeting. Prosecuting counsel and the director of the SFO confirmed to me personally that the terms of the proposed answer to the hon. Member for Swansea, East were accurate.

Mr. O'Brien: To ask the Attorney-General what were the fees paid to each prosecution counsel by the Crown in respect of the trial of Rover Levitt; and at what hourly rate. [30401]

The Attorney-General: Fees inclusive of VAT and excluding expenses, paid to prosecution counsel were as follows:

	£
Leading counsel	128,639.88
Junior counsel	155,890.73
Second junior counsel	165,118.71
Total	449,649.32

Hourly and daily rates as shown in the following table agreed for each stage of the case and were increased in annual reviews on the dates shown in the left-hand column.

Date of engagement or annual review	Pre transfer (up to 15 April 1992)	Post transfer (from 16 April 1992)	Daily rate
Leading counsel			
15 March 1991	150	165	600
15 March 1992	161	177	642
15 March 1993	—	183	662
Junior counsel			
15 March 1991	90	100	300
15 March 1992	96	107	321
15 March 1993	—	110	331
Second junior counsel			
15 March 1991	60	66	165
15 March 1992	64	71	177
15 March 1993	—	74	182

My answer of 23 May 1995 to the hon. Member for Wallsend (Mr. Byers), *Official Report*, column *520*, stated that the fees paid to leading counsel in this case were earned from January 1991 and amounted to £137,405. Mr. Cocks was in fact formally instructed on 15 March 1991 and the amount given in my previous answer erroneously included a payment relating to another case. The total amount paid to Mr. Cocks is as set out in the table.

Mr. O'Brien: To ask the Attorney-General what inquiries he made about the availability of Mr. David Cocks in relation to the trial of Mr. Roger Levitt; what account was taken of the probable length of the trial if contested; and what assessment he has made as to the availability of Mr. Cocks in respect of a contested trial. [30402]

The Attorney-General: The prosecution was brought by the Serious Fraud Office. I am informed by the Serious Fraud Office that it formally instructed Mr. David Cocks QC on 15 March 1991 on the basis that he would advise in relation to the Levitt case and subsequently conduct any proceedings which the director of the SFO decided to institute. The terms on which prosecuting counsel are instructed by the SFO require them to give a high degree of priority to the conduct of the case. The estimated length of any trial varied, but Mr. Cocks was at all stages expected to be available to conduct a contested trial. The SFO was at no stage given any reason to doubt his availability for as long as was necessary and Mr. Cocks has assured me that he was indeed available to conduct the trial for as long as necessary.

Mr. O'Brien: To ask the Attorney-General (1) pursuant to his answer to the hon. Member for Swansea, East of 19 June, *Official Report*, columns *68–70*, on discussions between counsel for the Crown and for Roger Levitt, precisely what pleas were in issue at each discussion and specifically when the Crown decided for the purposes of discussions or plea that it was appropriate for Levitt not to admit to actual theft by himself; [30403]

(2) what indications as to the acceptability of possible pleas had been made by the defence to the Crown before the judge discussed sentence on Mr. Roger Levitt on 22 November 1993. [30407]

The Attorney-General: In June 1992 counsel for Mr. Reed approached leading counsel for the Crown, Mr. David Cocks QC, with an offer of a plea of guilty by Mr. Reed to the offence of fraudulent trading involving the failure to invest funds in accordance with investors' instructions and the sending of false investor valuations. This approach was repeated on a number of occasions. On each occasion Mr. Cocks said the plea would not be acceptable.

Shortly before 2 November 1993, leading counsel for Mr. Price approached Mr. Cocks and asked whether the Crown would be prepared to accept a plea to fraudulent trading on the basis of the FIMBRA particular from Mr. Levitt, Mr. Reed and Mr. McNamara. Mr. Cocks said that, if such discussions were to be pursued, they must involve counsel for all the defendants. On 2 November 1993 Mr. Cocks told counsel for all the defendants that the proposed pleas were insufficient but that if Mr. Levitt and Mr. Reed would plead guilty to the FIMBRA particular of fraudulent trading and "something sensible" on the investor side such as counts 3 and 5 of the indictment—specimen counts of sending false valuations to investors, he thought that serious consideration would be given to such an approach. On 4 November there were further discussions between counsel, other than counsel for Mr. Levitt, about possible pleas. In a discussion believed to have taken place on 5 November Mr. Cocks repeated to leading counsel for Mr. Levitt—Mr. Goldberg—what he had said about possible pleas on 2 November but no such indication of a plea was forthcoming. There was further discussion arising from the suggestion made by leading counsel for Mr. Price when both junior prosecuting counsel spoke to Mr. Goldberg, and his junior, on 9 November 1993 and said that although they had no firm instructions, if Mr. Levitt offered to plead guilty to the false investor valuations not as separate counts but as particulars of fraudulent trading, as well as pleading guilty to the particular alleging the deception of FIMBRA, this might be acceptable to the Crown. Mr. Goldberg informed Mr. Cocks on 11 November 1993 that Mr. Levitt would not be offered a plea of guilty to any part of the indictment.

The trial thereafter proceeded and I refer the hon. Member to my answer to question No. 30405.

On Sunday 21 November 1993 junior counsel for Mr. Levitt telephoned first junior prosecuting counsel and said that Mr. Levitt was considering entering a plea of guilty on the FIMBRA part of the fraudulent trading count, on the strict understanding that all other counts would be left on the file. Mr. Fisher replied that prosecuting counsel would need to have a conference with the SFO. About half an hour later junior counsel for Mr. Levitt again telephoned Mr. Fisher and said that she had forgotten to mention that, if the plea was acceptable to the Crown, Mr. Goldberg would seek to seek to see the trial judge to ask for an indication as to sentence.

On Monday 22 November 1993 Mr. Goldberg made his offer in writing to Mr. Cocks of the plea that was finally entered. He wrote that if the offer was acceptable to the Crown he was instructed to seek an indication from the trial judge on sentence and that Mr. Levitt would then decide what to do.

There were no counts of theft against Mr. Levitt included in the indictment.

Mr. O'Brien: To ask the Attorney-General what charges and how many were originally brought against Mr. Roger Levitt; what was the sequence of events by

which *(a)* their number and *(b)* their gravity was reduced; if he will give the date on which each charge was dropped; and what assessment he has made as to the extent to which the sequence of events conformed to the highest standards of conducting cases. [30405]

The Attorney-General: The proceedings against Mr. Levitt were transferred to Southwark crown court on 15 April 1992 on the basis of 62 charges, consisting of five charges of conspiracy to defraud and 56 substantive offences of dishonesty, including certain charges of theft, relating to private investors or institutions, and a further charge of fraudulent trading which was intended to embrace all aspects of the alleged fraudulent conduct. Most of these charges were alternatives.

When the indictment was preferred it was necessary to reduce the number of charges to facilitate presentation of the case to the jury. The indictment, signed on 12 June 1992, contained 22 counts. Count 1 alleging fraudulent trading by TLG Ltd. was fully particularised and included a particular alleging:

"producing and causing to be produced to officers of FIMBRA documents, viz: a profit and loss schedule of income, schedules and a balance sheet, fee notes, invoices, letters, and minutes of a meeting of the Board of Directors of Levitt Group (Holdings) plc, which were false, misleading and deceptive in that they purported to show that fees of £20,738,321 had been received by Levitt Group Limited as a result of personal advisory work carried out by the said ROGER JOSEPH LEVITT during the 18 month period to 30 June 1990."

Counts 2 to 5 related to investor funds prior to the period of fraudulent trading and comprised two specimen counts, 2 and 4 of obtaining investors' funds by deception and two specimen counts, 3 and 5, of false accounting in relation to false valuations sent to investors. Count 6 alleged the dishonest obtaining of funds from an investor during the period of fraudulent trading. The remaining counts of 7 to 22 were alternatives to count 1 and involved the sale of shares and options, the obtaining of loans by Mr. Levitt and misleading FIMBRA.

After the indictment had been preferred the Court of Appeal on 28 July 1992 gave guidance in Blue Arrow about the drafting of indictments in serious fraud cases. This caused the prosecution during the preparatory hearing held between 23 and 25 February 1993 to seek to clarify further the issues for the jury by relying on the count of fraudulent trading alone and reducing the number of particulars specified in that count. Counts 2 to 5—the specimen investor counts relating to the period which preceded the alleged fraudulent trading—were severed so as to be the subject of a separate trial. The allegations particularised in counts 6 to 22 formed part of the allegations particularised in count 1. On 25 February 1993 the trial judge ruled that count 1 was

"properly drawn and fairly represents the thrust of the criminality alleged by the Crown"

On 19 May 1993, following an application by Mr. Goldberg, the trial judge ruled inadmissible on count 1 the evidence of the dishonest way in which the moneys drip-fed into TLG Ltd. by Mr. Levitt had been obtained. I am informed by prosecuting counsel that Mr. Goldberg's application was presented on the clear understanding that Mr. Levitt would not place in issue the circumstances in which the money was obtained and that the trial of Mr. Levitt proceeded on this basis.

After Mr. Cocks had opened the case for the prosecution Mr. Goldberg made an opening speech on 15 November 1993 in the course of which he asserted that the funds drip-fed into TLG Ltd by Mr. Levitt were his own money. The Crown applied to discharge the jury on the basis that Mr. Goldberg had misled them and undermined the basis of the earlier rulings in the case. The trial Judge declined the application. He said that the Mr. Goldberg's opening speech had

"largely subverted the necessary and acknowledged basis of my earlier rulings"

and had

"gravely misrepresented the true position".

The Crown intended to renew its application to discharge the jury on 22 November 1993, and notice of this intention was communicated to the defence on 19 November 1993. This application was not made because on 22 November 1993 Mr. Levitt offered to plead guilty to count 1 of the indictment on the basis that he would admit the particular of the indictment alleging that he had misled FIMBRA. The acceptability of that plea was discussed by prosecuting counsel with the director of the Serious Fraud Office the same day. Counsel advised that the plea should be accepted having taken account of all the circumstances. The director instructed counsel to accept this plea.

It is the duty of the SFO as an independent prosecuting authority to act with the due diligence and complete propriety. It is the duty of prosecuting counsel to act as ministers of justice and to conduct the case in accordance with their proper professional judgment, having regard to all the circumstances. I am satisfied that they did so.

Mr. O'Brien: To ask the Attorney-General on what date and in what circumstances it was communicated to Queen's Counsel for the Crown or his junior that Mr. Roger Levitt would agree to plead only to a charge which would result in a non-custodial sentence. [30406]

The Attorney-General: I refer the hon. Member to my answer to the hon. Member for Swansea, East given on 15 June 1995, *Official Report*, 19 June 1995, columns *68–70*. I have been consistently assured by prosecuting counsel that there was no such communication.

Mr. O'Brien: To ask the Attorney-General, what assessment he has made of whether the reported comments of Queen's counsel for the Crown after the Mr. Roger Levitt trial in respect of *(a)* the hearing of fraud cases by judges and *(b)* the sentence passed on the defendant were appropriate for a Crown prosecutor; and if he will make a statement. [30408]

The Attorney-General: Such issues are governed by the code of conduct for the Bar of England and Wales. Counsel appearing for the Crown are not subject to any special restrictions.

Private Finance Initiative

Mr. Betts: To ask the Attorney-General (1) by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the

public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative; [30855]

(2) how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long they have been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30854]

The Attorney-General: The private finance initiative is considered as one of the options for all major capital projects in the Departments for which I am responsible. Expenditure plans within those Departments for 1994–95 and 1995–96 have not been affected by the private finance initiative. No proposals to award contracts under the initiative have been submitted for approval. The question of effects on employment does not therefore arise.

Capital Spending

Mr. Betts: To ask the Attorney General what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30887]

The Attorney-General: The information is given in the table.

£ Thousand

	Capital expenditure 1994–95	*Planned capital expenditure 1995–96*
Crown prosecution service	5,000	4,000
Treasury solicitor's department	600	600
Serious Fraud Office	400	400

Crown Prosecution Service

Mr. Hutton: To ask the Attorney-General how many cases were dropped by the Crown Prosecution Service in the last year where successful private prosecutions have subsequently been brought forward. [28317]

The Attorney-General *[holding answer 14 June 1995]:* Since the information sought by the hon. Member is not separately recorded, senior staff in the Crown Prosecution Service who might reasonably be expected to recall cases coming within the terms of the hon. Member's question were asked to identify them. The answer cannot be regarded as definitive, but they have been unable to identify any successful private prosecution which arose from a case in which discontinuance had been effected during the past year.

Treasury Counsel

Mr. Byers: To ask the Attorney-General, pursuant to his answer of 22 May, *Official Report*, column *451*, how much each Treasury counsel retained for civil work received in fees from public funds in 1994–95; of the Treasury counsel based at the central criminal court, how many received between (i) £250,000 to £300,000, (ii) £300,000 to £350,000, (iii) £350,000 to £400,000, (iv) £400,000, to £500,000, (v) in excess of £500,000 from the Crown Prosecution Service for financial year 1994–95.

The Attorney-General *[pursuant to his reply, 21 June 1995, c. 260]:* The figures given for fees paid to Treasury counsel based at the central criminal court by the Crown Prosecution Service are being checked and a revised table will be made available as soon as possible. However, contrary to the original information provided by the Crown Prosecution Service as set out in the table of 21 June, it is clear from information that has since been made available to me that no Treasury counsel based at the central criminal court received more than £400,000 in payments from the Crown Prosecution Service during the financial year 1994–95.

CHURCH COMMISSIONERS

Report and Accounts

Mr. Frank Field: To ask the right hon. Member for Selby, as representing the Church Commissioners, to which hon. Members the Church Commissioners' annual report and accounts have been distributed.

Mr. Alison: The Church Commissioners' 1994 report and accounts have been sent to the Secretary of State for the Home Department as directed by the Church Commissioners Measure 1947. Copies have also been sent to all hon. Members.

NORTHERN IRELAND

Dundonald Primary School

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many pupils were enrolled in Dundonald primary school in each of the past five years; how many applicants were refused places at the school in each of these years; what plans there are to increase the size of the school; and if he will make a statement about the future facilities for primary school education in the Dundonald area. [30534]

Mr. Ancram: The information is as follows:

Year	*Number of pupils enrolled*	*Number of applicants refused places*
1990–91	530 (January 1990)	n/a
1991–92	537 (January 1991)	n/a
1992–93	558 (October 1992)	None
1993–94	563 (October 1993)	14
1994–95	547 (October 1994)	5

Provision of controlled primary schools places in Dundonald is the responsibility of the South-Eastern education and library board. I understand that the board has no plans to increase the size of Dundonald primary school at present but it is reviewing demand for primary school places in the Dundonald area and is monitoring residential development and planning applications for residential development as part of its consideration of future primary school provision.

Health and Social Services Contracts

Mr. Spellar: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 25 May 1995, *Official Report,* column *756*, if he will outline the procedure for awarding tenders for contracts in health and personal social services. [30439]

Mr. Moss: In selecting tenderers for a particular service HPSS bodies first seek expressions of interest by advertising the intention to invite tenders in the local, national or trade press and where appropriate the *Official Journal* of the European Community. All companies responding to these advertisements are then subjected to vetting procedures which have regard not only to financial viability, technical competence and performance elsewhere but also list for future reference the size of a particular company and the volume of business it is capable of discharging. This is to ensure that contractors are not invited to tender for contracts they are unable to deliver.

Where a potential contractor is proposing to use his own plant and equipment the vetting procedure requires that these be checked to ensure that there is sufficient capacity and that such facilities are adequate to cope with the workload which will be placed on them or that any necessary upgrading will be undertaken

A list of potential contractors who satisfy the above criteria is then submitted to the HPSS Management Executive for approval. Tenders can be invited only from potential contractors who have been approved by the HPSS Management Executive.

In-house teams are not required to go through these vetting procedures.

Education Building Programme

Mr. Spellar: To ask the Secretary of State for Northern Ireland further to his press notice of 8 February, how much of the £63 million building programme for education will be spent directly on construction. [30516]

Mr. Ancram: An estimated £45.3 million will be spent directly on construction work.

Deprivation

Mr. McGrady: To ask the Secretary of State for Northern Ireland if he will list the 55 electoral wards which were recently designated as deprived according to the study undertaken by the university of Manchester. [30602]

Sir Wheeler: The university of Manchester study ranked all Northern Ireland electoral wards on measures of multiple deprivation. However, the study did not classify individual wards as deprived or non-deprived.

Education and Library Boards

Mr. Worthington: To ask the Secretary of State for Northern Ireland what changes he has made in his policy on a reduction from five education and library boards to four such boards since the publication of the document, "Accountability through Partnerships." [30455]

Mr. Ancram: There is no record of a document called "Accountability through Partnerships" but the document "Educational Administration in Northern Ireland" published in 1993, to which we presume that the hon. Member refers, contained a number of options for change to the present arrangements for educational administration and analysed the advantages and disadvantages of a rationalisation of the present five-board system.

Following consultation on that document, all these options were reappraised and the Government have been consulting on a proposal that the number of education and library boards should be reduced from five to four. The consultation period has recently ended and the Government will wish to take account of all comments received before making any final decision.

Health Survey

Mr. Redmond: To ask the Secretary of State for Northern Ireland what recent research his Department has commissioned in respect of a health survey for Northern Ireland; and if he will make a statement. [30476]

Mr. Moss: A departmentally commissioned report on a "Survey Strategy for the Health and Personal Social Services (1994–2004)" was published in January 1994 and recommended the commissioning of a regular regional survey of health and social well-being. The Department of Health and Social Services, Northern Ireland, has accepted that there should be a survey at approximately three-yearly intervals and planning is under way for an initial survey in early 1996.

Enler House, Ballybeen

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many residents there are in Enler house, Ballybeen; if new residents are being accepted; what proposals there are for the future use of the building; and if he will make a statement. [30600]

Mr. Moss: The last resident left Enler house on 15 June 1995 and no new residents are being accepted. Discussions have taken place between the Department of Health and Social Services and Dundonald Community Projects on the future use of the building and DCP has been offered a licence to use the premises as a community resource centre for a three-month period pending further negotiations. At this time the DCP is considering the terms of the licence and are expected to occupy the premises.

Capital Spending

Mr. Betts: To ask the Secretary of State for Northern Ireland what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30877]

Sir John Wheeler: I refer the hon. Member to table 12.4 of the Government's "Expenditure Plans 1995–96 to 1997–98", Cm 2816, a copy of which is in the Library.

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for Northern Ireland by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs

are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative. [30829]

Sir John Wheeler: Planned Government spending has not changed as a result of the private finance initiative in either 1994–95 or 1995–96. Information on jobs created or lost in the public sector as a consequence of the PFI is not collected centrally and could be obtained only at disproportionate cost.

Mr. Betts: To ask the Secretary of State for Northern Ireland how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long have they been considered, and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30828]

Sir John Wheeler: No schemes were approved for 1994–95. A number of areas, including two pilot projects covering sewage treatment plants in the Water Executive with an estimated value of £20 million to £25 million are under consideration in Northern Ireland. It is too early, however, to put a total value on these projects. On average, these schemes have been under consideration for 12 months.

Community Attitudes Survey

Mr. Pickles: To ask the Secretary of State for Northern Ireland when he expects to publish the second community attitudes survey report, "A Continuous Survey of Public Attitudes and Views on Crime, Law and Order, Policing and Security Issues", for the period November 1993 to October 1994 and if he will make a statement. [31858]

Sir John Wheeler: I have today arranged for a copy of the full report to be placed in the Library. The report details results from field work completed between November 1993 and October 1994 involving a representative sample of adults aged 16 and over living in Northern Ireland. As most of the survey was conducted before the declaration of the two paramilitary ceasefires in August and October 1994, many of the results reflect the security situation in Northern Ireland before the ceasefire. A third round of the survey, which omits a number of questions on security matters which have ceased to be relevant following the ceasefire, is currently underway.

Among the key findings of the survey are:

The majority of people believe that crime, particularly crime against the person, is relatively uncommon in their area and that they are unlikely to be a victim. In particular, 90 per cent. believed that it was unlikely, that they would be a victim of terrorist violence.

The majority of people consider that the police are polite (81 per cent.) helpful (78 per cent.) and fair (72 per cent.) In each of these aspects Protestants gave higher ratings than Catholics. (Protestants: polite 83 per cent; helpful 81 per cent.; fair 77 per cent.—Catholics: polite 78 per cent.; helpful 75 per cent;. fair 63 per cent.) Taking everything into account, most (77 per cent.) thought that the police in their area did a good job, while fewer than one in 10 (9 per cent.) thought that they did a poor job.

Almost one third (30 per cent.) of respondents had not heard of the Police Authority for Northern Ireland. More than half of those who had heard of PANI (56 per cent.) thought it to be part of the police. Protestants tended to be better informed than Catholics.

Over one third of respondents (35 per cent.) did not know who was responsible for looking into complaints made against the police. The preferred means (63 per cent.) of making a complaint about a police officer was by contacting the local police station. This was by far the most favoured means for both Protestants (68 per cent.) and Catholics (54 per cent.)

While most respondents (63 per cent.: Protestants, 68 per cent.; Catholics, 57 per cent.) believe the police try equally hard to recruit from both sections of the community, most (57 per cent. Protestants, 48 per cent.; Catholic, 72 per cent.) thought there were too few Catholic members of the police. The most common reason given for Catholics not joining the force was fear of intimidation or attack on them or their relatives.

The great majority (93 per cent.) disagreed with the use of force or violence by paramilitary groups, either for political ends or in retaliation for attacks by other paramilitaries. Only 3 to 4 per cent. agreed that it was justifiable.

Most people considered the police to be polite (80 per cent.) and fair (77 per cent.) in dealing with the security situation. As before, Protestants gave a higher rating than Catholics. The Army as also considered by most to be polite (70 per cent.) and fair (68 per cent.), again with higher ratings form Protestants.

Ninety-two per cent. of respondents felt is was important to understand the way in which the courts work, although only 33 per cent. felt they did understand.

Seventy-five per cent. expressed confidence in the criminal justice system, although nine out of ten agreed that miscarriages of justice could occur.

Almost 70 per cent. of respondents felt that penalties handed out by courts should be stiffer that at present although Protestants felt this more strongly (82 per cent.) than Catholics (48 per cent.). Almost four in ten thought that those sentenced to life imprisonment should spend the rest of their lives in prison (Protestants; 46 per cent., Catholics; 28 per cent.).

Foyle Bridge

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what the average volume of traffic on the Craigavon and Foyle bridges in Londonderry has been per day since the Foyle bridge was built. [23659]

Mr. Moss: The estimated average daily traffic flow on the two bridges for each year since the Foyle bridge was opened to traffic are as follows:

Year	*Craigavon Bridge vehicle per day*	*Foyle Bridge*
1994	32,519	16,213
1993	30,920	17,570
1992	29,910	16,700
1991	28,810	15,240
1990	27,820	13,500
1989	26,450	13,670
1988	25,630	11,350
1987	25,740	11,160
1986	25,900	10,700
1985	26,300	10,200
1984	26,410	9,560

Socialist Workers Movement Posters

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is the Government's policy with regard to the removal of fly posters put up by the Socialist Workers movement and others on main thoroughfares in Belfast. [23660]

Mr. Moss: The Department has no specific policy with regard to fly posting by the Socialist Workers movement or other individual groups. Where sufficient evidence is established current policy allows enforcement proceedings to be taken against any group or individual responsible.

I am concerned generally about the impact of fly posting, not only in Belfast but elsewhere in Northern Ireland, and propose to review current policy and practice. I will write further to the right hon. Gentleman in due course.

DUCHY OF LANCASTER

Information Leaks

Mr. Malcolm Bruce: To ask the Chancellor of the Duchy of Lancaster if he will list all the inquiries into all forms of information leaks from Government Departments, agencies and public bodies which have taken place since 1989, giving *(a)* the nature of the leak, *(b)* the duration of the leak inquiry, *(c)* the cost of the leak inquiry, *(d)* the result of the leak inquiry and *(e)* the number of individuals against whom action was taken as a result of the leak inquiry. [30819]

Mr. David Hunt: No.

Private Finance Initiative

Mr. Betts: To ask the Chancellor of the Duchy of Lancaster by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative. [30851]

Mr. Horam: The 1994–95 expenditure of the Cabinet Office, including the Office of Public Service and Science, HMSO and the Central Office of Information did not change as a result of the private finance initiative. The same is likely to be true in 1995–96. Although no schemes within the scope of my responsibilities have been approved under the initiative to date, the involvement of private finance is explored wherever possible.

Mr. Betts: To ask the Chancellor of the Duchy of Lancaster how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long they have been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30850]

Mr. Horam: The Cabinet Office, including the Office of Public Service and Science, HMSO and COI did not approve any schemes under the private finance initiative in 1994–95; and it is unlikely that any will be approved in 1995–96. However, the involvement of private finance is explored wherever possible. Two schemes are currently being considered, with a total expected value of at least £10 million. Both have been in the assessment process for less than two months.

Capital Spending

Mr. Betts: To ask the Chancellor of the Duchy of Lancaster what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30886]

Mr. Horam: Figures for capital spending in 1994–95 and 1995–96 for the Cabinet Office, including the Office of Public Service and Science and executive agencies, are as follows:

	1994–95 Provisional outturn £'000	*1995–96 Estimate £'000*
Cabinet Office (including OPSS)	12,060	8,010
OPSS Executive Agencies	2,290	2,530
Science[1]	152,500	135,800
COI	630	600
	1994 Actual £'000	*1995 Estimate £'000*
HMSO[2]	8,340	18,560

Notes:
[1] Covers capital spending by the Research Councils.
[2] HMSO's figures are based on their accounting year 1 January—31 December.

SCOTLAND

Tree Diseases

19. **Mr. Pawsey:** To ask the Secretary of State for Scotland what research is taking place into tree diseases and their cause. [29390]

Mr. Kynoch: The Forestry Commission carries out a wide range of research into all aspects of tree health, including the status and biology of disease organisms and insect pests, in order to assess risk and, where appropriate, to develop strategies for control.

New Town Development Corporation

20. **Mr. Norman Hogg:** To ask the Secretary of State for Scotland what assessment he has made of the effect on inward investment to Scotland of the closure of the new town development corporation. [29391]

Mr. Kynoch: In July 1993 my right hon. Friend set up a task force to consider the impact on inward investment of the wind-up of the new town development corporations. The issues examined by this task force included the continued availability within the new towns

of suitable properties for inward investors, the marketing of the new towns to prospective inward investors and the aftercare of existing investors.

Appropriate steps have been taken in the light of the task force's work to ensure that the momentum of inward investment in the new towns is maintained.

Water and Sewerage

21. **Mr. Ian Bruce:** To ask the Secretary of State for Scotland what plans he has to improve the water and sewerage systems serving Scotland. [29392]

Mr. Kynoch: The Government have introduced a number of regulations relating to the quality of water to be supplied and the standards to be met by sewage discharges. These are The Water Supply (Water Quality) (Scotland) Regulations 1990 and The Urban Waste Water Treatment (Scotland) Regulations 1994. It is for the regional and islands councils, and from April 1996 the new water authorities, to bring forward programmes of works to comply with the prescribed standards in specified timescales. Progress is monitored by the Scottish Office.

Manufacturing Exports

22. **Mr. McAvoy:** To ask the Secretary of State for Scotland what measures he is planning to help increase the capacity of Scottish manufacturing industry to expand exports to the European market; and if he will make a statement. [29393]

Mr. Kynoch: Scottish manufactured exports are breaking all records. This clearly indicates that the opportunities presented by a competitive currency, low interest rates and stable low inflation have been grasped by Scottish industry.

Over the last two years Scottish manufactured exports have risen by almost 30 per cent. to reach their highest-ever level of £11.5 billion. Exports to Western Europe account for some 65 per cent. of that figure. Later in the year, I hope to launch a Scottish export strategy which will help focus efforts to further increase Scotland's manufactured exports.

Unemployment

23. **Mr. Eric Clarke:** To ask the Secretary of State for Scotland what plans he has to meet the Scottish Trades Union Council to discuss employment and unemployment. [29394]

Mr. Kynoch: My right hon. Friend meets representatives of the Scottish TUC from time to time to discuss a range of matters concerning the Scottish economy. The next meeting is being planned for July.

Torry Food Science Laboratory

24. **Mr. Salmond:** To ask the Secretary of State for Scotland when he last met trade union representatives from the Torry food science laboratory to discuss alternative proposals to closure. [29395]

Mr. Kynoch: As the staff of the Torry food science laboratory are employed by the Ministry of Agriculture Fisheries and Food it would not be appropriate for me to meet their trade union representatives. However, my officials are involved in current discussions with the Aberdeen Research Consortium which is preparing proposals for alternatives to the relocation of Torry's work to York.

Housing Expenditure

25. **Mr. Chisholm:** To ask the Secretary of State for Scotland what percentage of Scottish Office expenditure was spent on housing in *(a)* 1978–79 and *(b)* 1994–95. [29396]

Lord James Douglas-Hamilton: Expenditure on all housing including subsidies as a percentage of the Secretary of State's total net programme was 15.8 per cent. in 1978–79 compared with 4.9 per cent. in 1994–95; but such comparisons are misleading, since transfers of responsibility to the Secretary of State have significantly increased the overall size of the Scotland programme sine 1978–97. Support through subsidies has reduced and is principally provided through housing benefit which is now £834 million. Receipts applied to the programme have increased substantially, enabling total capital investment in housing last year to be greater than in 1978–97 in real terms.

St. Andrew's College, Bearsden

26. **Mr. Worthington:** To ask the Secretary of State for Scotland what estimate he has made of the job losses at St. Andrew's college, Bearsden, by 1998–99; and what factors will contribute to their losses. [29397]

Lord James Douglas-Hamilton: The Scottish Higher Education Funding Council is responsible for the allocation of funds to higher education institutions in Scotland. It has asked St. Andrew's college of education to draw up plans relevant to its future funding. It is premature to speculate on what the outcome will be, whether in terms of jobs or otherwise, until the college has submitted its plans and SHEFC has had the opportunity to consider these.

Mr. Worthington: To ask the Secretary of State for Scotland if he will place in the Library those documents, produced by his Department, relating to staffing and quality standards for courses at St. Andrew's college, Bearsden. [30470]

Lord James Douglas-Hamilton: My Department produces no documents directly related to staffing and quality standards in the teacher education sector. The Scottish Higher Education Funding Council published on 20 June its "Report of a Quality Assessment in Teacher Education" covering, among other institutions, St. Andrew's college. A copy of this has been placed in the Library.

Road Safety

27. **Mr. Graham:** To ask the Secretary of State for Scotland what plans he has to improve road safety in Scotland. [29398]

Lord James Douglas-Hamilton: The Scottish Office is taking forward a number of road safety initiatives covering engineering, education, publicity and enforcement which are designed to contribute towards achievement of the Government's target for reducing casualities by one-third by the year 2000. These include

measures to reduce vehicle speeds, to encourage more responsible driving and to lessen the accident risk to vulnerable road users.

Social Issues

28. **Mr. McMaster:** To ask the Secretary of State for Scotland when he next plans to meet representatives of the Convention of Scottish Local Authorities to discuss social issues in Scotland. [29399]

Mr. Kynoch: My right hon. Friend meets COSLA routinely as part of the normal consultation on local government finance matters. Other topics are on occasion raised at such meetings, but my right hon. Friend presently has no plans to discuss specifically social issues with the convention.

Further Education Colleges

29. **Mr. Connarty:** To ask the Secretary of State for Scotland what meetings he has had with representatives of Scottish further education colleges about their budgets; and if he will make a statement. [29400]

Lord James Douglas-Hamilton: My right hon. Friend met representatives of the Employers' Association for Scottish Further Education Colleges, the Association of Principals of Colleges and the Association for Colleges on 5 June to discuss a number of issues of interest to Scottish colleges of further education. The wide ranging discussion covered funding. My right hon. Friend congratulated the sector on its efficiency gains and emphasised the need for close control of public expenditure. He suggested that FE colleges should continue to explore the opportunities offered by the private finance initiative. Officials in the Scottish Office education department have been asked to continue to liaise with representatives of the sector.

Mr. Worthington: To ask the Secretary of State for Scotland what financial guidance he gives to the boards of colleges of further education about financial information *(a)* is available to the public or *(b)* is confidential. [30209]

Lord James Douglas-Hamilton: Further education colleges are required to publish an annual report, which may be either combined with or separate from their annual accounts. One of the obligations of colleges' charitable status registration is that annual accounts should be made available to anyone who requests them.

No guidance has been issued to colleges of further education regarding the publication of financial information which they should consider confidential.

Mr. Worthington: To ask the Secretary of State for Scotland which colleges of further education in Scotland have financial deficits; and what action they are taking to remove these deficits. [30207]

Lord James Douglas-Hamilton: The latest available audited annual accounts are for the financial year 1993–94. In that year the following five colleges showed a deficit balance on income and expenditure account reserve:

The Barony College
James Watt College of Further and Higher Education
Motherwell College
North Glasgow College
Stevenson College

The colleges are examining all areas of expenditure to identify possible savings.

Mr. Worthington: To ask the Secretary of State for Scotland if he will keep central statistics of the number of further education college staff who will be made redundant this year. [30204]

Lord James Douglas-Hamilton: No. Staffing numbers and levels are the responsibility of the board of management of each college.

Mr. Worthington: To ask the Secretary of State for Scotland how much financial support he has given to each further education college in Scotland in this financial year; and what was each college's budget for the last year. [30208]

Lord James Douglas-Hamilton: Table A indicates the grant support provided to Scottish colleges of further education in 1995–96 by my right hon. Friend. In addition, a further £2.7 million is available to colleges to assist in the restructuring of college staff in 1995–96. Table B provides college budgeted gross expenditure, including all income, for 1994–95.

Table A

	Grant support £
Aberdeen College	13,547,850
Angus College	3,317,583
Anniesland College	4,221,847
Ayr College	4,882,025
Banff and Buchan College of Further Education	3,332,900
The Barony College	1,569,850
Bell College of Technology	5,870,227
Borders College	4,016,053
Cambuslang College	4,168,630
Cardonald College	7,041,675
Central College of Commerce	4,748,578
Clackmannan College of Further Education	2,500,315
Clydebank College	7,276,418
Coatbridge College	3,793,381
Cumbernauld College	2,856,666
Dumfries and Galloway College	5,347,452
Dundee College	10,787,243
Elmwood College	3,170,133
Falkirk College of Technology	8,344,238
Fife College of Further and Higher Education	7,631,275
Glasgow College of Building and Printing	5,972,191
Glasgow College of Food Technology	3,697,425
Glasgow College of Nautical Studies	4,030,127
Glenrothes College	5,070,135
Inverness College	6,578,400
James Watt College of Further and Higher Education	7,843,488
Jewel and Esk Valley College	7,642,868
John Wheatley College	3,667,525
Kilmarnock College	5,382,855
Langside College	7,032,661
Lauder College	5,329,375
Lews Castle College	2,481,389
Moray College	5,078,738
Motherwell College	7,323,203
North Glasgow College	6,461,706
Oatridge Agricultural College	2,258,026
Perth College	5,812,713
Reid Kerr College	8,422,413
Stevenson College	10,206,838

Table A

	Grant support £
Stow College	4,521,435
Telford College	13,189,850
Thurso College	3,134,648
West Lothian College	5,222,427
Total	244,784,775

Table B

	Total expenditure £
Aberdeen College	18,813,000
Angus College	3,877,415
Anniesland College	5,045,000
Ayr College	6,580,191
Banff and Buchan College of Further Education	3,622,826
The Barony College	2,099,600
Bell College of Technology	9,743,546
Borders College	4,837,500
Cambuslang College	5,255,000
Cardonald College	8,441,500
Central College of Commerce	6,609,000
Clackmannan College of Further Education	3,189,860
Clydebank College	8,805,735
Coatbridge College	4,896,917
Cumbernauld College	3,406,803
Dumfries and Galloway College	6,527,947
Dundee College	14,259,090
Elmwood College	4,337,770
Falkirk College of Technology	10,759,850
Fife College of Further and Higher Education	10,575,000
Glasgow College of Building and Printing	9,272,060
Glasgow College of Food Technology	5,115,788
Glasgow College of Nautical Studies	5,838,736
Glenrothes College	6,870,562
Inverness College	8,996,312
James Watt College of Further and Higher Education	9,611,100
Jewel and Esk College	11,375,000
John Wheatley College	3,511,350
Kilmarnock College	6,215,304
Langside College	7,420,930
Lauder College	7,285,019
Lews Castle College	2,719,799
Moray College	6,218,000
Motherwell College	9,344,731
North Glasgow College	8,266,277
Oatridge Agricultural College	3,634,407
Perth College	7,794,710
Reid Kerr College	9,426,455
Stevenson College	13,315,895
Stow College	5,992,517
Telford College	16,837,564
Thurso College	3,232,098
West Lothian College	6,882,263
Total	316,860,427

European Regional Fund

30. **Sir David Knox:** To ask the Secretary of State for Scotland what is the total value of grants that Scotland has received from the European regional fund since the fund's inception. [29401]

Mr. Kynoch: Since the inception of the European regional development fund in 1975, Scotland has benefited from awards totalling almost £1.5 billion.

Whisky

31. **Mrs. Ewing:** To ask the Secretary of State for Scotland when he last met representatives of Scottish Enterprise to discuss domestic sales of Scotch whisky. [29402]

Mr. Kynoch: My right hon. Friend and I maintain close and regular contact with Scottish Enterprise on a wide range of economic issues.

Owner-occupation

32. **Mr. John Marshall:** To ask the Secretary of State for Scotland what is the latest estimate of the level of owner-occupation in Scotland. [29403]

Lord James Douglas-Hamilton: At the end of December 1994, the owner-occupation level in Scotland reached 57 per cent., compared with 35 per cent. in 1979. This shows that the Government's policies have significantly increased the level of home ownership in Scotland and extended choice to many people who would otherwise have had to continue renting.

Gibraltar Island Games

33. **Mr. Mackinlay:** To ask the Secretary of State for Scotland how many islands of Scotland will be represented at the island games in Gibraltar this July; and what support competitors are receiving from Her Majesty's Government. [29404]

Lord James Douglas-Hamilton: Scotland will be represented by competitors from the Orkney and Shetland islands. All competing teams pay to participate in the island games. There is no central Government funding.

Electricity Industry

34. **Mr. Clapham:** To ask the Secretary of State for Scotland when he last met the chairman of Scottish Nuclear to discuss the future of the electricity industry. [29405]

Mr. Kynoch: My right hon. Friend meets the chairman of Scottish Nuclear, Mr. James Hann, from time to time to discuss a range of matters concerning the company.

Flood Prevention

35. **Ms Roseanna Cunningham:** To ask the Secretary of State for Scotland when he expects to meet Convention of Scottish Local Authorities to discuss future plans for flood prevention in those areas previously affected by flooding. [29406]

Mr. Kynoch: My right hon. Friend, the Secretary of State meets COSLA regularly when a range of issues may be discussed. The next meeting will be on 24 July.

Manufacturing Industry

Mr. Dunnachie: To ask the Secretary of State for Scotland when he intends to meet the Scottish Trades Union Congress to discuss the Scottish manufacturing industry. [29370]

Mr. Kynoch: My right hon. Friend meets representatives of the Scottish TUC from time to time to discuss a range of matters, including the Scottish

manufacturing industry. The next meeting is scheduled for July.

A-Level Science

Mr. Battle: To ask the Secretary of State for Scotland what was the total uptake of A-level science subjects at schools and colleges for each year since 1987. [30216]

Lord James Douglas-Hamilton: In Scotland students are generally presented for the Scottish certificate of education at higher level rather than for A-levels. Data on students at further education colleges is not held in a form that would identify those students studying A-level science subjects. The uptake of A-level science subjects in Scottish education authority secondary schools is collected biennially in the September school census. Similar data are not collected for independent schools. The uptake shown in the census is as follows:

Year	*Pupils*
1987	309
1989	198
1991	158
1993	118

Clydebank College

Mr. Worthington: To ask the Secretary of State for Scotland how large is the financial deficit of Clydebank college; and how it was incurred. [30206]

Lord James Douglas-Hamilton: The latest available audited annual accounts are for financial year 1993–94 and show a surplus retained in the income and expenditure reserve of £54,000.

Clydebank college's expenditure exceeded income for the year by £132,000 after charging depreciation on the value of the land and buildings transferred from its local authority. This depreciation amounted to £186,000 and was met from a revaluation reserve leaving the surplus of £54,000 retained.

Catholic Schools

Mr. Worthington: To ask the Secretary of State for Scotland what projections he has made of the demographic trends in attendance at Catholic schools over the next 10 years. [30468]

Lord James Douglas-Hamilton: My right hon. Friend makes no separate projections of pupil numbers at Roman Catholic schools.

Green Tourism

Mrs. Ray Michie: To ask the Secretary of State for Scotland what initiatives his Department has undertaken to encourage green tourism in the highlands and islands. [30447]

Lord James Douglas-Hamilton: The Scottish tourism co-ordinating group which I chair and on which the Scottish Office industry department is represented has produced the strategic plan for Scottish tourism, which identifies green tourism as a source of opportunity for the Scottish tourism industry. The co-ordinating group has also set up the tourism and environment task force, which has provided detailed guidance for tourism operators. The task force is overseeing a number of local pilot projects looking at various aspects of environmentally sustainable tourism. Around half of these projects are in the highlands and islands.

Highlands and Islands Airports Ltd.

Mrs. Ray Michie: To ask the Secretary of State for Scotland (1) what weight he will give to public opinion as expressed during the consultation process on the future of Highlands and Islands Airport Ltd; [30449]

(2) what plans he has to publish the views of all those consulted on the future arrangements for Highlands and Islands Airports Ltd. [30450]

Lord James Douglas-Hamilton: Consultants are being appointed to carry out the study of options for the involvement of the private sector in Highlands and Islands Airports. As part of their work the consultants will need to consult interested parties; but the primary purpose of their work is not to conduct a consultation process. I am sure that views expressed by them will take into account in preparing their report; but there is no presumption that the report will include a full statement of all views expressed to them. No decision has yet been taken on whether or not to publish material arising out of the study.

Firearms Incident

Mr. Cohen: To ask the Secretary of State for Scotland on what occasions Her Majesty's Government made representations to the police in relation to a firearms incident involving Mr. Stefan Kock in Scotland in January 1990. [30506]

Lord James Douglas-Hamilton: Strathclyde police have received no representations from any Government Department in relation to this incident.

Teachers

Mr. Worthington: To ask the Secretary of State for Scotland how many teachers he estimated were necessary for Catholic *(a)* secondary and *(b)* primary schools in Scotland; and how many (i) BEd and (ii) PGCE students were estimated to be necessary in each of the last 10 years. [30498]

Lord James Douglas-Hamilton: The annual estimates of future teacher requirements, including the requirements of Catholic schools, are based upon information relating to the schools sector as a whole. It is for the Scottish Higher Education Funding Council to determine the allocation of funded places to individual teacher education institutions.

Roads

Mrs. Ray Michie: To ask the Secretary of State for Scotland what economic and social improvements he foresees by the de-trunking of roads in Argyll and Bute. [30448]

Lord James Douglas-Hamilton: The de-trunking of the A816 Lochgilphead-Oban and the A828 Connel-Ballachulish are part of a wider review of the Scottish trunk road network. Benefits of this review will

be to ensure the high-quality access required by commerce and industry, tourism and agriculture in each of the new unitary authorities and to provide an efficient and effective trunk road network serving Scotland well into the next century.

Where responsibility for management and maintenance of routes is transferred to local roads authorities future priorities will be set in the context of local needs, which should help ensure that local economic and social benefits are maximised.

Catholic Schools

Mr. Worthington: To ask the Secretary of State for Scotland how many children are in each year group in catholic schools in Scotland. [30469]

Lord James Douglas-Hamilton: The latest available information is given in the table:

Number of pupils in education authority Roman Catholic primary and secondary schools by year stage, September 1994[1]

Primary stage	*Primary schools*	*Secondary stage*	*Secondary schools*
P1–P7	[2]78,251	S1–S6	53,184
P1	11,025	S1	10,346
P2	11,442	S2	10,553
P3	11,367	S3	10,897
P4	11,349	S4	10,171
P5	11,343	S5	7,486
P6	10,921	S6	3,731
P7	10,802	—	—

[1] Provisional.

[2] Includes a small number of pupils in separate classes for learning difficulties.

Emergency Telephones

Mr. David Marshall: To ask the Secretary of State for Scotland what plans he has to improve emergency telephone facilities for motorists whose vehicles break down on Scotland's trunk road system; and if he will make a statement. [30957]

Lord James Douglas-Hamilton: The Scottish Office industry department has no plans to provide emergency telephone facilities on all purpose trunk roads. The emergency telephones on motorways in the Glasgow area are being upgraded as part of a larger contract to enhance and extend driver information and control.

Legal Aid

Mr. Tom Clarke: To ask the Secretary of State for Scotland what assessment he has made of the implementation of the legal aid system in Scotland; and if he will make a statement. [29374]

Lord James Douglas-Hamilton: My right hon. Friend is considering what proposals might be brought forward to improve the arrangements for legal aid in Scotland, in the light of the policy and financial management review of the Legal Aid Board which has recently been completed. I am also taking account of the proposals of my noble and learned Friend the Lord Chancellor to improve the system in England and Wales.

Non-domestic Rates

Mr. Wallace: To ask the Secretary of State for Scotland what information he has regarding the number of unoccupied properties in each islands and district council area which are now liable for non-domestic rates as a result of the implementation of the Non-Domestic Rates (Unoccupied Property) (Scotland) Regulations 1995. [31054]

Mr. Lang: This information is not held centrally.

Mr. Wallace: To ask the Secretary of State for Scotland what estimate his Department has made of the revenue from non-domestic rates accruing in each district and islands council area in Scotland as a result of the implementation of the Non-Domestic Rates (Unoccupied Property) (Scotland) Regulations 1995 in the financial year 1995–96. [31055]

Mr. Lang: It is estimated that the additional rates income due to changes in unoccupied property relief will be £23.5 million in 1995–96. This was taken fully into account in determining the level of unified business rate for 1995–96, so there is no additional burden on business ratepayers in aggregate as a result of this measure. A further breakdown by local authority is not available.

Capital Spending

Mr. Betts: To ask the Secretary of State for Scotland what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30876]

Mr. Lang: Consistent with table 1.7 of the statistical supplement to the "Financial Statement and Budget Report 1995–96" (Cm 2821), the total expected capital spending figure for 1994–95 for the Scottish Office and associated departments is £2,291 million.

The latest budget figure for planned capital expenditure excluding local authorities for 1995–96 is £1,301 million. As explained in paragraph 1.9 of the statistical supplement there are no figures available for later years for total planned local authority capital expenditure, therefore the figures for 1994–95 and 1995–96 are not comparable.

Housing, East Kilbride

Mr. Ingram: To ask the Secretary of State for Scotland if he will make a statement on the transfer of East Kilbride's housing stock to alternative landlords. [29371]

Mr. Kynoch: We are pleased that nearly nine out of 10 tenants took the opportunity to vote for their successor landlord in the ballot held by East Kilbride development corporation. Subject to satisfactory conclusion of negotiations on the final purchase price, the homes will transfer to East Kilbride district council towards the end of this year.

Lord Advocate

Mr. Dalyell: To ask the Secretary of State for Scotland what discussions the Lord Advocate has held with his Swiss counterpart about the investigation of potentially criminal matters affecting both countries. [29380]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate has not had any recent discussions with his Swiss counterpart.

Students

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what was the percentage of university-polytechnic students entitled to *(a)* full maintenance grant and *(b)* no maintenance grant in each year since 1979. [30360]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* The information requested is set out in the table. It covers all Scottish domiciled award holders attending full-time courses of higher education.

Academic year	*Percentage of applicants recieiving full maintenance grant*	*Percentage of applicants receiving no maintenance grant*
1979–80	38.2	9.3
1980–81	39.9	7.0
1981–82	38.6	7.7
1982–83	34.6	9.3
1983–84	34.3	10.6
1984–85	34.1	17.3
1985–86	34.6	22.7
1986–87	36.4	23.8
1987–88	35.9	26.6
1988–89	36.1	26.4
1989–90	35.7	26.8
1990–91	35.4	27.9
1991–92	38.7	26.2
1992–93	40.9	25.1
1993–94	43.0	24.1
1994–95[1]	44.2	25.1

[1] Provisional.

Mr. Bruce: To ask the Secretary of State for Scotland (1) if he will list the changes to university and polytechnic student maintenance grant entitlement since 1974; [30359]

(2) what has been the value of full university student grant for each year since 1974–75 prices. [30357]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* The information requested in relation to Scottish domiciled students is set out in the table.

Year[1]	*Maintenance grant*[2]	*1994–95 prices*[3]	*Student loan*[4]	*1994 prices*[3]
1974–75	605	3,056	n/a	—
1975–76	740	2,944.9	n/a	—
1976–77	875	3,041.4	n/a	—
1977–78	1,010	3,033.4	n/a	—
1978–79	1,100	3,062.1	n/a	—
1979–80	1,245	2,995.5	n/a	—
1980–81	1,430	2,996.7	n/a	—
1981–82	1,535	2,874.5	n/a	—
1982–83	1,595	2,783.4	n/a	—
1983–84	1,660	2,752.7	n/a	—
1984–85	1,725	2,752.6	n/a	—
1985–86	1,775	2,682.7	n/a	—
1986–87	1,846	2,697.6	n/a	—
1987–88	1,915	2,703.4	n/a	—
1988–89	1,990	2,671.2	n/a	—
1989–90	2,090	2,650.5	n/a	—
1990–91	2,200	2,548.8	420	486.6
1991–92	2,200	2,411.7	580	635.8
1992–93	2,200	2,318.6	715	753.5
1993–94	2,200	2,245	800	816.4
1994–95	1,975	1,975	1,150	1,150

[1] The figures relate to academic years September-August.[2] The rate used is the maximum rate payable to a student who lives outwith the parental home other than in London during term-time with no allowance for parental or other contributions.

[3] 1994–95 prices have been calculated using the Retail Prices Index for the appropriate financial year.

[4] With effect from academic year 1990–91 student maintenance support was provided by a combination of grant and loan.

Mr. Bruce: To ask the Secretary of State for Scotland what was the university-polytechnic total student population for each year from 1974–75; and what it will be in each year to 1998–99. [30361]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* The full-time equivalent number of students studying higher education courses in higher education institutions in Scotland, for the years 1980–81 to 1994–95 is given in the table:

Full-time equivalent number of students studying Higher Education courses at Higher Education Institutions in Scotland

Year	*Number*
1980–81	70,663
1981–82	71,945
1982–83	72,115
1983–84	74,042
1984–85	74,454
1985–86	76,058
1986–87	77,791
1987–88	78,495
1988–89	80,831
1989–90	85,238
1990–91	91,699
1991–92	100,066
1992–93	109,679
1993–94	116,668
1994–95[1]	122,152

[1] Provisional.

Information about the student population in the years before 1980–81 is not readily available.

My right hon. Friend set out the number of places he expects to be eligible for funding by SHEFC in the years 1995–96 to 1997–98 in "Serving Scotland's Needs" (Cm 2814). These are set out in the table. These figures are not comparable with those in the table above as they exclude overseas students and include students following courses of further education at the HEIs funded by SHEFC, and do not include students and the Scottish agriculture college.

Full-time equivalent places at SHEFC—funded Higher Education Institutions

Year	*Number*
1995–96	118,200
1996–97	118,000
1997–98	119,000

Mr. Bruce: To ask the Secretary of State for Scotland what was the drop-out rate for university and polytechnic courses in each year since 1979. [30311]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* Comprehensive information on rates of non-completion by students studying at Scottish higher education institutions has not been collected centrally in previous years. The Higher Education Statistics agency will be collecting the information in future, commencing with the current academic year.

Mr. Bruce: To ask the Secretary of State for Scotland (1) what is his estimate of the annual cost of providing the full maintenance grant to all university students; [30315]

(2) what would be the annual cost of paying *(a)* all fees for and *(b)* the full maintenance grant to, all part time university students. [30314]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* The cost in either case would depend upon the decisions taken about eligible courses, their duration, the fee payable, the level of maintenance grant, and the account to be taken of the personal circumstances of potentially eligible students.

Mr. Bruce: To ask the Secretary of State for Scotland what is his estimates of the staff-student ratio at universities and their forerunners in each year from 1974–75 to 1997–98. [30355]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* The student-staff ratio at universities previously funded by the Universities Funding Council, for the years 1985–86 to 1993–94, is shown in the table:

Student staff ratio at universities in Scotland[1]

Year	
1985–86	7.3
1986–87	7.1
1987–88	7.2
1988–89	7.4
1989–90	7.4
1990–91	7.6
1991–92	8.0
1992–93	8.7
1993–94	9.1

Source:
University Statistics Volume 3.
[1] The student/staff ratio was calculated by comparing full-time equivalent students against full-time equivalent staff.

Information for the years prior to 1985–86 and after 1993–94 is not readily available.

Mr. Bruce: To ask the Secretary of State for Scotland what was the average cost to the Exchequer of each student in university education for each year since 1984–85, broken down by *(a)* maintenance grant, *(b)* fees and *(c)* other. [30363]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* Not all the information is available in the form requested. The table sets out the average cost of student maintenance and tuition fee payments for Scottish domiciled students up to academic year 1993–94, the latest period for which complete figures are available.

Academic year	*Average maintenance cost (including loan)* £	*Average tuition fee* £
1984–85	[1]1,101	538
1985–86	1,041	557
1986–87	1,086	568
1987–88	1,097	583
1988–89	1,157	618
1989–90	1,210	650
1990–91	[2]1,662	[3]1,567
1991–92	[2]1,902	[3]2,219
1992–93	[2]2,088	[3]2,327
1993–94	[2]2,251	[3]2,074

[1] The information provided for the period 1984–85 to 1988–89 is not strictly comparable with that for the period 1989–90 to 1993–94 due to minor changes in recording procedures.
[2] Includes student loan payments at the appropriate average rate.
[3] The changes in average fee payments over the later years reflect shifts in the balance of funding tuition costs as between institutional grant-in-aid and individual tuition fees.

Mr. Bruce: To ask the Secretary of State for Scotland what would be the cost of reducing the level of university fees paid by non-European Community country students to the fee levels paid by students from European Community countries. [30317]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* Fee levels for students from non European Union countries are set by higher education institutions themselves at their discretion. Information on these levels is not held centrally.

Mr. Bruce: To ask the Secretary of State for Scotland what has been the total Government expenditure on university and polytechnic maintenance grants for each year since 1974–75 in 1994 prices. [30358]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* The information requested in respect of Scottish domiciled award-holders for academic year 1980–81 onwards is set out in the table. Information for early years is not readily available in this form.

Academic Year	*Maintenance Expenditure £ million*	*1994–95 prices*
1980–81	60.63	127.1
1981–82	64.93	121.6
1982–83	65.27	113.9
1983–84	68.27	113.2
1984–85	64.07	102.2
1985–86	60.98	92.2
1986–87	63.21	92.4
1987–88	64.78	91.5
1988–89	71.22	95.6
1989–90	79.70	101.1
1990–91	90.13	104.4
1991–92	110.52	121/2

Academic Year	Maintenance Expenditure £ million	1994–95 prices
1992–93	128.67	135.6
1993–94	150.55	153.6
1994–95 (provisional)	148.56	148.6

Mr. Bruce: To ask the Secretary of State for Scotland what is his estimate of the cost in the current year of restoring the value of the student maintenance grant to its real 1979 level. [30362]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* In view of the major changes made to the student support system in the intervening period, including the introduction of student loans in 1990, the cost would very much depend on whether or not these changes were to be reserved.

Mr. Bruce: To ask the Secretary of State for Scotland what is his estimate of the number of students in higher education in the year 2000. [30312]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* There is no such estimate at present. My right hon. Friend's latest expenditure plans, for the financial years up to 1997–98, are set out in the Department's report, "Serving Scotland's Needs" (Cm 2814).

Mr. Bruce: To ask the Secretary of State for Scotland what was the average level of student loan for university students in 1994–95. [30316]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* The average level of loan for all borrowers throughout the United Kingdom in academic year 1993–94, the latest year for which data are available, was £736. Separate figures for university students are not available.

Mr. Bruce: To ask the Secretary of State for Scotland, what is his estimate of the *(a)* average cost and *(b)* marginal cost of university students in 1995–96. [30404]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* The Scottish Higher Education Funding Council estimates that the average recurrent cost per student place at the Scottish higher education institutions it funds will be £4,019 in the academic year 1995–96. This calculation takes account of SHEFC recurrent grant for teaching and estimated tuition fees, but takes no account of SHEFC funding for research or capital purposes.

It is estimated that the average costs of maintenance paid by the Student Awards Agency for Scotland for Scottish domiciled students in higher education in 1995–96 will be £1,500 per student.

Estimates of marginal costs per student for 1995–96 are not available.

Mr. Bruce: To ask the Secretary of State for Scotland what is his estimate of the total number of university students with a student loan, in each year from 1987–88 to 1997–98. [30318]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* The information is not readily available in the format requested. The Students Loans Company Ltd. first issued loans in the academic year 1990–91. The total numbers of loans issued in each academic year to students in higher education throughout the United Kingdom are:

1990–91: 180,000

1991–92: 261,000

1992–93: 345,000

1993–94: 430,000

The latest forecast figure for 1994–95 is 525,000

The forecast figures for future years which underlie the Supply Estimates are:

1995–96: 672,000

1996–97: 731,000

1997–98: 768,000

Universities

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his estimate of the backlog of building repair and maintenance work at universities. [30356]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* Condition surveys of accommodation of the higher education institutions in Scotland conducted in 1992–93 identified some £280 million of expenditure, including building repair and maintenance, which would be required to bring the buildings up to a standard compatible with their original use and value. Decisions on the urgency and priority of work are a matter for individual institutions to determine in the light of their changing needs and resources.

The Scottish Higher Education Funding Council has contributed an additional £16 million over the past two years towards the cost of essential health and safety work in institutions. The amount of building repair and maintenance work funded from other capital and recurrent grants allocated by formula, or from institutions' other sources of income are determined by the institutions themselves. The institutions are expected to contribute to the costs of major building projects which are supported with capital grant to SHEFC.

Council Houses

Mr. Welsh: To ask the Secretary of State for Scotland what percentage of land in Scotland is covered by council housing or houses purchased from the council; what percentage of this land has a feudal superior other than the local authority; and how many houses are on land that has a feudal superior other than the local authority. [30663]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* This information is not held centrally.

Mr. Welsh: To ask the Secretary of State for Scotland what is the total value, in current prices, of council houses bought in Scotland since the right-to-buy legislation was introduced; and how many council houses have been purchased from local authorities since the right-to-buy legislation was introduced. [30665]

Lord James Douglas-Hamilton *[holding answer 27 June 1995]:* The estimated total value before discount of local authority dwellings in Scotland sold under right-to-buy legislation up to the end of 1994 at 1994 prices, calculated using the dwelling prices index, is £7,580.8 million. A total of 228,791 local authority dwellings were sold under right-to-buy legislation up to the end of 1994. These figures include a small number of voluntary sales.

Tourism

Mrs. Ewing: To ask the Secretary of State for Scotland if he will list the total financial earnings to the Scottish economy by *(a)* domestic, *(b)* EU and *(c)* international tourism in each of the past five years. [30493]

Lord James Douglas-Hamilton *[holding answer 26 June 1995]:* The information is as follows:

	£ million		
	Domestic	*EU*	*Other International*
1990	1,035	176	375
1991	1,190	203	298
1992	1,220	246	372
1993	1,420	238	427
1994	1,310	245	450

Note:
Figures are compiled from the International Passenger Survey (for overseas visitors) and from the United Kingdom Tourism Survey (for domestic visitors).

Mrs Ewing: To ask the Secretary of State for Scotland what current funding is made by his Department to the promotion of tourism in Scotland; and if he will list the Scottish office contribution for each of the past five years. [30494]

Lord James Douglas-Hamilton *[holding answer 26 June 1995]:* Funding provided by the Scottish Office Industry Department to the Scottish tourist board for the promotion of tourism in Scotland is as follows:

Financial year	*Expenditure £ million (cash)*
1990–91	12.3
1991–92	12.8
1992–93	13.6
1993–94	13.7
1994–95	17.5

Note:
Total expenditure shown, which incudes salary and administration costs, is provided by the Scottish Office industry department to the Scottish tourist board, for the discharge of its statutory function of promoting Scotland as a tourist destination, both within the UK and overseas, and encouraging investment in tourism infrastructure.

Higher Education Funding Council

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement on the request made by the Scottish Higher Education Funding Council to universities and colleges that their governing bodies should make contingency plans for action in the event of unforeseen and highly adverse financial circumstances; and what plans he has to ensure that the universities continue to enjoy adequate secure funding. [30532]

Lord James Douglas-Hamilton *[holding answer 26 June 1995]:* The Scottish Higher Education Funding Council advises my right hon. Friend on the needs of the higher education institutions in Scotland. The council's advice is taken into account in the annual public expenditure survey.

Contingency plans to deal with adverse circumstances are a standard element of good management practice. It is up to the council to decide what information it requires from institutions.

Plans for funding of the higher education institutions in Scotland up to the 1997–98 financial year were set out in the Departmental Report, "Serving Scotland's Needs" (Cm 2814).

EMPLOYMENT

Health and Safety Executive

Mr. McCartney: To ask the Secretary of State for Employment what money was spent by the Health and Safety Executive in the period 1 April 1994 to 1 April 1995 on refurbishing or re-equipping its offices; and what consideration was given to employing more staff instead. [29223]

Mr. Oppenheim: The Health and Safety Executive spent £5.2 million in the last financial year 1994–95 on refurbishing or re-equipping its offices, £3.1 million of which was spent on relocating to the new HSE headquarters in London. A significant part of the £3.1 million was spent on project management, switchboard and ancillary equipment, mail handling and distribution systems, fire and security protection, and furniture and storage units. This type of expenditure is periodically necessary to meet business needs for existing and anticipated staffing levels.

HSE's resources are allocated against agreed aims and priorities to achieve efficiency and value of money.

Health and Safety Executive

Mr. Llew Smith: To ask the Secretary of State for Employment how often the Health and Safety Executive has met to oversee the safety of nuclear weapons and military production or propulsion matters since 1992; if he will list the specific areas covered; and if he will place in the Library copies of unclassified versions of any reports, guidance or recommendations produced by the executive arising from these meetings. [31062]

Mr. Oppenheim: Since 1992 the Health and Safety Executive has discussed health and safety matters relating to activities at the Atomic Weapons Establishment premises during seven of its regular programmed meetings. Information on the specific areas covered in the course of those meetings is exempt from the code of practice on access to Government information (Exemption 2—Internal discussion and advice).

Two unclassified documents relating to health and safety at Atomic Weapons Establishment premises, "The Management of Health and Safety at Atomic Weapons Establishment premises—A Review by the Health and Safety Executive Part 1—An overview" and "Part 2 Detailed Findings", are already available in the Library.

Training and Enterprise Councils

Mr. Redmond: To ask the Secretary of State for Employment what steps he has taken to obtain a list of the companies used by Barnsley-Doncaster TEC who are members of the CBI; and if he will make a statement. [31091]

Mr. Paice: The information requested is not recorded by the Barnsley and Doncaster training and enterprise council. TECs are private companies limited guarantee, funded by the Government to provide training which best meets the needs of the local community. TECs are free to decide with whom they contract, taking into account the needs of the local labour market.

Training for Work Report

Mr. Barron: To ask the Secretary of State for Employment when he intends to publish the Coopers and Lybrand report on the training for work funding pilots. [31114]

Mr. Paice: The report was published last week. A copy has been placed in the Library.

Bottle Factory Workers

Mr. Redmond: To ask the Secretary of State for Employment what research and findings his Department carried out into bronchial reactivity in bottle factory workers versus control subjects measured by methacholine challenge testing; and if he will make a statement. [31211]

Mr. Oppenheim: The Health and Safety laboratory, an agency of the Health and Safety Executive, in collaboration with the division of respiratory medicine, University of Sheffield, is investigating a small group of bottle factory workers for respiratory illness. These workers are being compared with a group of locally-recruited control subjects. The results from this study are presently being evaluated.

Training

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Employment if he will list the figures for those taking part in the training for work programme for the last three available years for *(a)* each of the standard regions of the United Kingdom and *(b)* the United Kingdom as a whole. [29347]

Mr. Paice: The information requested is given in the following tables. As training for work began only in April 1993, the March 1993 figures are for employment training and employment action. Information is not available by standard regions, so a combination of different regional definitions has been used.

Employment training and employment action—Number of people participating in the programmes—March 1993

Great Britain and Employment Service Regions	*Employment training*	*Employment action*
London and South East	29,000	9,500
South West	9,300	2,700
West Midlands	11,700	2,900
East Midlands	10,400	3,000
Yorkshire and Humberside	15,400	3,300
North West	18,700	4,600
Northern	11,000	1,900
Wales	9,800	2,000
Scotland	15,500	3,400
Great Britain	134,700	33,400

Note:
The Great Britain total for Employment Training includes an estimate of those with employed status which is not included in regional figures.
Source:
Employment Service.

Table 2: Training for work
Number of people participating in the programme

Great Britain and TEED regions	*March 1994*	*March 1995*
South East	8,600	7,400
London	20,900	15,700
Eastern	7,400	6,600
South West	11,000	7,400
West Midlands	13,800	10,600
East Midlands	9,400	7,800
Yorks and Humberside	19,000	13,400
Merseyside	6,900	8,600
North West	13,700	10,900
North East	13,600	10,400
Wales	8,700	8,600
Scotland	14,700	14,400
Great Britain	147,800	121,900

Source:
TEC Management Information returns, the Welsh Office, The Scottish Office.

Mr. Jones: To ask the Secretary of State for Employment if he will make it his policy to introduce more flexibility into training for work programmes where trainees find it impossible to obtain sponsoring employers in sparsely populated rural areas. [29348]

Mr. Paice: Training for work is a very flexible programme and training and enterprise councils have a considerable discretion over its design and implementation. Where employer placements are harder to find, training may be delivered by other means, including training providers, project work and open or distance learning.

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for Employment how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long they have been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30846]

Miss Widdecombe: No schemes were approved under the private finance initiative in 1994–95. In the current financial year one scheme has been approved at a value of £2 million and a further five schemes are under consideration at a value of £5.3 million. Full approval of the completed project took over 12 months from the feasibility study to agreement of the contract. All projects currently under consideration have been in the assessment process for over six months.

Mr. Betts: To ask the Secretary of State for Employment by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast transfer of employment from public to private sector over the last five years because of the initiative. [30847]

Miss Widdecombe: I refer the hon. Member to the reply I gave him today in respect of the private finance initiative. One private finance initiative project has been approved within the Department to date. This project will avoid the need for capital expenditure of £10 million in 1995–96. No jobs will be lost as a consequence in the public sector. I have no information about the implications of the project for the size of the supplier's workforce.

Access to Work Programme

Mr. Berry: To ask the Secretary of State for Employment, what is the annual cost of the access to work programme; and for how many people it secures employment. [31224]

Miss Widdecombe: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from M. E. G. Fodgen to Mr. Roger Berry, dated 28 June 1995:

The Secretary of State has asked me to reply to your question about the annual cost of the Access to Work programme and for how many people it secures employment.

The Access to Work programme was introduced in June 1994 to provide support to help disabled people overcome work-related obstacles caused by their disability so that they are able to compete for and in employment on an equal basis with non-disabled colleagues.

In the first year of operation, Access to Work programme expenditure, including transitional and in-year expenditure from the previous schemes, was £15.7 million. Final statistical information on the number of people who received support will not be available until August, but interim figures show that over 7,500 disabled people were helped through Access to Work in the period, together with over 1,300 on transitional arrangements from previous schemes.

Monitoring information is not kept centrally on the number of unemployed people who received help and secured employment as a result. However, we are undertaking a review of Access to Work, and research to support the review will examine in detail the operation of the programme. A report of the research will be published in the normal way.

I hope this is helpful.

Mr. Livingstone: To ask the Secretary of State for Employment (1) what are the target timescales for placing, assessment and counselling teams, dealing with a request for specific support under the access to work scheme; what percentage of cases were dealt with within this target-time; how this policy operates in respect of identification of particular need; and what percentage of people requesting specific types of support actually have their needs met. [30659]

(2) how many deaf and hard of hearing people have been provided with personal notetakers since the new employment support measures were introduced to cover this kind of support; what was the average time taken to provide assistance; and how many cases are outstanding. [30660]

Miss Widdecombe *[holding answer 27 June 1995]:* Responsibility for the subject of the questions has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from M. E. G. Fogden to Mr. Ken Livingstone, dated 28 June 1995:

The Secretary of State has asked me to reply to your question about how effectively Placing, Assessment and Counselling Teams (PACTs) identify and provide support through the Access to Work programme and how many deaf and hearing people were helped by PACTs through this programme.

The Access to Work programme was introduced in June 1994 to provide support to help disabled people overcome work-related obstacles caused by their disability so that they are able to compete for and in employment on an equal basis with non-disabled colleagues.

PACTs work with disabled people to identify the specific help they need, taking specialist and technical advice when necessary. PACTs complete an action plan, which is agreed with the client, recording the details of the support the PACT will provide and specifying what the PACT is doing to provide it. I have set PACTs a target of completing action plans for 80% of Access to Work clients within 3 weeks of their applying. If the actual provision of the support is likely to take some time, PACTs seek alternative ways of helping the client.

Provisional figures for the period 6 June 1994 to March 1995 show that PACTs helped 2476 deaf and hard of hearing people through Access to Work. Some of these people will have had more than one disability. Help included the provision of aids and equipment, adaption of premises, assistance with fares to work and help at job interviews. Of these, 221 people specifically had the help at work of a support worker provided through the programme.

Local managers are responsible for monitoring the operation of Access to Work and for achieving the set targets. This level of detail of monitoring information is not kept centrally, and I cannot therefore say what percentage of applications are dealt with within the target time, or what percentage of applicants get what they ask for. However, we are undertaking a comprehensive review of Access to Work that will examine in detail the operation of the programme. The review will be completed by December and will be published in the normal way. Research to support the review is currently in the field with a first report due in September.

I hope this is helpful.

Mr. Livingstone: To ask the Secretary of State for Employment what additional resources are likely to be given to placing assessment and counselling teams in order to meet increased demand arising from the introduction of the current anti-discrimination legislation; what training is given to team members in respect of quality standards within their service; and how quality is monitored. [30661]

Miss Widdecombe *[holding answer 27 June 1995]:* Responsibility for the subject of the question has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from M. E. G. Fogden to Mr. Ken Livingstone, dated 28 June 1995:

The Secretary of State has asked me to reply to your recent question about what additional resources are likely to be given to Placing Assessment and Counselling Teams (PACTs) in order to meet increased demand arising from the introduction of the current anti-discrimination legislation; the training given to team members in respect of quality standards within their service; and how quality is monitored.

On the future resourcing of PACTs, it might be helpful if I explain that the resource for PACTs, or any other part of ES, is subject to discussions within the current Public Expenditure Survey. Any changes in resources will not be known until the budget statement in November.

Turning to PACT training, Disability Employment Advisers (DEAs) undertake a programme of key skills training covering induction and basic disability service skills. The programme includes three weeks of centrally provided training in addition to individually structured induction and learning plans.

The Key Skills programme is supported by a Training and Development Record and Learning Support Officers to ensure that learning is validated and embedded into work practices. DEAs receive one to one coaching and mentoring from experienced staff in a range of disciplines: for example, from occupational psychologists and managers. Managers work closely with DEAs to enable them to perform to locally agreed standards. The programme is available for use by other PACT staff. All PACT staff are encouraged to acquire additional knowledge and skills and enhance existing skills in line with the ES commitment to Investors in People.

The quality of our specialist services for people with disabilities is monitored by line managers, by the annual customer satisfaction survey and by a more detailed satisfaction survey available locally specifically to support Access to Work, and by the ultimate success of PACTs in helping people to get or keep jobs.

I hope this is helpful.

Mr. Berry: To ask the Secretary of State for Social Security what is his estimate of the cost to the Exchequer if those employed as a result of the access to work programme were in receipt of benefit instead of in work. [31223]

Mr. Roger Evans: The information requested is not available. Any estimate of the benefit costs would require details of the personal circumstances of the individual concerned.

Employment Service

Mr. Wallace: To ask the Secretary of State for Employment when he last met the chief executive of the Employment Service to discuss the provision of employment services and programmes in rural areas; and if he will make a statement. [31053]

Miss Widdecombe *[holding answer 27 June 1995]:* My right hon. Friend, the Secretary of State and I meet the chief executive of the Employment Service most weeks and we discuss a range of issues concerning Employment Service business. We regard the provision of Employment Service programmes and services in rural areas as a matter of great importance.

SOCIAL SECURITY

Personal Pension Schemes

Mr. Spring: To ask the Secretary of State for Social Security what plans he has to ensure that personal pension schemes allocate minimum contributions to investors' accounts without delay. [31859]

Mr. Arbuthnot: The Personal Pensions Schemes (Appropriate Schemes) Regulations 1988 require providers to ensure that national insurance minimum contributions received from the Department of Social Security are used to provide money purchase benefits for the individual investor. However, there is no requirement on them to do so within a set period of time. I have today laid before Parliament amendment regulations which require the rules of all appropriate personal pensions schemes to provide for the allocation of minimum contributions to individual investors' accounts within three months of receipt from this Department. The Occupational Pensions Board has decided to reinforce this requirement by a change in its own rules.

War Widows

Sir George Gardiner: To ask the Secretary of State for Social Security what would be the predicted cost to public funds of the decision to award a war widow's pension to those who have since remarried and whose second husband is still alive. [31029]

Mr. Burt: The war widow's pension is withdrawn on re-marriage. Our intention is to restore the pension where the marriage has terminated as a result of the death of the husband, dissolution or annulment or when the parties have been judicially separated. The net cost is estimated at about £45 million in a full year.

To award a war widow's pension to all those former war widows whose second, or subsequent, husband is still alive would cost an additional estimated £60 million in a full year.

Sir George Gardiner: To ask the Secretary of State for Social Security what is the predicted cost to public funds of the decision to award a war widow's pension to those who have since remarried but have been widowed again or are divorced. [31028]

Mr. Hague: The net full-year estimated cost is about £45 million.

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for Social Security by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative. [30833]

Mr. Hague: The administrative cost of taking forward the private finance initiative in this Department in 1994–95 is estimated at around £2 million. The estimated cost for 1995–96 is around £8 million. One contract has so far been awarded by the Department under the PFI at a cost

estimated to be more than 30 per cent. cheaper than the public sector alternative. The award of this contract will result in 151 staff being transferred from public to private sector under the transfer of undertaking of pensions entitlement—TUPE—arrangements from 1 November this year.

Mr. Betts: To ask the Secretary of State for Social Security how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long have they been considered, and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30832]

Mr. Hague: My right hon. Friend the Secretary of State announced the first award by this Department of a private finance initiative contract for the development and replacement of the national insurance recording system on 27 April this year. The total value of the project was estimated to be £150 million. Two further major schemes are being considered with an estimated combined value of £160 million. Both of these schemes have been in the process of assessment for more than six months but less than 12. PFI is an option that is considered for the whole of the Department's capital programme. A number of small schemes are in the initial stages of consideration and it is too early to provide a reliable estimate of their value. The time taken to assess the one scheme so far approved was 10 months.

Capital Spending

Mr. Betts: To ask the Secretary of State for Social Security what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30875]

Mr. Hague: The expected capital spending figures for this Department for 1994–95 is £317 million; planned capital expenditure for 1995–96 is £227 million.

Written Answers to Questions

Thursday 29 June 1995

LORD CHANCELLOR'S DEPARTMENT

Courts Charter

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department when he expects to publish the new courts charter. [31322]

Mr. John M. Taylor: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. Paul Boateng, dated 29 June 1995:

Costs of the New Courts Charter

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your question about when the new Courts Charter is expected to be published.

The new Charter, called the Charter for Court Users, will be published on 25 July 1995.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the cost of compiling and publishing the new courts charters including consultancy fees. [31323]

Mr. Taylor: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. Paul Boateng, dated 29 June 1995:

Cost of the New Courts Charter

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your question about the cost of compiling and publishing the new Courts Charter, including consultation fees.

The total cost for designing, printing, packaging and distributing the new Charter, called the Charter for Court Users, will be approximately £162,000 (exc. VAT). This sum includes £500 for artwork consultancy fees. Approximately £17,000 of the cost relates to the Welsh, Braille and audio versions of the Charter.

Civil Enforcement Agencies

Mr. Merchant: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the progress of the review of the organisation and management of civil enforcement agents. [32086]

Mr. John M. Taylor: The Lord Chancellor has considered carefully the responses to his public consultation paper on this subject and is now considering how the regulation, licensing and control of those who enforce judgments of the courts in England and Wales might best be effected so as to ensure that both debtors and creditors receive a proper, efficient and professional service. He is anxious that those parts of the established system which work well should be preserved, and will now undertake detailed consultation with the under sheriffs' and sheriffs' officers' associations and other relevant bodies in order to determine how best this might be achieved within a new statutory framework. He will announce the outcome of these deliberations by the end of the year.

Defamation

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to amend the law on defamation. [30597]

Mr. John M. Taylor: The Government have announced a number of reforms to defamation law and procedure. On 16 December 1992, the Lord Chancellor announced that the Government would introduce a package of mainly procedural reforms, following recommendations made by a working party under the chairmanship of Lord Justice Neill. On 28 November 1994, he announced that there would be a new summary procedure to provide an inexpensive fast track for the disposal of straightforward claims, and on 14 May 1991 he announced that the defence of innocent dissemination would be extended to printers and others. The reforms will be introduced as soon as there is a suitable legislative opportunity.

Small Claims

Mr. Martyn Jones: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to extend the small claims courts' powers to cover consumers whose health has been prejudiced by food retailers. [30542]

Mr. John M. Taylor: Claims made by consumers who believe that their health has been prejudiced by food can already be dealt with in the small claims court, if the damages claimed do not exceed £1,000. No change in this limit is recommended by Lord Woolf.

Mr. Bermingham: To ask the Parliamentary Secretary, Lord Chancellor's Department what is his policy following Lord Woolf's recommendation that the small claims limit should be increased to £3,000, on whether a full consultation should take place before a final decision on a new limit is made; and if he will make a statement. [30699]

Mr. Taylor: Lord Woolf consulted widely in the preparation of his interim report. In view of this, the Lord Chancellor does not intend to undertake further public consultation on the question whether he should implement Lord Woolf's recommendation that the limit for small claims, other than those for personal injury, should be raised to £3,000. The power to make the necessary amendments rests with the County Court Rule Committee which, as part of its consideration of the matter, consults interested parties.

Shared Residency Orders

Mr. Luff: To ask the Parliamentary Secretary, Lord Chancellor's Department how many shared residency orders under the Children Act 1989 have been granted to fathers when the order has been contested, for each year since 1989. [30514]

Mr. John M. Taylor: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter form M. D. Huebner to Mr. Peter Luff, dated 29 June 1995:

RESIDENCE ORDERS UNDER THE CHILDREN ACT 1989

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about the number of shared residence orders granted under the Children Act 1989 where the father has contested the application.

I am sorry to have to tell you that this information is not available and could be obtained only at disproportionate cost.

Contact Orders (Breaches)

Mr. Luff: To ask the Parliamentary Secretary, Lord Chancellor's Department how many mothers have received custodial sentences for breaches of court contact orders in each year since 1989. [30513]

Mr. John M. Taylor: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. Peter Luff, dated 29 June 1995:

BREACH OF CONTRACT ORDERS

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about the number of mothers who have received a custodial sentence for breach of a contact order.

I am sorry to have to tell you that this information is not available and could be obtained only at disproportionate cost.

State Papers

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if the definition of a state paper includes the manuscript notes by a Prime Minister of a speech delivered in the House of Commons. [30607]

Mr. John M. Taylor: As I said in reply to the hon. Member on 11 May 1995, *Official Report*, column *566*, state papers are those which are created or acquired by Ministers, officials or other Crown servants by virtue of the office they hold under, or their service to, the Crown. Whether notes such as those referred to by the hon. Member fall into this category would depend on the circumstances in which they were made.

Actuarial Evidence

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to amend the Civil Evidence Bill to give effect to the Law Commission's recommendation on the admissibility of actuarial evidence, following the Lord Chancellor's announcement on 22 March. [30452]

Mr. John M. Taylor: A new clause giving effect to the Law Commission's recommendation on the admissibility of actuarial evidence was added to the Civil Evidence Bill at Committee stage in the House of Lords on 20 June.

Judicial Pension Arrangements

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what comparisons he has made between the pension arrangements for full-time immigration adjudicators and judicial office holders of a similar status; and what plans he has to amend these arrangements. [30463]

Mr. John M. Taylor: The Judicial Pensions and Retirement Act 1993, which came into force on 31 March 1995, established uniform pension arrangements for all full-time judicial office holders, including immigration adjudicators, appointed on or after that date. Immigration adjudicators in office before that date continue to be pensionable under their previous terms, which differ in some respects from those of most other judicial office holders, subject to an option to elect to join the new pension scheme. The accrual rate for pension benefits for immigration adjudicators who exercise their option to join the new scheme is twice that of their previous arrangements and therefore this option constitutes a significant potential enhancement to the pension terms they accepted on appointment. The Lord Chancellor has no plans to amend further the pension arrangements for immigration adjudicators.

TRANSPORT

Road Rage

Mr. French: To ask the Secretary of State for Transport, pursuant to his answer of 13 June, *Official Report*, column *474*, what recent representations he has received on the subject of road rage; and if he will make a statement. [31522]

Mr. Norris: I refer my hon. Friend to the answer I gave to the hon. Member for Newport, West (Mr. Flynn) on 23 June, *Official Report*, column *442*.

Marine Safety Agency

Mr. Redmond: To ask the Secretary of State for Transport on what date he expects to introduce the proposed 20 per cent. efficiency saving into the Marine Safety Agency. [31096]

Mr. Norris: As the Marine Safety Agency's published 1995–96 business plan makes clear, the agency is already contributing towards the Department's efficiency gains target.

Transport Supplementary Grant

Mr. Redmond: To ask the Secretary of State for Transport what has been the transport supplementary grant settlement for *(a)* south Yorkshire, *(b)* Humberside, *(c)* north Yorkshire and *(d)* west Yorkshire in each of the last 10 years. [31097]

Mr. Norris: Details of the total capital provision allocated to local authorities in these areas for roads and public transport in each of the last 10 years are given in the table.

£ million

	1986–87	1987–88	1988–89	1989–90	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96
South Yorkshire	13.909	20.015	16.070	17.885	31.829	50.648	82.862	100.095	98.184	88.235
Humberside	7.480	7.360	12.479	11.920	12.989	13.896	17.427	21.069	17.385	11.798
North Yorkshire	9.050	8.870	6.440	7.330	18.353	15.478	16.441	23.240	15.614	13.215
West Yorkshire	22.874	33.462	22.420	20.748	24.015	24.731	37.732	73.328	56.568	64.773

Concrete Motorway Barriers

Mr. Mills: To ask the Secretary of State for Transport what assessment he has made of the adequacy of the safety of the proposed concrete motorway barriers on collision of cars and heavy goods vehicles; and if he will make a statement. [30641]

Mr. Watts: This is an operational matter for the Highways Agency. I have asked the chief executive to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Iain Mills, dated 29 June 1995:

As you know, the Minister for Railways and Roads, Mr. John Watts, has asked me to reply to your Parliamentary Question, asking the Secretary of State for Transport about the adequacy of the safety of concrete safety motorway barriers on collision of cars and heavy goods vehicles.

All safety barriers, including concrete safety barriers, that are deployed on our network fully meet the performance requirements for vehicle restraints that are set down in the Manual for Contract Documents for Highway Works (MCHW).

With the help of the Transport Research Laboratory, the Highways Agency has carried out an extensive programme of research into the performance of vehicle restraints systems. In all tests carried out on Vertical Concrete Barriers the test vehicles have been safely contained and redirected along the line of the barrier.

The performance requirements set out in the MCHW have been shown to be reasonable in service but the Highways Agency has a continuing commitment to keep the overall performance of all vehicles restraint systems under review and will amend its requirements in the light of operational experience.

TRADE AND INDUSTRY

Small Businesses

Mr. Carttiss: To ask the President of the Board of Trade what is the most recent estimate of the number of small businesses in the United Kingdom. [32192]

Mr. Page: In order more clearly to evaluate the needs of small and medium-sized businesses, detailed research has been undertaken fully to understand the number and size of businesses in the UK. The research was the first to draw on the new official business register, the interdepartmental business register, as well as on estimates of self-employment.

Figures released today show that there were 3.6 million businesses in the UK in 1993—800,000 more than estimated by previous research. The vast majority of them are small—99 per cent. have under 100 employees. The new figures confirm the huge increase in the number of small businesses—an extra 1.2 million—since 1979.

Television Transmission Standards

Mr. Allen: To ask the President of the Board of Trade what action was taken or requested at the Council of Telecommunication Ministers meeting in the week beginning 12 June to adopt a declaration limiting the application of the directive on standards of television transmission. [30242]

Mr. Ian Taylor: No action was taken at the Telecommunications Council on 13 June in respect of a declaration on the draft directive on television standards.

In the course of that meeting of the Telecommunications Council, Commissioner Bangemann made a brief oral presentation on a number of amendments to the draft directive adopted only that day by the European Parliament. Following a brief discussion in which a number of concerns were voiced by the United Kingdom and Germany, the question of the Council's response to the Parliament's amendments was deferred for further consideration in the Committee of Permanent Representatives.

In the course of a subsequent preliminary meeting at official level, the presidency raised the question of whether UK and German concerns might, separately, be met by way of declaration by the Council, to which the Commission might be associated. These proposals are now being considered by member states, and by the Council legal service.

Capital Spending

Mr. Betts: To ask the President of the Board of Trade what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30874]

Mr. Heseltine *[holding answer 28 June 1995]:* The estimated outturn for 1994–95 for trade and industry public sector capital expenditure is £1,297 million. This includes central Government's own capital expenditure, and the capital expenditure of local authorities and public corporations. As explained in paragraph 1.9 of Cm 2821, no departmental breakdown of capital spending by local authorities is available for 1995–96. Excluding local authority spending, planned public sector capital expenditure for 1995–96 is £1,120 million. These figures are consistent with those shown in table 1.7 of Cm 2821.

Pseudo Oil-based Drill Muds

Mr. Dafis: To ask the President of the Board of Trade, what steps he has taken to assess the environmental effects of the use of pseudo oil-based drill muds by oil companies. [29935]

Mr. Eggar: Before any pseudo oil-based drill mud can be used it must be tested for its environmental effects in line with agreed Paris Commission protocols. On

satisfactory completion of these laboratory tests, the POBM will be given provisional approval for use offshore. Samples will be requested from cuttings piles and the area around the piles to assess the POBM's actual behaviour in the sea. If performance in these offshore tests is not acceptable, the provisional approval may be withdrawn.

Dounreay Explosion

Mrs. Fyfe: To ask the President of the Board of Trade if he will publish the report of the internal investigation carried out at Dounreay into the causes and effects of the explosion on 10 May 1977; and if he will publish the conclusion of the United Kingdom Atomic Energy Authority study into a final solution for the disposal of the intermediate-level waste disposal shaft. [29795]

Mr. Page: Details of the internal investigation carried out at Dounreay into the explosion in the intermediate-level waste disposal shaft in 1977 have been supplied to the relevant regulatory and advisory bodies. These include Her Majesty's industrial pollution inspectorate, the Health and Safety Executive's nuclear installations inspectorate, the Committee on Medical Aspects of Radiation in the Environment and the Radioactive Waste Management Advisory Committee. UKAEA is required by HMIPI and the NII to investigate the options for the future management of the shaft and its contents, and the time scales for their implementation. The results of this investigation, together with details relating to the 1977 incident, will be presented to COMARE and RWMAC and information will be made public.

Monetary and Exchange Rate Policies

Mr. Austin Mitchell: To ask the President of the Board of Trade what assessment he has made of the effect of the Government's monetary and exchange rate policies since *(a)* 1979 and *(b)* 1988 on the import share of the United Kingdom market for manufactures. [29439]

Mr. Ian Taylor: My Department has made no assessment of the specific factors listed.

The import share of UK manufactures was increased from 27 per cent. in 1979 to 36 per cent. in 1988 and to around 40 per cent. in 1993; although it should be noted that the definition of manufacturing is not consistent between 1993 and earlier years. The rising share of imports in the UK market for manufactures reflect a number of influences, including the increasing specialisation of world production.

The 1979, 1988 and 1993 figures are not directly comparable because of changes in the definition of manufacturing.

The figure for 1993 excludes division 23—coke, refined petroleum products and nuclear fuel. These industries are included in the SIC(92) definition of manufacturing but are excluded from the SIC(80) definition and so have been excluded from these tables to improve comparability.

The extraction and preparation of metalliferous ores were included in the SIC(80) definition of manufacturing, but excluded from the SIC(92) definition. Import penetration for the extraction and preparation of metalliferous ores fell sharply between 1979 and 1985—the latest year for which figures agree available. This means that the 1979 figure for manufactures is possibly overstated when compared to the 1988 and 1993 figures.

The extraction of minerals was also included in the SIC(80) definition of manufacturing, but excluded from the SIC92) definition. Import penetration figures fell slightly between 1979 and 1988.

Source:

Annual Abstract of Statistics: Table 12.2. Monthly Digest of Statistics: Table 15.10.

Exports

Sir Irvine Patnick: To ask the President of the Board of Trade what was the total value of United Kingdom exports for each quarter of each of the last three years; and if he will make a statement. [31146]

Mr. Needham: Detailed information is regularly published by the Central Statistical Office in the "Monthly Review of External Trade Statistics" which is available in the Library of the House. The value of United Kingdom exports in the first quarter of 1995 was 42 per cent. higher than three years earlier, and 17 per cent. higher than in the first quarter of 1994.

Exports and Imports (European Community)

Mr. Shore: To ask the President of the Board of Trade what proportion of the United Kingdom's total *(a)* exports and *(b)* imports was conducted with other member states of the European Community in the period 1990 to 1993; and what were the equivalent figures for each of the other 11 members of the European Community during the 1990 to 1993 period. [31115]

Mr. Needham: The data requested are in the table.

Percentage of EU members visible trade with other EU members 1990–1993

	Imports per cent.	*Exports per cent.*
UK	50	55
France	65	62
Belgian-Luxembourg	71	75
Netherlands	58	75
Germany	54	53
Italy	58	57
Ireland	69	73
Denmark	54	53
Greece	62	62
Portugal	72	75
Spain	60	65

Source:

Eurostat Comext.

Offshore Installations (Disposal)

Mrs. Fyfe: To ask the President of the Board of Trade what assessment he made of the number of jobs which could be created by the disposal of North sea oil platforms and rigs *(a)* in the Atlantic ocean and *(b)* on dry land, when deciding to give permission to Shell UK to dispose of the Brent Spar. [30720]

Mr. Page: The proposal to dispose of the Brent Spar in deep water is the best practicable environmental option.

In weighing their decision, Ministers considered a whole range of factors and concluded that none of these additional consideration outweighed the advantages of the best practicable environmental option.

DEFENCE

Third Country Trading Relations

Mr. Llew Smith: To ask the Secretary of State for Defence (1) what information his Department holds on the trading relationship in M739 A1 and M131 fuses by Licentec AG of Zug, Switzerland and Iran since 1987; [30605]

(2) what information his Department holds on the trading relationship in military goods with Iran since 1984 of the companies Forex, Expal and Maarsu. [30537]

Mr. Freeman: It is not for my Department to comment on overseas companies' trading relations with third countries.

Brize Norton Flights (Costs)

Mr. Simpson: To ask the Secretary of State for Defence what estimate has been made of the cost of each flight to the United States by the RAF from Brize Norton; and how many of these flights, on average, take place each year. [30629]

Mr. Soames: There are on average 102 return VC10 trooping flights to the United States from Brize Norton each year. The estimated average cost of each flight is £30,600 each way.

In addition, there are in excess of 150 exercise flights to various parts of the United States which are undertaken by both VC10 and Tristar aircraft. Figures for the average cost of these flights are not available.

Devonport Nuclear Refit Yard

Mr. Simpson: To ask the Secretary of State for Defence what is the current estimate of the timetable for the proposed construction programme at the Devonport nuclear refit yard; and if he will make a statement. [30627]

Mr. Freeman: The future nuclear refitting facilities at Devonport are planned to be ready in time for the Trident refit programme around the turn of the century.

Laser Weapon Programmes

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement on the development of laser weapon programs in *(a)* China, *(b)* France, *(c)* Russia, *(d)* Israel and *(e)* Germany. [31203]

Mr. Freeman: This is a matter for the countries concerned.

Royal Naval Surplus Equipment Sales

Mr. Cox: To ask the Secretary of State for Defence what has been the revenue received from the selling of Royal Navy surplus equipment in each of the last three years. [31371]

Mr. Freeman: The revenue received from the sale of Royal Navy surplus equipment in each of the last three years is as follows:

	£ million
1992–93	24.6
1993–94	33.4
1994–95	36.2

Nuclear Warheads (Transport)

Mr. Dafis: To ask the Secretary of State for Defence what is his policy concerning the transportation of nuclear warheads through the Irish sea. [29940]

Mr. Soames: Nuclear weapons can be transported by sea, but as a matter of long-standing policy we do not comment on the routes used.

Mr. Dafis: To ask the Secretary of State for Defence what discussions he has held with representatives of local authorities along the Welsh coast concerning the use of the Irish sea for the transportation of nuclear warheads. [29938]

Mr. Soames: My right hon. and learned Friend the Secretary of State for Defence has had no such discussions.

Mr. Dafis: To ask the Secretary of State for Defence what contingency plans exist for dealing with an accident involving nuclear warheads transported through the Irish sea. [29939]

Mr. Soames: The Ministry of Defence has contingency plans to deal with a wide range of possible accidents involving the transportation of nuclear warheads, including an accident at sea.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Defence how many Trident nuclear warheads were transported by sea from Portsmouth to Coulport between 4 and 7 June. [31108]

Mr. Soames: As a matter of long-standing policy, we do not comment on the presence of nuclear warheads at any particular place or time.

Mr. Jones: To ask the Secretary of State for Defence what is his policy for the transportation of Trident nuclear warheads carried by sea from Portsmouth to Coulport; and if he will make a statement. [31109]

Mr. Soames: Nuclear weapons can be transported by sea, but as a matter of long-standing policy we do not comment on the routes used.

Royal Naval Air Station, Portland

Mr. Fatchett: To ask the Secretary of State for Defence if he will make a statement on the future of Royal Naval air station, Portland. [31111]

Mr. Soames: A consultative document on the proposal to close the Royal Naval air station, Portland, was issued on 17 October 1994 and the consultation period ended on 16 December 1994. A number of representations were received during this period, and these are being carefully evaluated before we reach any final decision. I hope to be able to make an announcement shortly.

Gallantry Awards

Dr. David Clark: To ask the Secretary of State for Defence for which Royal Navy gallantry awards Merchant Navy personnel are eligible. [31535]

Mr. Soames: Merchant Navy personnel are eligible for the Victoria Cross, the Distinguished Service Cross and mentions in dispatches.

Dr. Clark: To ask the Secretary of State for Defence if Merchant Navy personnel were eligible for Royal Navy gallantry awards other than the Conspicuous Gallantry Medal and the Distinguished Service Order before the practices of awarding the CGM and DSO for gallantry were abandoned. [31537]

Mr. Soames: Merchant Navy personnel were eligible for the Victoria Cross, the Distinguished Service Cross, the Distinguished Service Medal and mentions in dispatches before the new regulations governing operational gallantry awards came into force.

Dr. Clark: To ask the Secretary of State for Defence if Merchant Navy personnel are eligible for the Conspicuous Gallantry Cross. [31534]

Mr. Soames: No.

Dr. Clark: To ask the Secretary of State for Defence when the practices of awarding the Distinguished Service Medal, the Conspicuous Gallantry Medal and the Distinguished Service Order for gallantry were abandoned; and who was consulted during the development of these changes. [31536]

Mr. Soames: A joint service review of operational gallantry awards was undertaken during 1993.

A number of people were consulted during the course of this review including the Tri-Service Review Body, consisting of a number of senior service personnel of general rank and equivalent and a civilian, the principal personnel officers and the chiefs of staff and the Secretary of State for Defence.

The recommendations were then seen and approved by the Prime Minister before being passed to the Committee on the Grant of Honours Decorations and Medals, who, in turn, submitted the recommendations to the Queen for her approval.

The Queen's formal approval was obtained on 6 September 1993 and the new regulations came into force from that date.

Royal Ordnance

Mr. Llew Smith: To ask the Secretary of State for Defence if he has anything to add to his answer of 19 January 1994, *Official Report*, column *627*, in regard to departmental knowledge of the trading relationship between Royal Ordnance and Chartered Chemical Industries Pte Ltd. of Singapore. [30519]

Mr. Freeman: DTI computerised records from 1992 do not show any export licences for which Royal Ordnance was the consignor and Chartered Chemical Industries Pte Ltd. the consignee but, in the course of recent researches, it has come to light that Singapore Technologies—the parent company of Chartered Chemical Industries Pte Ltd.—was, on occasion, a consignee of exports from Royal Ordnance.

I would also take the opportunity to refer to a written answer given on the same day, *Official Report*, 19 January 1994, column *626*, in relation to Allivane International Ltd. In the course of recent researches, it has come to light that Chartered Industries of Singapore—which belongs to the same group of companies as Chartered Chemical Industries Pte Ltd.—was, on occasion, a consignee of exports from Allivane.

FOREIGN AND COMMONWEALTH AFFAIRS

Visas-free Travel Arrangements

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the visa-free travel arrangements which exist between the United Kingdom and other nations; and which of these arrangements are being repealed. [31531]

Mr. Baldry: I will arrange for my hon. Friend to receive a substantive reply from the migration and visa department as soon as possible.

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason the provisions in the 1978 treaty between the United Kingdom and the United Arab Emirates which provide for movement without visa between the two nations is being annulled; and when the change will come into effect. [31529]

Mr. Baldry: The 1978 understanding between the United Kingdom and the United Arab Emirates facilitating travel between the respective countries is not being annulled.

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs when the decision on the abolition of visa-free travel between the United Kingdom and United Arab Emirates was taken; and what consultations have taken place with the British business group of Dubai and the northern emirates. [31622]

Mr. Baldry: No decision has been taken to abolish visa-free travel between the UK and the United Arab Emirates.

The British business group of Dubai and the northern emirates has not been consulted about the existing mutual waiver of the visa requirement.

United Nations Conference on Trade and Development

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth if he will make it his policy to support the continued existence of UNCTAD. [31084]

Mr. Needham: I have been asked to reply.

The UK has consistently supported and will continue to support those of UNCTAD's activities which make a positive contribution to trade and development. But the world, and its international institutions, has changed since UNCTAD was established in 1964 and UNCTAD must change too. This has been recognised by its members who, at the last Trade and Development Board, agreed

that the ninth conference, which is scheduled to be held in 1996, will consider the future role of UNCTAD. At its recent meeting in Halifax, the countries of the G7 also reaffirmed their commitment to change. The UK welcomes this opportunity for constructive reform and looks forward to achieving a satisfactory outcome.

PRIME MINISTER

Ministerial Visits

Q8. **Mr. Dunn:** To ask the Prime Minister what plans he has to visit Kent. [29838]

The Prime Minister: I will be making a visit to Kent shortly.

Sustainable Development

Mr. Dafis: To ask the Prime Minister how much time was spent discussing the ecological sustainability of the world economy at the Group of Seven summit in the current year. [29934]

The Prime Minister: Sustainable development and safeguarding the environment formed an important part of our discussions at the Halifax summit. I refer the hon. Gentleman in particular to paragraphs 25, 26 and 31–33 of the G7 communiqué, which I have placed in the Library of the House.

Ministerial Salaries

Mr. McMaster: To ask the Prime Minister what is the current limit on the maximum amount of members of the Government, including whips and members of the House of Lords, who are entitled to ministerial salaries; what plans he has to change this; and if he will make a statement. [31391]

The Prime Minister: The Ministerial and other Salaries Act 1975 limits the number of salaries that may be paid to Government office holders to 110. I have no plans to change this.

Former Prime Ministers

Mr. McMaster: To ask the Prime Minister in what circumstances visits overseas by former Prime Ministers are paid for from the public purse; if he will publish a table showing such visits since 1970; and if he will make a statement. [31392]

The Prime Minister: As for anyone else, visits overseas by former Prime Minister are paid for from public funds only when it is in the public interest to do so.

Information about any such visits is not held centrally and is available only at disproportionate cost.

Knighthoods

Dr. Wright: To ask the Prime Minister how many Conservative hon. Members have received knighthoods since 1979; and if he will list their names; and what are the criteria for the political services on which such awards are based. [31519]

The Prime Minister: Some 122 Conservative hon. Members have received knighthoods since 1979. The names of the recipients have been published in the *London Gazette*. It is not the practice to reveal details of the criteria on which such awards are based.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 29 June. [30057]

The Prime Minister: This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Technology Foresight Initiative

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster how the research councils will be responding to the recommendations from the technology foresight initiative; and if he will make a statement. [31495]

Mr. David Hunt: The research councils have been working very hard to develop a response to the technology foresight recommendations and I have today placed copies of their response in the Libraries of both Houses. This is an excellent document which shows how well the councils are getting on with implementing foresight already. I recommend that others should follow their good example.

Pupil-teacher Ratios

Mr. Blunkett: To ask the Secretary of State for Education what was the pupil to teacher ratio in January for each local education authority and for England as a whole in *(a)* the primary sector, *(b)* the secondary sector and *(c)* overall. [31426]

Mr. Robin Squire: The provisional pupil-teacher ratios within maintained primary and secondary schools in England in January 1995 were 22.9 and 16.5 respectively. The provisional overall pupil-teacher ratio was 18.3. Information at local education authority level will be available in the autumn.

EMPLOYMENT

Capital Spending

Mr. Betts: To ask the Secretary of State for Employment what is the expected capital spending figure for his Department for 1994–95; and what is the latest budget figure. [30884]

Miss Widdecombe *[holding answer 28 June 1995]:* The Employment Department group capital expenditure figure for 1994–95 which is consistent with the published Statistical Supplements, Cm 2821, is £84 million. The final outturn figure to be published in the group's appropriation accounts is likely to total around £109 million. The budget figure for 1995–96 is £117 million.

HOUSE OF COMMONS

Pests

Mr. McNamara: To ask the right hon. Member for Berwick upon Tweed, representing the House of Commons Commission, what complaints he has received about *(a)* the Security Offices Mess Room, Norman Shaw Building and *(b)* the Palm Court Mess concerning rats, mice, cockroaches and general conditions of the rooms. [31267]

Mr. Beith: There has been no recent complaints to the authorities of the Houses about pests in either the Norman Shaw buildings or the Palm Court mess area. A specialist pest control firm is under contract to make regular inspections in these areas and to deal with any vermin. I have asked the Director of Works to write to the hon. Member with more detailed information.

OVERSEAS DEVELOPMENT ADMINISTRATION

Condoms

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs to which countries condoms have been sent as part of the aid programme since 1990. [31006]

Mr. Baldry: The United Kingdom aid programme has provided condoms to the following countries since 1990: Angola, the Gambia, India, Kenya, Namibia, Pakistan, Uganda, Zambia and Zimbabwe. In addition, our contributions to the United Nations Population Fund—UNFPA—and the International Planned Parenthood Federation support the provision of condoms within the country programmes of these organisations.

Global Environment Facility

Mr. Dafis: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make arrangements for the United Kingdom representatives on the council of the Global Environment Facility to publish an annual report setting out *(a)* the main activities and plans of the GEF each year, *(b)* the users to which United Kingdom Government money has been put by the GEF and *(c)* the voting record of the United Kingdom in decision making about GEF plans. [29933]

Mr. Baldry: The Global Environment Facility is required to produce an annual report, which the GEF council has to approve. We expect such reports to include information on GEF activities, including the use of financial resources and the results of any votes. However, we expect votes to be rare as the GEF aims to take decisions by consensus. Copies of the reports will be placed in both Libraries of the House. The first annual report is expected to be available towards the end of 1995.

ENVIRONMENT

Non-domestic Rating Appeals

Ms Lynne: To ask the Secretary of State for the Environment (1) how many appeals have been lodged by businesses in the north-west region in the last 12 months; how long it has taken to resolve each appeal; and what estimate he has made as to whether appeals will be resolved more quickly in future; [30509]

(2) how many appeals are currently lodged with the district valuers office in Rochdale; and what is the waiting time for appeals to that office to be heard. [30508]

Mr. Robert B. Jones: Some 42,838 proposals to alter the non-domestic rating lists have been received in the last 12 months in the north-west region of the Valuation Office agency. As at 31 May 1995, a total of 35,263 non-domestic rating appeals, including some made more than 12 months ago, were outstanding in the north-west region, and 2,277 at the Rochdale office.

We expect that the vast majority of proposals received by the end of March this year will have been cleared by the end of 1995–96. Later appeals against the 1990 list will be settled as soon as possible thereafter. It is still too early to tell how many appeals against the 1995 list are likely to be received, and at what rate; and therefore, how quickly they are likely to be resolved.

Council Tax Appeals

Mr. Lidington: To ask the Secretary of State for the Environment how many council tax appeals lodged *(a)* before and *(b)* since 30 November 1993 have still to be determined by Aylesbury valuation office; and what target he has set for determinations to be completed. [30799]

Mr. Robert B. Jones: As at the end of May, 423 of the appeals lodged before 30 November 1993 at the Valuation Office agency at Aylesbury, and 1,838 of those lodged after that date remain to be determined. All but a handful of the first category are expected to be settled by the summer. As regards the second, the VOA would expect appeals made prior to 1 April 1995 to be resolved no later than 31 March 1996. Its target is to clear subsequent appeals, in co-operation with the valuation tribunals, within 12 months of receipt. Priority will be given to clearing cases in order of receipt.

Standing Spending Assessment, Northumberland

Mr. Beith: To ask the Secretary of State for the Environment how many letters his Department has received on the subject of the standard spending assessment for Northumberland as it affects education funding; and how many replies have been sent. [31198]

Mr. Curry: My Department has received and replied to over 3,500 letters in the past year on this issue.

Councillors' Expenses, Kent

Mr. Rowe: To ask the Secretary of State for the Environment what measures he will take to cap councillors' expenses in excess of inflation in the county of Kent. [31206]

Mr. Robert B. Jones: We no longer specify financial limits on the overall amounts that local authorities can spend on councillors' remuneration allowances. We continue to specify ceilings on councillors' travel and subsistence allowances, and where any payments exceed those ceilings that is a matter for the district auditor.

Detergents

Mr. Dafis: To ask the Secretary of State for the Environment if he will take action to require manufacturers to supply the public with more information about the ingredients of detergents. [29930]

Mr. Atkins: The proposed eco-labelling scheme for detergents will amplify and reinforce the information provided on labels on detergent packaging. As the Government's response to the 16th report of the Royal Commission on environmental pollution made clear, the Government will keep under review the need for any further guidance. My Department is encouraging consumer groups to discuss with the Soap and Detergent Industry Association their concerns about labelling.

Compulsory Competitive Spending

Mr. Heald: To ask the Secretary of State for Environment what plans he has to amend the rules for treatment of direct service organisation redundancy costs for tender evaluation and accounting purposes under compulsory competitive tendering of local authority services. [31863]

Mr. Robert B. Jones: In August 1994, my Department issued a consultation paper inviting comments on possible changes to the way in which DSO redundancy costs should be handled for evaluation and accounting purposes under compulsory competitive tendering.

The consultation paper proposed a number of ground rules: first, that the redundancy costs of any proposed reduction in DSO staff should be chargeable to the DSO revenue account—the date and point for this would be the time of notification to contractors of those eligible for transfer in the event of the Transfer of Undertakings (Protection of Employment) Regulations 1981 applying to the contract; secondly, that any further DSO redundancies made in the course of carrying out the work would be treated in accordance with the Chartered Institute of Public Finance and Accountancy code of practice for compulsory competition; and, thirdly, the consultation paper also proposed that where there was no revenue account in existence—which is currently the case, for example, with the white collar CCT—all prospective redundancy costs should be added to the DSO tender price for evaluation purposes.

A number of responses were received. Broadly speaking, private contractors supported the proposed rules, while local authorities supported the rules to an extent but resisted the proposal that redundancy costs incurred in advance of the establishment of a revenue account should invariably be added to the DSO bid. The Audit Commission supported the local authority view.

I have today written to the trade and local authority associations informing them of my conclusions. I have decided, first, that all costs relating to DSO redundancies should appear on the face of DSO accounts with an accompanying explanation, in accordance with current accounting practice. Redundancies during the course of the agreement between an authority and a DSO should be charged to the DSO revenue account, irrespective of whether those redundancies are triggered by the client side or the DSO management.

Secondly, redundancy costs incurred prior to an invitation to tender should be recorded in the appropriate local authority accounts but should not feature in the DSO bid. This is because these costs would need to be met whether or not the DSO was awarded the work; in addition, to charge these costs to the DSO would be a disincentive to local authorities to take action to restructure in advance of competition, since authorities would not only pick up the costs of redundancy when they were incurred but have these costs counted against the DSO bid.

Where there is no existing DSO revenue account as with the first tenders for white collar CCT, redundancy costs incurred prior to the invitation to tender should be recorded in the local authority account to which the pay of the redundant staff has been traditionally charged but should not feature in the DSO bid.

Thirdly, where a DSO submits a bid based on fewer staff than notified to external contractors for the purpose of TUPE, the cost of any consequential redundancies, which will fall after the date for the commencement of the work, should fall on the new trading account and the DSO should therefore have made adequate provision for these costs in its bid. The submission by a DSO of a bid based on fewer staff than notified to external contractors may call into the question the validity of the work force information provided by the authority. It may be appropriate to arrange the execution of redundancies for the costs to fall on the new account.

Fourthly, although it was not an issue raised in consultation, I have also considered how far the Secretary of State should take action against DSOs subsequently failing to meet the financial objective solely because of redundancy costs. Historically, Ministers have been sympathetic to DSOs in these circumstances and statutory action has been initiated. However, where financial failure is incurred as a result of redundancy costs instigated by the DSO to enable it to live within its bid price, then there is no case for treating these costs as unusual in any way, and for withholding statutory action. However, if redundancies are, in effect, imposed on the DSO by client changes to the volume and specification for the work, then providing that these are allowable under the contract conditions, they should not be held against the DSO in assessing the case for statutory action. In future, therefore, the Secretary of State may take action in appropriate cases in which financial failure is attributable to redundancy costs.

The Welsh Office conducted a parallel consultation exercise on these proposals. My right hon. Friend the Secretary of State for Wales agrees with my conclusions and his Department will write to local authority associations in Wales in the near future.

Planning Regulations

Mr. Dykes: To ask the Secretary of State for the Environment if he will consider new planning regulation guidelines to assist existing shopping centres to compete with new supermarket developments. [31329]

Sir Paul Beresford: I will be issuing a draft revised version of planning policy guidance note 6 "Town Centres and Retail Developments" for consultation before the summer recess.

Environment Agency

Mr. Nigel Evans: To ask the Secretary of State for the Environment if he will make a statement on the selection of a chief executive for the proposed Environment Agency. [32195]

Mr. Gummer: The Environment Agency advisory committee, chaired by Lord De Ramsey, has chosen Mr. Ed Gallagher, currently chief executive of the National Rivers Authority, to be the Environment Agency's first chief executive. Mr. Gallagher was selected following an open competition. Subject to enactment of the Environment Bill, he is expected to be appointed chief executive by the agency when it is established later this year.

House Renovation Grants

Ms Coffey: To ask the Secretary of State for the Environment how much was spent by local authorities in England and Wales on renovation grants; and what percentage was spent by each authority on providing facilities for people with disabilities in privately owned houses, for the last five years for which figures are available. [29904]

Mr. Robert B. Jones *[holding answer 22 June 1995]:* Information about house renovation grants for England and for Wales is shown in the quarterly publication "Housing and Construction Statistics". Figures for the last five years appear in table 2.17 of the issues listed in the table. Copies of these publications are in the Library.

Year	*Issue*
1990–1991	December 1993, Part 2
1991–1994[1]	December 1994, Part 2

[1] Data for the third and fourth quarters of 1994 are provisional.

A table has been placed in the Library giving figures of the percentage of grant spent on providing facilities for people with disabilities in privately owned houses, for each local authority area in England for the last five years.

Local Government Reorganisation

Mr. Harry Greenway: To ask the Secretary of State for the Environment when he will direct the Local Government Commission for England to carry out its new district reviews. [32275]

Mr. Gummer: I have today directed the Local Government Commission to carry out reviews of the 21 districts which I listed in my answer to my hon. Friend the Member for Exeter (Sir J. Hannam) on 22 June 1995, *Official Report,* column *353.* I have also directed the commission to have regard to revised policy and procedure guidance. I am placing copies of the guidance in the Library.

WALES

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for Wales by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative. [30827]

Mr. David Hunt *[holding answer 28 June 1995]:* The Department's spending was not changed in 1994–95 as a result of approvals of private finance initiative—PFI—schemes costing over £1 million. Information on schemes costing less than £1 million is not collected centrally. For 1995–96, spending on the PFI is expected to be £250,000. Information on the number of public and private sector jobs affected by the PFI is not available.

Mr. Betts: To ask the Secretary of State for Wales how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long have they been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30826]

Mr. Hunt *[holding answer 28 June 1995]:* No schemes costing over £1 million were approved in 1994–95. Information on schemes costing less than £1 million is not collected. Under the latest plans in 1995–96, up to five schemes with a total capital cost of around £80 million are likely to be approved. Twenty-six potential schemes with a total capital cost of more than £700 million are being considered. Of these, nine have been in the assessment process for more than six months and 17 have been in the assessment process for more than 12 months.

Legislative Powers and Duties

Mr. Llwyd: To ask the Secretary of State for Wales if he will list the Acts with reference to the pertinent clauses, which grant him responsibilities, powers of duties in relation to *(a)* local government, *(b)* industrial development, *(c)* employment and training, *(d)* Welsh language, arts and recreation, *(e)* transport, *(f)* environmental services, *(g)* relations with the EU, *(h)* agriculture and *(i)* health and personal social services. [29941]

Mr. Gwilym Jones: The Welsh Office was established in 1964. Since that date, the main Acts under which the Secretary of State has been granted responsibilities, powers or duties and for which in Wales the Secretary of State for Wales is responsible in relation to *(a)* local government, *(b)* industrial development, *(c)* employment and training, *(d)* Welsh language, arts and recreation, *(e)* transport, *(f)* environmental services, *(g)* relations with Europe, *(h)* agriculture and *(i)* health and personal social services are given in the following list.

With regard to the pertinent clauses, this information could be obtained only at disproportionate cost.

Local government

Local Government Act 1966

Local Government Grants (Social Need) Act 1969

Local Authority Social Services Act 1970

Local Government Act 1972

Local Government Act 1974
Local Government, Planning and Land Act 1980
Local Government Finance Act 1982
Local Government Act 1985
Local Government Act 1987
Local Government Act 1988
Local Government Finance Act 1988
Local Government Act 1988
Local Government and Housing Act 1989
Town and Country Planning Act 1990
Community Charges (General Reduction) Act 1991
Local Government Finance and Valuation Act 1991
Local Government Act 1992
Local Government Finance Act 1992
Deregulation and Contracting Out Act 1994
Local Government (Wales) Act 1994

Industrial development

Industry Act 1975
Welsh Development Agency Act 1975
Development of Rural Wales Act 1976
Export Guarantees and Overseas Investment Act 1978
Inner Urban Areas Act 1978
Industry Act 1980
Industrial Development Act 1982
Miscellaneous Financial Provisions Act 1983
Industrial Development Act 1984
Local Government, Planning and Land Act 1990
Welsh Development Agency Act 1991

Employment and training

Trade Act 1967
Chronically Sick and Disabled Persons Act 1970
Development of Rural Wales Act 1976
Local Government, Planning and Land Act 1980
Employment and Training Act 1981
Industrial Training Acts 1982–1986
Education Reform Act 1988
Town and Country Planning Act 1990
Further and Higher Education Act 1992
Sunday Trading Act 1994

Welsh language, arts and recreation

Historic Buildings and Ancient Monuments Act 1953
Caravan Sites Act 1968
Development of Tourism Act 1969
European Communities Act 1972
Local Government Act 1972
Ancient Monuments and Archeological Areas Act 1979
Education Acts 1980–1993
Local Government, Planning and Land Act 1980
Wildlife and Countryside Act 1981
Local Government Act 1988
Football Spectators Act 1989
Further and Higher Education Act 1992
Welsh Language Act 1993

Transport

Transport Act 1968
Highways Act 1980
Local Government, Planning and Land Act 1980
Road Traffic Regulation Act 1984
Highways Act 1991
Radioactive Substances Act 1993
Local Government (Wales) Act 1994

Environmental services

Development of Tourism Act 1969
European Communities Act 1972
Control of Pollution Act 1974
Local Government, Planning and Land Act 1980
Foot and Environment Protection Act 1985
Agriculture Act 1986
Local Government Act 1988
Control of Pollution (Amendment) Act 1989
Water Act 1989
Environmental Protection Act 1990
Town and Country Planning Act 1990
Water Resources Act 1991
Water Industry Act 1991

Relations with the European Union

European Communities Act 1972

Agriculture

Plant Varieties and Seeds Act 1964
Cereals Marketing Act 1965
Agriculture Act 1967
Health Act 1967
Agriculture (Miscellaneous Provision) Act 1968
Agriculture Act 1970
Agriculture (Miscellaneous Provisions) Act 1972
European Communities Act 1972
Horticulture (Special Payments) Act 1974
Agriculture (Miscellaneous Provisions) Act 1976
Rent (Agriculture) Act 1976
Agriculture Statistics Act 1979
Agriculture Training Board Act 1982
Agriculture Marketing Act 1983
Agriculture (Amendment) Act 1984
Agriculture Training Board Act 1985
Food and Environment Protection Act 1985
Agriculture Act 1986
Agriculture Holdings Act 1986
Horticultural Produce Act 1986
Farm Land and Rural Development Act 1988
Pesticides (Fees and Enforcement) Act 1989
Agriculture and Forestry (Financial Provisions) Act 1991
Agriculture Act 1993

Health and Personal Services

Clean Air Act 1968
Water Act 1973
Control of Pollution Act 1974
Local Government (Miscellaneous Provisions) Act 1976
Refuse Disposal (Amenity) Act 1978
Health and Social Security and Social Security Adjudications Act 1983
Building Act 1984
Public Health (Control of Disease) Act 1984
Food and Environment Protection Act 1985
Fire Safety and Safety of Places of Sport Act 1987
Environmental Protection Act 1990
Clean Air Act 1993

HOME DEPARTMENT

Theatres Act 1968 (Amendment)

Mr. Purchase: To ask the Secretary of State for the Home Department if he will consider extending the Theatres Act 1968 so that minors could be prevented from witnessing material considered to be of an adult nature; and if he will make a statement. [30859]

Mr. Nicholas Baker: We do not believe it would be appropriate to amend the Theatres Act 1968 in the way described.

Age classifications awarded to films and videos remain appropriate for each subsequent showing because of the unchanging recorded image. Each theatre performance is, however, unique because it is "live". As a result, different productions and performances of the same play may vary according to artistic interpretation, making a classification system unworkable.

Electro-shock Equipment

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what action his Department has taken to follow up allegations made in January in relation to the illegal and unauthorised production, export and arrangement of sale of electro-shock weapons and equipment; what legal action has been and is being undertaken in consequence of such investigations; and if he will make a statement. [31030]

Mr. Maclean: Electric shock weapons are covered by section 5(1)(b) of the Firearms Act 1968, as amended, which prohibits the unauthorised possession, manufacture, purchase, acquisition, transfer and sale of any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas or other thing.

Following the allegations made in January, my Department has reviewed the terms of all authorities which are currently on issue to companies in England and Wales under section 5(1)(b) of the 1968 Act. There is no company which has authority to possess electric shock weapons.

Police investigations and the prosecution of alleged offences are matters for chief officers of police and for my right hon. and learned Friend the Attorney-General. The control of exports is a matter for my right hon. Friend the President of the Board of Trade.

Prisoners (Statistics)

Ms Short: To ask the Secretary of State for the Home Department how many *(a)* women and *(b)* men are currently imprisoned as a result of conviction for (i) murder and (ii) manslaughter; and how many of these offences in each case related to the killing of a partner of the opposite sex. [31270]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Ms Short, dated 29 June 1995:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking how many (a) women and (b) men are currently imprisoned as a result of conviction for (1) murder and (2) manslaughter; and how many of these offences in each case related to the killing of a partner of the opposite sex.

The available information is given in the attached tables.

Population under sentence for murder or manslaughter[1]. Prison Service establishments England and Wales, 31 December 1994.

	Male	Female
Murder	2,515	95
Manslaughter	495	40

[1] Excludes any prisoners for whom offence is not centrally recorded.

Information about the relationship between the victim and perpetrator is available for those convicted of homicide from 1982. The table below shows the numbers held in Prison Service establishments on 31 December 1994 who had been sentenced since 1 January 1982 and, of those, the numbers where the victim was a spouse, lover or cohabitant of the opposite sex.

Population sentenced since 1 January 1982 for murder or manslaughter[1]. Prison Service establishments England and Wales, 31 December 1994.

	Male	Female
Murder	2,021	90
Manslaughter	447	40

Of which, victim was partner of opposite sex.[2]

	Male	Female
Murder	292	31
Manslaughter	57	9

[1] Excludes any prisoners for whom offence is not centrally recorded.
[2] Spouse, lover or cohabitant. The figures are approximate and may include cases where the victim was a relative or acquaintance of the partner.

Ms Short: To ask the Secretary of State for the Home Department if he will publish a breakdown of the length of custodial sentences imposed on *(a)* men and *(b)* women currently in prison who were convicted for manslaughter of a partner of the opposite sex. [31272]

Mr. Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Ms Clare Short, dated 29 June 1995:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking if he will publish a breakdown of the length of custodial sentences imposed on *(a)* men and *(b)* women currently in prison who were convicted for manslaughter of a partner of the opposite sex.

Information about the relationship between the victim and perpetrator of manslaughter is not available for those convicted before 1982. The available information since then is given in the attached table.

Population sentenced since 1 January 1982 for manslaughter[1] of partner[2] of opposite sex. Prison Service establishments England and Wales, 31 December 1994

	Males	Females
Sentence length		
Under 1 year	—	—
1 year under 4 years	1	2
4 years under 7 years	31	7
7 years less than life	12	—
Life	13	—
Total	57	9

[1] Excludes any prisoners for whom offences is not centrally recorded.
[2] Spouse, lover or cohabitant. The figures are approximate and may include cases where the victim was a relative or acquaintance of the partner.

Mrs. Quereshi Bibi

Mr. Madden: To ask the Secretary of State for the Home Department, pursuant to his answer of 26 June, *Official Report*, column *488*, when the report arising from the interview on 5 February with the sponsor of Mrs. Quereshi Bibi—Ref. BV 100/25109—was sent to his office; when it was sent to the post in Islamabad; what recommendation was made; when a decision is to be made on Mrs. Quereshi Bibi's application; and if he will make a statement. [31608]

Mr. Nicholas Baker: Papers were sent from the immigration office at Leeds-Bradford airport to the entry clearance officer in Islamabad on 23 February and 7 April No recommendation was made. The decision on the application is a matter for the entry clearance officer.

Correspondence

Mr. Lewis: To ask the Secretary of State for the Home Department when he expects to reply to the letter dated 6 April from the hon. member for Worsley regarding his constituent Mrs. Ava Fielden. [30617]

Mr. Michael Forsyth *[holding answer 26 June 1995]:* I replied to the hon. Member yesterday.

Mentally Ill Prisoners

Mr. Flynn: To ask the Secretary of State for the Home Department, pursuant to his answer of 18 April, *Official Report*, columns *92–94*, if he will give a regional breakdown of the numbers of prisoners transferred to hospitals under sections 47 and 48 of the Mental Health Act 1983 in each of the last 10 years. [31217]

Mr. Michael Forsyth *[holding answer 27 June 1995]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Paul Flynn, dated 29 June 1995:

The Home Secretary has asked me to reply to your recent Question asking for a regional breakdown of the numbers of prisoners transferred to hospitals under sections 47 and 48 of the Mental Health Act 1983 in each of the last 10 years.

The information requested is not recorded centrally and could be obtained only by disproportionate cost.

Foundation for Business Responsibilities

Mr. Robert Ainsworth: To ask the Secretary of State for the Home Department, pursuant to his answer of 18 May, *Official Report*, columns *369–70*, (1) what confirmatory evidence was sought by the Charity Commissioner's investigators that documents relative to their inquiry into whether the Foundation for Business Responsibilities had been used as a vehicle for political donations were stolen during burglaries at the offices of the foundation; [30952]

(2) what were the addresses and dates of the series of thefts which limited the Charity Commissioner's ability to determine conclusively whether the Foundation for Business Responsibilities was used as a vehicle for political donations; [30951]

(3) what confirmatory evidence was sought by the Charity Commissioner's investigators that thefts from the offices of the Foundation for Business Responsibilities had *(a)* occurred and *(b)* been reported to the police. [30953]

Mr. Nicholas Baker: The Charity Commission investigators sought and received confirmation from the police that a break-in at 40 Doughty street, London WC1, which resulted in the theft of records belonging to the Foundation for Business Responsibilities, was reported to them as having taken place between 29 and 30 April 1993. The Charity Commission did not seek other evidence to confirm that the break-in had occurred.

There was no means of obtaining independent confirmation as to the actual records taken.

CERN Project Employees

Mr. Barry Field: To ask the Secretary of State for the Home Department what provisions exist for British citizens employed on the CERN project and whose children were born in Switzerland between 1 January 1983 and 20 December 1994 to ensure that their grandchildren acquire British nationality if they too are born abroad; how many children were born with a reduced right of United Kingdom citizenship for their children; how many families have children with differing citizenship as a result of the exemption given to CERN under the 1984 designation order; what consideration was given to allowing all children born to British employees of CERN the opportunity of claiming full United Kingdom citizenship rights; and if he will make a statement. [30798]

Mr. Nicholas Baker: No special provision applies to employees of CERN unless they are on secondment from the Particle Physics and Astronomy Research Council—PPARC, formerly the Science and Engineering Research Council, SERC. Service under SERC was designated under section 2(3) of the British Nationality Act 1981 on 21 December 1984. The effect of this designation is that any children born abroad after that date to British employees of SERC or PPARC become British citizens "otherwise than by descent" and may transmit their British citizenship to a second generation born abroad. The Home Office does not keep records of the numbers of children born in Switzerland who are affected by this designation since the transmission of citizenship to and from them is a matter of law requiring no official intervention. There is no provision in the 1981 Act for designations to have retrospective effect, nor is there any

discretionary power in the Act to vary a person's status from "by descent" to "otherwise than by descent".

Overseas Domestic Workers

Mr. Cox: To ask the Secretary of State for the Home Department what checks are made, and by whom, on the condition and status of overseas domestic workers while they are in the United Kingdom. [31102]

Mr. Nicholas Baker: Detailed checks that the conditions of the overseas domestic worker scheme are met are carried out by the entry clearance officer before arrival. On arrival, the immigration officer must be satisfied that the domestic worker intends to leave the United Kingdom within the period of leave granted. Where the employer is here on a longer-term basis and the domestic worker applies for an extension of stay, the Department needs to be satisfied that the conditions of the scheme, including adequate maintenance and accommodation, continue to be met.

Mr. Cox: To ask the Secretary of State for the Home Department what discussions he has had in the last year to improve the status and rights of overseas domestic workers in the United Kingdom. [31104]

Mr. Baker: A review of the arrangements for overseas domestic workers was undertaken last year, resulting in the changes announced on 9 December 1994, *Official Report*, columns *379–80*. Officials also recently met two organisations who speak on behalf of overseas domestic workers.

Mr. Cox: To ask the Secretary of State for the Home Department how many *(a)* visas and *(b)* work permits have been granted to overseas domestic workers for entry and work in the United Kingdom in each of the last three years. [31103]

Mr. Baker: Comprehensive figures for the number of overseas domestic workers granted entry clearance visas are not kept centrally. However, arrangements are being made to obtain some figures for the period 1 January to 30 June 1995 which I will let the hon. Member have when they become available. Work permits are not issued to overseas domestic workers.

Pools (Deregulation)

Mr. Alton: To ask the Secretary of State for the Home Department if he will make it his policy to allow all retail outlets to pay out small winnings to pools customers and give promoters the opportunity to establish a pool based on sporting events on any day of the week. [30533]

Mr. Michael Forsyth: I am currently reviewing the scope for further deregulation of the pools as part of the deregulation initiative. My officials are consulting with the Pools Promoters Association and have just received a further letter from it elaborating its proposals, including the proposals referred to by the hon. Member.

Government Escort Service (Cellular Vehicles)

Mr. George Howarth: To ask the Secretary of State for the Home Department (1) how many new cellular vehicles are required for the court escort contracts still to be let; and at what cost to the Prison Service; [29962]

(2) how many and on what dates new vehicles are still to be delivered to Group 4 and Securicor for the court escort service; [29961]

(3) how was the cost of providing new cellular vehicles taken into account when calculating and publishing the Prison Service's savings through contracting out the court escort service; [29963]

(4) what was the value of each of the unsuccessful bids to provide new cellular vehicles for the court escort service; [29982]

(5) on what date the decision was taken to provide new cellular vehicles for the court escort services; which companies tendered for the supply of cellular vehicles; and which companies won contracts to supply cellular vehicles; [29959]

(6) what is the cost to the Prison Service of the successful bid to provide new cellular vehicles for the court escort service. [29960]

Mr. Michael Forsyth: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. George Howarth, dated 29 June 1995:

The Home Secretary has asked me to reply to your recent Questions about cellular vehicles used by court escort contractors.

The vehicles used by private contractors for transporting prisoners to and from court are built to a specification required by the Prison Service. The procurement of the vehicles, whether purchased or leased, is undertaken by the court escort contractor.

For those contracts still to be let, the tenderers' proposals will identify how many vehicles will be required and the type/size of vehicle best suited to the expected volume of prisoner movements, the geography of the contract area, the locations to be served and the detailed operational specification. These proposals will be compared and evaluated as part of the process leading up to contract award.

Once the court escort service contract has been awarded, it is the responsibility of the contractor to acquire the vehicles required and have them ready for use by the required date. Although we check that the vehicle programme is proceeding to plan we do not monitor the detail of delivery schedules and consequently we do not hold information on the precise numbers and dates regarding new vehicles still to be delivered.

The cost of vehicles, which the contractor may purchase or lease, forms part of the overall contract price. Information about the cost of the vehicles, or about any other individual element within the total contract price, is a matter for the contractor. This applies to successful and unsuccessful tenders alike.

To calculate the savings from contracting out court escort services, the contract price for the first year of full operation was compared with the estimated cost in the same year of continuing the previous arrangements. In estimating the latter, account was taken of vehicle costs, inclusive of depreciation.

Mr. Howarth: To ask the Secretary of State for the Home Department (1) what system the Prison Service has in place to monitor the standards of maintenance and general safety of the cellular vehicles used by Group 4 and Securicor; [29964]

(2) what is the annual cost to the Prison Service of monitoring the standards of maintenance and general safety of the cellular vehicles used by Group 4 and Securicor; [29966]

(3) on whom will fall the cost of new safety measures for existing cellular vehicles; [29968]

(4) what estimate he has made of the cost of providing safety measures, other than seat belts, for staff and prisoners in all existing cellular vehicles; [29981]

(5) on what date and on what basis the decision was taken not to fit seat belts for staff and prisoners in new cellular vehicles in court escort; [29965]

(6) what is the estimated cost of fitting seat belts to all existing cellular vehicles in the court escort service. [29967]

Mr. Forsyth: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. George Howarth, dated 29 June 1995:

The Home Secretary has asked me to reply to your recent Questions about safety in cellular vehicles used in court escort contracts.

Contractors may only use cellular vehicles if they comply with the demanding vehicle performance specification set out both in the invitation to tender for court escort and custody services and in the contract. The specification is the same as the one used by the Prison Service for its own new cellular vehicles and takes account of all the relevant legislation, including that on safety.

Once a contract has been awarded, it is the responsibility of the contractor to ensure the vehicles are always properly maintained and roadworthy. The contractor's responsibilities are the same as any other operator of a passenger carrying, or public services vehicle. This means that the vehicles must be awarded a certificate of initial fitness under the Public Service Vehicle (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 and they must be inspected annually by the Department of Transport Vehicle Inspectorate Agency. In addition, the contractor's operational procedures, which have to be agreed with the Prison Service before operation, require vehicle crews to undertake daily checks before the vehicles can be used.

The contractor's vehicles must comply with the performance specification laid down. The cost of those vehicles and their maintenance forms part of the overall cost of the contract to the Authority. Modifications are occasionally made to the specification, for example to take account of any new relevant legislation or in the light of developments in vehicle design. However, it would be unusual to apply such modifications retrospectively to existing vehicles. The cost of any modification to an existing vehicle would fall to the Authority if it represented a new requirement but to the contractor if the change was covered by the existing performance specification.

Existing safety measures form part of the overall cost of a vehicle and the cost of providing any additional measures would depend upon their nature.

Seat belts for passengers are not required by law to be fitted in cellular vehicles. Their installation has been considered but the view has been taken, since the first specification was drawn up in 1989, that seat belts might be used by prisoners to attempt suicide or inflict self harm or as a weapon.

The cost of providing seat belts would depend on the type of belt used, the number of mounting points required and the type of construction employed on the vehicle. It is estimated that the cost could be between £75 and £300 per seat.

Suicides (Prison)

Mr. George Howarth: To ask the Secretary of State for the Home Department what plans will be put into operation during the next business year to reduce suicides in prisons in England and Wales. [29953]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. George Howarth, dated 29 June 1995:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about what plans will be put into operation during the next business year to reduce suicides in prisons in England and Wales.

The Prison Service regards every self-inflicted death in custody as a tragedy. A new strategy, Caring for the Suicidal in Custody, was introduced throughout the Prison Service in April 1994, based on research commissioned by the Prison Service and carried out by the Cambridge Institute of Criminology.

We will be maintaining this strategy and continuing with a major programme of staff training and the expansion of Listener Schemes, as well as working with the Samaritans and other groups and disseminating good practice.

The new strategy is currently being evaluated. When this is completed, we will introduce any improvements that are indicated by the evaluation.

Category C Prisons (Razor Wire)

Mr. George Howarth: To ask the Secretary of State for the Home Department what will be the cost of providing additional razor wire security to the perimeters of category C prisons. [29954]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. George Howarth, dated 29 June 1995:

The Home Secretary has asked me to reply to your recent Question about the cost of providing additional razor wire security to the perimeters of Category C prisons.

The Prison Service is looking at a number of new measures designed to improve physical security. One possible development involves the use of razor wire coils as a barrier to make it extremely difficult for a prisoner even to reach the perimeter fence.

The use of razor wire on a significant scale would depend upon the results of current trials and further assessment in a pilot prison setting. The cost-effectiveness of alternative measures would also need to be assessed before any final decision was made.

Although some preliminary work has been done on the cost of additional razor wire, specific estimates cannot be prepared until completion of the trials and our own evaluation of the precise needs of each individual establishment.

Prisoners (Foreign Nationals)

Mr. Cox: To ask the Secretary of State for the Home Department if he will list the prisons in London which hold foreign nationals on *(a)* drugs offences and *(b)* immigration offences. [29544]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Tom Cox, dated 29 June 1995:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking for a list of the prisons in London which hold foreign nationals on (a) drugs offences and (b) immigration offences.

Prison Service establishments in London currently holding foreign nationals for drug offences are: Belmarsh, Brixton, Wandsworth, Pentonville, Holloway and Wormwood Scrubs. The only London establishment which now holds newly detained foreign nationals as immigration detainees is Holloway prison.

However, Belmarsh, Wandsworth, Wormwood Scrubs as well as Holloway have some foreign nationals in their custody who have recently completed prison sentences and are now held awaiting deportation or the results of appeals against deportation.

Prison Farms

Mr. Cox: To ask the Secretary of State for the Home Department what is the number of prison farms in England and Wales. [59540]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked for a reply to be given.

Letter from A. J. Pearson to Mr. Tom Cox, dated 29 June 1995:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of prison farms in England and Wales.

There are 38 Prison Service establishments with major agricultural and horticultural enterprises. A further 24 establishments have smaller scale horticultural production units. All establishments have a ground maintenance enterprise.

Mr. Cox: To ask the Secretary of State for the Home Department if prisons must purchase food and produce from prison farms from within their prison food budget expenditure; and if he will make a statement. [29559]

Mr. Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Tom Cox, dated 29 June 1995:

The Home Secretary has asked me to reply to your recent Question about prison farms.

Prisons are required to spend 26 per cent of their daily food allowance on items supplied by prison farms.

TREASURY

Scott Inquiry

Mr. Byers: To ask the Chancellor of the Exchequer how many civil servants in his department or its agencies are presently working on matters related to the Scott inquiry; if dedicated units have been established; and what is the estimated cost to date of civil servants dealing with matters relating to the Scott inquiry. [30293]

Mr. Kenneth Clarke *[holding answer 22 June 1995]:* I refer the hon. Member to the reply which my right hon. Friend the Paymaster General gave him on 18 May 1994, *Official Report*, columns *481–82*. Costs incurred by the Treasury since then have been very small.

There are presently six staff of HM Customs and Excise dedicated to working on matters related to the Scott inquiry. The total staffing cost of the Department's Scott liaison unit is now estimated to be around £612,000 to date. This figure does not include the personal costs of current and former Customs and Excise officials who have been asked to give written and/or oral evidence to the Scott inquiry.

Ministerial Visits

Mr. Simon Hughes: To ask the Chancellor of the Exchequer, pursuant to his answer of 21 March, *Official Report*, column *108*, if he will list those occasions since the start of the current parliamentary year when *(a)* he and *(b)* the Chief Secretary did not give prior warning to hon. Members of visits to their constituencies. [30751]

Mr. Kenneth Clarke *[holding answer 26 June 1995]:* My right hon. Friend the Chief Secretary and I are not aware of any occasions during the current Session when we have visited hon. Members' constituencies on departmental business without giving them prior warning.

ECOFIN

Mr. Matthew Banks: To ask the Chancellor of the Exchequer if he will make a statement on the recent Council meeting of the Economic and Finance Ministers of the European Union. [30935]

Mr. Kenneth Clarke: I represented the UK at the Economic and Finance Council—ECOFIN—of the European Union in Luxembourg on 19 June.

The Council agreed to a draft recommendation on the broad guidelines for the conduct of economic policy in the Community and in the member states; to the broad thrust of a report on member states' progress with employment policies by the Economic Policy Committee; to conclusions on trans-European networks; and discussed a draft presidency report on preparations for the third stage of economic and monetary union. These were submitted to the Cannes European Council.

The Council reached political agreement on a draft regulation on the protection of the Community's financial interests. The Council also adopted substantive conclusions on the Commission's annual report on fraud for 1994 and work programme on fraud for 1995–96, and procedural conclusions on member states' reports on national measures to combat fraud, waste and mismanagement of Community funds.

The Council agreed that all three new member states have an excessive deficit and that Germany's existing excessive deficit decisions should be abrogated. There was also broad agreement on a proposed regulation concerning harmonised indices of consumer prices across the Community.

The Council adopted conclusions emphasising the need to respect financial perspective ceilings and calling for regular Commission updates on the situation.

The Council discussed Commission proposals for a reduced VAT rate on cut flowers and for mandatory tax relief for biofuels. There was little consensus on the latter proposal and I questioned the utility of further work on the issue.

No formal votes were taken.

EU Statistics

Mr. David Shaw: To ask the Chancellor of the Exchequer if he will list for each European Union member state the title and source of each state's equivalent documents to the United Kingdom *(a)* Budget Red Book, *(b)* public expenditure statistical supplement, *(c)* departmental expenditure reports and *(d)* documents showing the composition of the public sector borrowing requirement and national debt figures. [30954]

Mr. Heathcoat-Amory: The information is not readily available and could be obtained only at disproportionate cost.

SOCIAL SECURITY

Housing Benefit

Mr. Duncan Smith: To ask the Secretary of State for Social Security when he will announce the proposed changes to the housing benefit regulations; and if he will make a statement. [31822]

Mr. Roger Evans: The Housing Benefit (General) Amendment Regulations 1995 are today being laid before the House. The changes will come into force on 2 January 1996, allowing local authorities time to make the necessary arrangements for implementation.

Mortgage Interest

Mr. Ottaway: To ask the Secretary of State for Social Security when he intends to respond to the Social Security Advisory Committee report on his proposals for income support mortgage interest; and if he will make a statement. [31750]

Mr. Roger Evans: I am today laying regulations before the House which set out the new rules relating to the payment of income support mortgage interest and other related housing costs from 2 October 1995. I have also responded to the report by the Social Security Advisory Committee. I am grateful to the committee for its report.

Although I have not been able to accept all the committee's recommendations, I have carefully considered its comments and those of the lending and insurance industries and others. I believe the package of measures I have presented today will ensure that private insurance and income support mesh together to provide more comprehensive cover for borrowers who lose their income. High-quality comprehensive insurance available to all borrowers will provide better protection than the current limited income support scheme, which stands to help only 30 per cent. of home owners who may find themselves out of work.

These measures will stimulate insurers and lenders to continue to develop and improve on the mortgage protection cover they offer, while ensuring that benefit provision is retained for those borrowers and circumstances which the insurance industry cannot realistically cover, at this time.

We have already seen some in the lending industry responding positively to these measures. Now the final details have been settled, I look forward to seeing more lenders take similar steps. Indeed, it is their own interest as well as that of their borrowers to do so.

Frozen Pensions

Mr. Churchill: To ask the Secretary of State for Social Security what is his best estimate of the cost in 1996–97 of granting Britain's expatriate pensioners whose pensions are frozen *(a)* the same increment as they would receive were they to be resident in Great Britain and *(b)* of closing the gap between the frozen pension and the full amount to which they would be entitled were they to be resident in Great Britain by 20 per cent. [31538]

Mr. Arbuthnot: The estimated cost of paying a single year's uprating is about £16 million, based on 1994 rates.

The estimated cost of paying 20 per cent. of the difference between the amount currently payable and the amount which would be payable were the pensioners resident in Great Britain is £47 million in the first year.

Motability

Mr. Alex Carlile: To ask the Secretary of State for Social Security if he will instruct independent accountants to advise him as to whether the current level of contingency reserves for car leasing held by Motability Finance Ltd. are set at too high a level; and if he will make a statement. [31488]

Mr. Hague: The level of contingency reserves held by Motability Finance Ltd. are a matter of discussion between MFL and Motability. The level required is reviewed annually by Motability and MFL. The Secretary of State has asked them to report to him when they are next reviewed.

Social Fund

Mr. Milburn: To ask the Secretary of State for Social Security how many social fund loan applications were refused on the grounds that claimants were unable to repay *(a)* in total and *(b)* as a percentage of applications in each year since 1990–91 by (i) district and (ii) area directorate. [29330]

Mr. Roger Evans: The administration of the social fund is a matter for Mr. Ian Magee, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Ian Magee to Mr. Alan Milburn, dated 28 June 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about Social Fund (SF) loan applications, for each year since 1990–91, which were refused on the grounds that customers were unable to repay.

With the creation of the Benefits Agency in April 1991, offices were grouped into Districts. I have, therefore, provided at Annex A the information requested for the year 1990/91 by former Local

Office and Region. Annexes B and C provide the information by BA District and Area Directorate for the years 1991/92 and 1992/93 respectively.

The new Social Fund Computer System (SFCS) introduced from February 1993 and during the course of 1993/94, collects statistics in a different way to the old system. The information provided for 1993/94 at Annex D is a combination of the old system's data, which provided the main reason for refusal against each application, and the new system which provides a reason for refusal against each individual item refused. A customer's application will usually include a number of individual items. The figures collected for 1994/95, and provided at Annex E, are for items only and it is therefore not possible for me to provide the percentage of applications refused on the grounds of a person's inability to repay. Copies of the tables have been placed in the Library.

I hope you find this reply helpful.

NATIONAL HERITAGE

Church Repairs

Mr. Redmond: To ask the Secretary of State for National Heritage what steps he has taken to discuss with Church authorities the need for repair grants arising from damage caused by atmospheric polluters; and if he will make a statement. [31105]

Mr. Dorrell: My right hon. Friend the Secretary of State for the Environment has not discussed with Church authorities the specific need for repair grants arising from damage caused by atmospheric pollution. However, the position with regard to historic churches is that, provided other eligibility criteria are fulfilled, grant aid may be available from English Heritage towards repairs necessitated by atmospheric pollution.

Amsterdam Wreck

Mr. Redmond: To ask the Secretary of State for National Heritage what action his Department is taking to preserve the wreck of the East Indiaman Amsterdam buried in shingle off Hastings sea front; and if he will make a statement. [31499]

Mr. Dorrell: The Amsterdam is afforded statutory protection from unauthorised interference as a designated wreck under the Protection of Wrecks Act 1973. I am aware of a report indicating that the timbers which are sometimes exposed are deteriorating through natural processes, but I have been advised that the wreck is under no immediate threat. My officials are currently in touch with the Dutch Government, who are the owners, about the future of the Amsterdam.

Churchill Papers

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage (1) on what occasions his views were sought by the national heritage memorial fund on the valuation of the Churchill papers provided by Bernard Quaritch; [30599]

(2) when he was first consulted by the national heritage memorial fund about the decision to acquire the Churchill papers. [30598]

Mr. Dorrell: The national heritage memorial fund, like all distributors of lottery funding, reaches its decisions independently of Government, as is provided for in the National Lottery etc. Act 1993.

Heritage Green Paper

Mr. Dafis: To ask the Secretary of State for National Heritage (1) whether the heritage Green Paper will include proposals to reform the membership of, and guidance given by the Government to, the Millennium Commission; [29931]

(2) whether the heritage Green Paper will include proposals to reform the national lottery. [29932]

Mr. Dorrell: No.

Arts Expenditure

Mr. Jim Callaghan: To ask the Secretary of State for National Heritage what is the current level of expenditure per capita on the arts. [30980]

Mr. Dorrell *[holding answer 26 June 1995]:* Figures for total per capita spending on the arts are not currently available; my Department is supporting a research programme designed to produce an accurate overall measure of the level of creative artistic activity.

My Department's tax-funded budget for the performing and contemporary visual arts in 1995–96 is £200.6 million. With only small exceptions, this money is spent within England, giving a per capita expenditure in the current year from central Government of £4.13. My Department is also responsible for the national lottery, which expects to make available up to £200 million to the arts in England in the current year. If the Department's expenditure on museums and galleries is also included, the per capita figure is £12.75.

NORTHERN IRELAND

Violent Crime

11. **Mr. David Shaw:** To ask the Secretary of State for Northern Ireland what change has taken place in the number and type of violent crimes committed in Northern Ireland since August 1994. [29811]

Sir John Wheeler: Statistics indicate that there has been an overall decrease of more than 16 per cent. in violent crime for the period September 1994 to May 1995 when compared to the previous nine months, with all types of crime showing a decrease to some extent.

Arms Decommissioning

14. **Lady Olga Maitland:** To ask the Secretary of State for Northern Ireland what progress he has made regarding decommissioning of weapons. [29814]

28. **Mr. Maginnis:** To ask the Secretary of State for Northern Ireland if he will make a statement on decommissioning terrorist arms and explosives. [29829]

Sir John Wheeler: I refer the hon. Members to the reply I gave earlier today to the hon. Member for Castle Point (Dr. Spink).

Political Settlement

15. **Mr. Jim Marshall:** To ask the Secretary of State for Northern Ireland if he will make a statement on the progress towards a political settlement in Northern Ireland. [29815]

Sir Patrick Mayhew: Our aim remains the achievement of a comprehensive and widely acceptable political settlement. Democratically mandated parties committed to peaceful methods will be its principal architects. Therefore, the Government continue to encourage in the first instance, bilateral meetings between such parties and themselves.

Education

16. **Mr. Cyril D. Townsend:** To ask the Secretary of State for Northern Ireland if he will make a statement on the integration of schools in Northern Ireland. [29817]

Mr. Ancram: I refer my hon. Friend to the answer I gave the hon. Member for Derbyshire, North-East (Mr. Barnes) earlier today.

Educational Exchanges

17. **Mr. Gapes:** To ask the Secretary of State for Northern Ireland what plans he has to promote educational visits and exchanges with schools and colleges in the rest of the United Kingdom. [29818]

Mr. Ancram: School and colleges are responsible for organising their own educational visits and exchanges within the United Kingdom. The introduction of local management of schools and colleges allows for greater freedom to develop links appropriate to their needs.

Union

18. **Mrs. Ann Winterton:** To ask the Secretary of State for Northern Ireland what steps he is taking to further the union with Northern Ireland. [29819]

Sir Patrick Mayhew: Northern Ireland is, in fact and in law, already a fully integral part of the Union. The Government gladly uphold this constitutional position, and have no intention of changing it while it continues to accord with the democratic wish of most of the people who live there.

Framework Document

19. **Mrs. Gorman:** To ask the Secretary of State for Northern Ireland if he will make a further statement on the framework document. [29820]

Sir Patrick Mayhew: "Frameworks for the Future" were published on 22 February. The Government believe that the two framework documents cover the issues which need to be addressed as part of a comprehensive political settlement. They are not intended as a blueprint, and both Governments have made it clear that they are happy to listen to other ideas.

Royal Ulster Constabulary

20. **Mr. Corbyn:** To ask the Secretary of State for Northern Ireland what plans he has to restructure the Royal Ulster Constabulary. [29821]

Sir John Wheeler: I refer the hon. Member to the answer I gave him on 25 May, *Official Report*, column *749*. We intend to publish more detailed proposals on the reform of the tripartite structure of policing later this year.

Blue Circle Dump

21. **Mr. Beggs:** To ask the Secretary of State for Northern Ireland how many objections were received by the Department of the Environment (Northern Ireland) regarding the proposal from Blue Circle for a super-dump in the limestone-based quarry at Magheramorne, County Antrim. [29822]

Mr. Moss: The Department has received approximately 1,500 letters making representations about the planning application for a landfill site and associated works at the former Magheramorne quarry.

Political Talks

22. **Mr. Alton:** To ask the Secretary of State for Northern Ireland what progress is being made in the political talks concerning the future of Northern Ireland. [29823]

Sir Patrick Mayhew: I refer the hon. Member to the answer I gave the hon. Member for Falkirk, West (Mr. Canavan) earlier today.

Drug Abuse

23. **Mrs. Mahon:** To ask the Secretary of State for Northern Ireland what steps he is taking to combat drug abuse in Northern Ireland. [29824]

Sir John Wheeler: A wide range of activities to combat drug misuse in Northern Ireland is carried out by a variety of agencies, including those working in areas of health education, treatment and law enforcement.

In addition, the Northern Ireland Committee on Drug Misuse, which advises the Department of Health and Social Services on issues relating to drug and solvent misuse, is current preparing a draft policy statement on drug misuse in Northern Ireland.

The draft statement includes five main priority areas for action—education and prevention, treatment and rehabilitation, law enforcement, information and research and monitoring and evaluation—and has been the subject of a widespread consultation exercise, the responses to which are currently being evaluated. At the end of this process, the committee intends to submit a final draft to the Government for consideration as the basis of a policy framework for tackling drug misuse in Northern Ireland.

This will be addressed by a new top-level committee which I have established and which I will chair to ensure that individual Government Departments contribute fully towards a properly co-ordinated approach to tackling the drugs problem.

Housing Executive

24. **Mr. O'Hara:** To ask the Secretary of State for Northern Ireland if he will make a statement on the operation of the Northern Ireland Housing Executive. [29825]

Mr. Moss: The Northern Ireland Housing Executive is the single regional housing authority in Northern Ireland and is responsible for the assessment of housing need and the development of programmes to meet that need.

The Department of the Environment is currently undertaking a review of housing policy in Northern Ireland and will shortly publish a consultative paper. The review is of policies and programmes and is predicated on the continued existence of the Northern Ireland Housing Executive together with an expanding voluntary sector and a growing private sector.

Water and Sewerage Privatisation

25. **Mrs. Helen Jackson:** To ask the Secretary of State for Northern Ireland if he will make a statement on the progress of his proposals to privatise the water and sewerage industry in Northern Ireland. [29826]

Mr. Moss: As announced in the House on 29 June 1994, *Official Report*, columns *546–47*, the Department of Environment's Water Executive will be established as a next steps agency by April 1996 as an interim stage to eventual privatisation. While the Government remain committed to the privatisation of water and sewerage services in Northern Ireland at the earliest practicable date, it is recognised that, for a number of technical reasons, this will not be possible in the lifetime of the present Parliament.

Sewage Treatment Plants

26. **Mr. Clifford Forsythe:** To ask the Secretary of State for Northern Ireland how many sewage treatment plants in the Antrim, South constituency have not yet been upgraded under the Department's five-year programme. [29827]

Mr. Moss: Work still to be undertaken in the Department's programme of sewage treatment plants in the Antrim, South constituency consists of the diversion of sewage from existing works at Killead, Crumlin and Ballyduggenan Villas to neighbouring larger works.

Inward Investment

27. **Mr. Elletson:** To ask the Secretary of State for Northern Ireland if he will make a statement about inward investment to the Province. [29828]

Mr. Ancram: In 1994–95, 10 new inward investment projects offering almost 2,000 jobs were negotiated by the Industrial Development Board for Northern Ireland and a target of 20 projects offering 4,500 jobs has been set for 1995–96.

The peace process and growing business confidence are providing new opportunities to reposition Northern Ireland as a prime investment location. The new and more positive image of Northern Ireland is enhancing the credibility of the IDB in discussions with potential investors. Resources are being increased to capitalise upon this new business opportunity, particularly in the United States.

Education Policy

29. **Sir Teddy Taylor:** To ask the Secretary of State for Northern Ireland when he last met the Secretary of State for Education and the Secretary of State for Scotland to discuss education policy in the United Kingdom. [29830]

Mr. Ancram: There is regular contact at ministerial level on education policy as part of the normal processes of government.

Standing Advisory Commission on Human Rights

Mr. Brandreth: To ask the Secretary of State for Northern Ireland if he has received the 20th report of the Standing Advisory Commission on Human Rights, and if he will make a statement. [32244]

Sir Patrick Mayhew: The report for the period 1 April 1994 to 31 March 1995 has been published today and copies have been laid before Parliament.

The Commission has considered a range of important matters during the period under review. These include questions relating to the changing political circumstances following the ceasefire, notably the future of policing and possible changes in emergency legislation. The Commission also commented on the application of international standards for the protection of human rights.

I would also like to thank the commission for its extensive report on disability in Northern Ireland, which was brought to the attention of Parliament in the form of Command Paper 2740 in December 1994.

Copies of the commission's 20th report have been placed in the Library. Copies of my response to the report will be placed in the Library in due course.

Licensed Firearms Dealers

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will make a statement on licensed firearms dealers in Northern Ireland. [31286]

Sir John Wheeler: The registration and control of firearms dealers is governed by articles 34 to 41 of the Firearms (Northern Ireland) Order 1981. There are presently 154 registered firearms dealers in Northern Ireland.

The 1981 order requires the Chief Constable to maintain a register of firearms dealers, and only those persons granted a certificate of registration by the Chief Constable are permitted to trade as firearms dealers. Before issuing such a certificate, the Chief Constable must be satisfied that the person is not already prohibited from trading by order of a court in Northern Ireland or Great Britain, following the person's conviction on firearms offences or for an offence relating to the import and export of firearms or ammunition; that the person can safely trade in firearms without endangering the public or the peace; that the proposed place of business is suitable; and that there is a need at that place for such a business. The order empowers the Chief Constable to impose conditions on the certificate of registration. Failure to comply with those conditions may lead to the certificate being revoked. The Secretary of State can give directions to the Chief Constable as to the conditions to be imposed. The Chief Constable may also revoke the certificate of registration if he is satisfied that the person has ceased to trade as a firearms dealer; or has ceased to have a place of business in Northern Ireland; or cannot be permitted to continue trading as a firearms dealer without danger to the public safety or to the peace. Any firearms dealer or prospective firearms dealer aggrieved by the Chief

Constable's decision in such matters, may appeal to the Secretary of State under article 55 of the order.

The Secretary of State is satisfied that the law governing the firearms trade is sufficient and is rigorously enforced by the Chief Constable in the interests of public safety.

Sunday Observance

Mr. Mallon: To ask the Secretary of State for Northern Ireland if articles I, II, and III, of the Act for the Better Observation of the Lord's Day, commonly called Sunday, AD 1695, are currently in force. [31285]

Sir John Wheeler: Articles I, II, and III of the Sunday Observance Act (Ireland) 1695 are still in force as set out in the latest version of the "Statutes Revised, Northern Ireland", Vol. A, pages 47 and 48.

Mr. Mallon: To ask the Secretary of State for Northern Ireland (1) how many convictions there have been under the Act for the Better Observation of the Lord's Day, commonly called Sunday, AD 1695, for the use or exercise on the Lord's day of *(a)* hurling, *(b)* commoning, *(c)* football playing, *(d)* cudgels, *(e)* wrestling and *(f)* any other games, pastimes or sports in each of the past 15 years; [31289]

(2) how many individuals have been *(a)* prosecuted, *(b)* convicted, *(c)* fined, *(d)* subjected to the confiscation of goods or property or *(e)* set publicly in the stocks under any of the provisions of the Act for the Better Observation of the Lord's Day, commonly called Sunday, AD 1695, in each of the past 15 years. [31287]

Sir John Wheeler: As far as the police are concerned, there have been no criminal prosecutions recorded in the past 15 years for offences under the Act for the Better Observation of the Lord's Day. There may have been private prosecutions, but no central records of these are available.

Driver and Vehicle Testing Agency

Mr. Brandreth: To ask the Secretary of State for Northern Ireland what targets have been set for the Driver and Vehicle Testing Agency during 1995–96. [32245]

Mr. Moss: For 1995–96 the following performance targets have been set:

	Performance targets
Vehicle test appointments	28 days average waiting time
Driving test appointments	56 days average waiting time
Productivity (vehicle testing)	16.35 units per man per day
Productivity (driver testing)	7.8 units per man per day
Error Rate	Faulty inspections not to exceed 0.25 per cent. of tests conducted
Level of complaints about booking arrangements	Less than 1 per cent. of applications received
Level of complaints about conduct of tests	Less than 1 per cent. of applications received
Level of customer satisfaction with booking arrangements	At least 85 per cent. plus or minus 2 per cent. within the range of sampling error
Level of customer satisfaction with test procedures	At least 90 per cent. plus or minus 2 per cent. within the range of sampling error
Number of compensation payments for cancelled tests	Less than 0.5 per cent. of applications received
Composite unit cost of testing operations	£16.95

Educational Administration

Mr. Trimble: To ask the Secretary of State for Northern Ireland what representations he has received on the paper "Educational Administration in Northern Ireland: Proposals for change". [29812]

Mr. Ancram: I have received some 1,300 written representations and have met a number of deputations. I will consider all these responses carefully before reaching any final decisions.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when he will respond to representations from the constituency of Strangford to the consultative document "Educational Administration in Northern Ireland: Proposals for Change"; and if he will make a statement. [29813]

Mr. Ancram: Representations for the constituencies of Strangford are among many received by my Department. I will consider them all carefully before reaching and announcing any final decisions.

ATTORNEY-GENERAL

Lord Farnham

Mr. Mackinlay: To ask the Attorney-General how many hours of *(a)* his time and *(b)* his staff's time was involved in dealing with the application of Lord Farnham to be allowed to sit in the House of Lords; what was the total cost of the case to his Department; and what proportion of those costs was subsequently met by the applicant. [31112]

The Attorney-General: Officials in the Treasury Solicitor's Department have spent 156.3 hours to date dealing with Lord Farnham's petition for a writ of summons to the House of Lords. The cost to the Department of such time is £13,757.40, in addition to which the Department has disbursed £18,000.32 by way of expenses attributable to the case. The petitioner has met his own costs and has paid an agreed contribution of £2,643.75 in respect of the costs of a private hearing before me. My officials and I worked on the case as part of normal duties and the time is not recorded.

Thurrock Borough Council

Mr. Redmond: To ask the Attorney-General what action has been taken in respect of the video sent to him by the hon. Member for Billericay (Mrs. Gorman) relating to Thurrock council; and if he will make a statement. [30472]

The Attorney-General: I have written to the solicitors acting on behalf of the hon. Member for Billericay and to the chief executive of Thurrock borough council.

Treasury Counsel Fees

Mr. Byers: To ask the Attorney-General (1) how many barristers on the panel of Treasury counsel received more than £200,000 in fees from public funds for the latest year for which information is available; [25055]

(2) pursuant to his answer of 22 May, *Official Report*, column *451*, how much each Treasury counsel retained for civil work received in fees from public funds in 1994–95; of the Treasury counsel based at the central criminal court, how many received between (i) £250,000 to £300,000, (ii) £300,000 to £350,000, (iii) £350,000 to £400,000, (iv) £400,000 to £500,000, (v) in excess of £500,000 from the Crown Prosecution Service for financial year 1994–95. [29928]

The Attorney-General: Pursuant to my answer of 22 May 1995, *Official Report*, column *451*, and to my answer of 21 June 1995, *Official Report*, column *260*, and further to my answer pursuant to that given on 21 June, the information given for fees paid to Treasury counsel based at the central criminal court requires correction. During the financial year 1 April 1994 to 31 March 1995, the number of counsel in respect of whom payments were issued by the Crown Prosecution Service are set out in the table by reference to the bands referred to in the hon. Member's question:

	Column 1 (inc. vat)	*Column 2 (ex. vat)*
(I) £250,000 to £300,000	3	0
(ii) £300,000 to £350,000	0	3
(iii) £350,000 to £400,000	3	0
(iv) £400,000 to £500,000	0	0
(v) in excess of £500,000	0	0

The figures given are shown in two columns. Column 1 relates to payments including value added tax. Column 2 shows the fees paid to counsel excluding value added tax.

On the basis of the information now available to me, the number of Treasury counsel based at the central criminal court in respect of whom payments in excess of £200,000, inclusive of value added tax, were issued by the Crown Prosecution Service over the same financial year is 10. The number in respect of whom payments in excess of £200,000, exclusive of value added tax, were issued by the Crown Prosecution Service over the same period is six.

The figures given, provided by the Crown Prosecution Service and taken from its computerised database, are calculated strictly by the date on which a particular payment is issued by the Crown Prosecution Service rather than the date on which the payment was received or processed by the individual counsel concerned.

HEALTH

Management Costs

Mr. Redmond: To ask the Secretary of State for Health what factors led her to discontinue the management cost control strategy and the publishing of management cost accounts in the annual accounts. [28269]

Mr. Malone: Targets on management costs related to costs in regional health authorities, district health authorities and family practitioner committees. Introduction of the national health service reforms with increasing devolution of responsibilities to local level rendered those targets inappropriate.

Mr. Redmond: To ask the Secretary of State for Health how many national health service trusts or authorities currently operate within the 1987–88 Trent management cost of 4.9 per cent. of turnover. [28252]

Mr. Malone: The measures used by Trent regional health authority in 1987–88 preceded the creation of national health service trusts through the National Health Service and Community Care Act 1990. On 7 June my right hon. Friend announced that she was asking all trusts to publish in their annual reports information about their management costs based on definitions used by the Audit Commission. Information will be published centrally and the first set of information will be available in September 1995. As a result of the devolution of functions through our reforms of the NHS, we are now able to simplify and streamline the headquarters organisations. Savings are expected to approach £200 million by 1997–98 including some £150 million from reducing and slimming down health authorities and some £50 million in the running costs of the Department of Health. These savings will be ploughed back into patient care.

Hepatitis C

Mrs. Beckett: To ask the Secretary of State for Health what percentage of blood products is now tested for hepatitis C; and what type of products are not. [30418]

Mr. Sackville: All blood collected from United Kingdom donors is tested for antibodies to hepatitis C virus on each individual donation.

NHS Trusts

Mrs. Beckett: To ask the Secretary of State for Health what number of senior management are currently employed by NHS trusts. [30433]

Mr. Malone: I refer the right hon. Member to the reply I gave her on 17 February, *Official Report*, columns *838–40*, for the latest available information.

Ambulance Response Times

Mrs. Beckett: To ask the Secretary of State for Health, pursuant to her answer of 18 January, *Official Report*, column *480*, how many times an ambulance has not arrived within the national charter standard time in total and by ambulance service in 1994–95 or part year thereof. [30432]

Mr. Sackville: This information is not yet available. Information on ambulance service performance will be published shortly as part of the national health service performance tables.

Tenovus

Mr. Denham: To ask the Secretary of State for Health what assessment she has made of the contribution of the Tenovus charity to cancer research; and if she will make a statement. [31073]

Mr. Malone: The Government welcome the valuable contribution made by medical research charities such as Tenovus. We work closely with cancer charities to identify gaps in funding and opportunities for collaborating in funding cancer research. The Government are committed to ensuring the best use of resources for health and medical research and seek, in collaboration with the cancer charities, to avoid unnecessary duplication in this field.

No specific assessment of this charity's contribution to cancer research has been made.

Mr. Denham: To ask the Secretary of State for Health what proposals she has made to ensure that cancer research which would have been funded by the Tenovus charity will receive funding from alternative sources. [31075]

Mr. Malone: None. The Government place a high priority on health and medical research and will spend about £385 million in 1994–95 on research and research-related expenditure. The Government also support biomedical and clinical research through the Medical Research Council, which receives its funding from the office of my right hon. Friend the Chancellor of the Duchy of Lancaster. Charities provide an independent source of research funding.

The Department of Health has established a national forum to advise Government and the NHS on research issues. The forum brings together the major funders of health and medical research, including the Association of Medical Research Charities, and provides an important means of establishing closer working links between research interests in the NHS and elsewhere. Within this framework, the Department is working with the Association of Medical Research Charities—of which Tenovus is a member—to promote better understanding of the charities' respective strategies and priorities.

Mr. Denham: To ask the Secretary of State for Health what discussions she has had with the Secretary of State for National Heritage regarding the impact of the national lottery on the Tenovus charity. [31076]

Mr. Malone: None.

Mr. Denham: To ask the Secretary of State for Health what monitoring she has carried out of the income of medical research charities following the introduction of the national lottery, with particular reference to the Tenovus cancer research charity; and what has been the result to date. [31074]

Mr. Nicholas Baker: I have been asked to reply.

It is too early to assess the effect of the lottery in a number of areas, including charitable income. The Government are, however, committed to monitoring any changes in this respect. A programme of research is being drawn up which will include surveys of individual charitable giving and analysis of the income of charities covering the periods before, during and after the introduction of the national lottery.

Mrs. Beckett: To ask the Secretary of State for Health what was the number of finished consultant episodes for neurosurgery by region and district health authority for each of the last five years. [30815]

Mr. Sackville: This information will be placed in the Library.

Press Releases

Mrs. Beckett: To ask the Secretary of State for Health how many press releases have been issued and in which Minister's name in each of the last two years. [30784]

Mr. Sackville: There were 609 press releases issued in 1994. At 22 June 1995, 329 had been issued. These can be broken down as follows:

	Press releases
1994	
Secretary of State	134
Minister for Health	111
Parliamentary Under-Secretary of State—hon. Tom Sackville	76
Parliamentary Under-Secretary of State—John Bowis OBE	104
Parliamentary Under-Secretary of State—Baroness Cumberlege CBE	51
Miscellaneous	133
1995 (to 22 June)	
Secretary of State	69
Minister for Health	86
Parliamentary Under-Secretary of State—hon. Tom Sackville	29
Parliamentary Under-Secretary of State—John Bowis OBE	55
Parliamentary Under-Secretary of State—Baroness Cumberlege CBE	31
Miscellaneous	59

Complementary Medicine

Mr. Cash: To ask the Secretary of State for Health what is Her Majesty's Government's policy regarding European directives or regulations affecting provisions under United Kingdom common and statute law concerning complementary medicine. [30797]

Mr. Sackville: It is United Kingdom Government policy to implement all European directives and regulations in accordance with our treaty obligations. Any proposals for European legislation on complementary medicine will be examined as and when they emerge.

Chemotherapy Treatment

Mrs. Beckett: To ask the Secretary of State for Health, pursuant to her answer of 8 June, *Official Report*, column *308*, (1) when she was first written to by hon. Members regarding local charges for chemotherapy treatment; what action she took; and for what reasons the inappropriate application of guidelines continued; [30801]

(2) what assessment she has made of the reasons for the failure of Wigan hospital to implement properly guidelines on charging patients for chemotherapy treatment. [30800]

Mr. Sackville: The oversight within an individual trust was addressed by the trust itself, and refunds made. We have no record of correspondence from hon. Members on this issue.

Springfield Clinic, Blakelaw

Mr. Cousins: To ask the Secretary of State for Health when the NHS executive was first notified of an appeal about the general practice vacancy in Springfield clinic, Blakelaw, formerly run by Dr. Ahmed; when a decision is expected; and who is providing general practitioner services in the interim. [30810]

Mr. Malone: The national health service executive was first notified of an appeal against the decision of Newcastle family health services authority concerning the former practice of Dr. Ahmed by letter dated 10 February 1995. It is not possible to provide an expected date of decision and, in the meantime, it is a matter for the family health services authority to make temporary arrangements for the provision of general medical services to the patients of the practice.

Publicity

Mrs. Beckett: To ask the Secretary of State for Health what was her Department's publicity budget in each of the last 10 years; and what proportion has been spent on specific health promotion campaigns. [30814]

Mr. Sackville: Expenditure on publicity in each of the last 10 years is as follows:

	£ million
1985–86	4.513
1986–87	12.627
1987–88	12.381
1988–89	10.799
1989–90	17.248
1990–91	21.008
1991–92	24.471
1992–93	20.710
1993–94	19.147
[1]1994–95	18.177

[1] Estimated.

Estimated expenditure in 1994–95 included major campaigns on drug and solvent misuse, £4.4 million; organ donation, £1.6 million; blood donor recruitment, £1.1 million; AIDS helpline, £2 million; and "The Health of the Nation", £1.7 million.

Specific information on the proportion spent on health promotion campaigns could be provided only at disproportionate cost.

Pulmonary Embolisms

Mr. Redmond: To ask the Secretary of State for Health what research and findings her Department carried out into pulmonary embolism prevention; and if she will make a statement. [31209]

Mr. Sackville: We supported a major conference on the management of venous thrombosis and pulmonary embolism at the Royal College of Surgeons in June 1994. Following that conference, a joint working group of the Royal College of Surgeons and the Royal College of Obstetricians and Gynaecologists was set up to produce guidelines for the profession. The working party is commissioning further analyses of existing data in order to produce evidence-based guidelines and to identify gaps in research.

Steroids

Mr. Redmond: To ask the Secretary of State for Health what research and findings her Department has carried out into a double-blind, randomised comparison of *(a)* high dose inhaled steroids, *(b)* low dose inhaled steroids and low dose theophylline and *(c)* low dose inhaled steroids alone as treatment regimes for asthma; and if she will make a statement. [31208]

Mr. Malone: None.

Aspirin

Mr. Redmond: To ask the Secretary of State for Health what research and findings her Department carried out into a randomised placebo-controlled trial of the effects of low dose aspirin on mortality and major morbidity in patients with hip fracture; and if she will make a statement. [31210]

Mr. Sackville: I understand that the clinical trial service unit at the Radcliffe infirmary, Oxford is organising the pulmonary embolism prevention trial, funded by the British Heart Foundation. The PEP trial aims to determine whether any beneficial effects of aspirin given to patients with hip fracture outweigh any risks. The trial is still in progress and the findings have not yet been published.

Cardiac Surgery

Ms Corston: To ask the Secretary of State for Health if she will place in the Library a copy of the conclusions and recommendations of the working party of the Specialist Accreditation Committee of the Royal College of Surgeons considering supra-regional funding for paediatric cardiac surgery. [31523]

Mr. Sackville: The Department has received no such report.

Health Survey for England

Mr. Redmond: To ask the Secretary of State for Health what research her Department has carried out into a health survey for England; what were the findings of that research; and if she will make a statement. [31501]

Mr. Sackville: The health survey for England has been carried out since 1991. The findings of the 1991 to 1993 health surveys are contained in annual reports, copies of which are available in the Library. The 1994 report will be published in early 1996.

GP Lists

Mr. Cox: To ask the Secretary of State for Health if she will review the right of patients to challenge the reasons for which their names have been removed from a general practitioner's list. [31374]

Mr. Malone: No. Under their terms of service, general practitioners are not required to give reasons when removing a patient from their list. Equally, patients are not required to give reasons when they wish to change doctors.

St. Charles Youth Treatment Centre

Mr. Pickles: To ask the Secretary of State for Health what plans she has for the future of the St. Charles youth treatment centre; and if she will make a statement. [32196]

Mr. Bowis: The St. Charles youth treatment centre at Brentwood, Essex has made an important and valued contribution to the treatment and care of some of the most disturbed and difficult young people with which the child care system has had to deal and has been influential in the lives of many young people.

I am, however, no longer satisfied that the centre can continue in the future to provide properly for the best interests of the young people accommodated there or for those of the staff or for the security of the local community. The centre was designed and built in the 1960s and the buildings no longer meet accepted standards. There have also been problems of management and control which have proved difficult to resolve. In consequence, the centre has been operating far below its nominal capacity and currently accommodates only six young people. I therefore intend to close the centre, subject to consultation with the staff and their representatives on the implications of the closure for them. No decision has yet been taken on the future use of the site.

When the centre was set up in 1971, there were no similar facilities to deal with the most difficult and disturbed young people. Since then, however, local authorities have developed their own secure accommodation and have become skilled and experienced in dealing with many young people needing secure care. The Department of Health already has in place a major building and refurbishment programme to strengthen still further the range and geographical spread of local authority secure accommodation. Working with local authorities, the Department of Health is funding a strategy in excess of £40 million to put in place high-quality facilities which are safe for the young people and for the public.

The other youth treatment centre at Glenthorne in Birmingham will continue. It is being expanded to an overall capacity of 40 secure places within its present building stock and planning permissions.

National Blood Service

Ms Jowell: To ask the Secretary of State for Health if the Plymouth blood transfusion centre will retain blood processing activities after the reorganisation of the national blood service. [30502]

Mr. Sackville: This is a matter for the National Blood Authority which will announce its revised proposals in due course.

Art Therapy

Mr. Alex Carlile: To ask the Secretary of State for Health if she will introduce a strategy to co-ordinate work on art therapy and similar activities involving arts and health in primary care; and if she will make a statement. [31488]

Mr. Malone: I have no plans to introduce such a strategy.

GPs' Deprivation Payments

Mr. Ainger: To ask the Secretary of State for Health if she will list those areas in which general practitioner's practices have qualified for additional payments for deprivation as defined under the Jarman index in each of the last five years and the current year. [28085]

Mr. Malone *[holding answer 12 June 1995]:* General practitioners' deprivation payments were introduced in April 1990 based on 1981 census data. A list will be placed in the Library of electoral wards where general practitioners became eligible for these payments in respect of patients living in those electoral wards.

SCOTLAND

Scottish Natural Heritage

Mr. Galbraith: To ask the Secretary of State for Scotland how many times since its inception the chairman of Scottish Natural Heritage has addressed *(a)* conservation bodies, *(b)* farmers, *(c)* landowners, other than farmers, *(d)* countryside sports bodies and *(e)* any other bodies. [30701]

Sir Hector Monro: The information is set out in the table. In addition, he has also delivered six addresses to joint landowners and countryside sports gatherings and one address when all five groups—a to e below—were represented.

Type of body	*Number of addresses*
(a) Conservation bodies	46
(b) Farmers (including foresters)	11
(c) Landowners, other than farmers	2
(d) Countryside sports bodies	1
(e) Any other bodies	48

In Vitro Fertilisation

Mr. David Marshall: To ask the Secretary of State for Scotland (1) what plans he has to increase the number of IVF treatments in Scotland; and if he will make a statement; [31079]

(2) how many people in each health board area have received IVF treatment from *(a)* their own health board area and *(b)* other health board areas in each of the last

five years; and what has been the cost to each health board. [31081]

Lord James Douglas-Hamilton: It is for individual health boards to decide on the level of infertility service to purchase. Information on the number of patients who have received infertility treatment and its cost to health boards is not available centrally.

Private Finance Initiative

Mr. Betts: To ask the Secretary of State for Scotland by how much Government spending has changed in 1994–95 as a result of the private finance initiative; what is the estimated effect in 1995–96; how many jobs are to be created by schemes approved to date under the initiative and how many have been lost as a consequence in the public sector; and what is the forecast of transfer of employment from public to private sector over the last five years because of the initiative. [30831]

Mr. Kynoch *[holding answer 28 June 1995]:* It is not possible for 1994–95 or 1995–96 to attribute to the private finance initiative changes in either actual or planned Government spending. Progress in using the PFI is only one of many factors to be taken into account in assessing the level of public sector capital spending in Scotland. Also, it is not possible on the information currently available to forecast the effect on employment of the PFI. There is, however, no evidence that any public sector jobs have been lost to date through the PFI. Many of the jobs involved in capital projects funded by the public sector at present are, of course, in the private sector. Where, however, the PFI funds projects which would not go ahead otherwise, additional jobs will be created.

Mr. Betts: To ask the Secretary of State for Scotland how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long have they been considered and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30830]

Mr. Kynoch *[holding answer 28 June 1995]:* Schemes to the value of £37.9 million were approved in 1994–95. Precise details for the current financial year are not yet available, but estimates suggest that projects with a value of more than £60 million will be approved. The Scottish Office document "Private Finance Partnership in Scotland" published in March 1995 identified potential projects with a total value of £2.68 billion. The Scottish Office does not have available centrally information on the length of the assessment process for individual projects which are the responsibility of a range of different public authorities.

Scottish Nuclear

Mr. Salmond: To ask the Secretary of State for Scotland if he will ensure that a golden share to protect the identity of Scottish Nuclear is included in the articles of association of the United Kingdom nuclear holding company; and if he will make a statement. [31254]

Mr. Kynoch *[holding answer 28 June 1995]:* My right hon. Friend the President of the Board of Trade, in his statement of 9 May, *Official Report*, columns 563–78, made it clear that Scottish Nuclear's continued existence will be protected by special shares in the holding company and in Scottish Nuclear itself.

Nuclear Holding Company

Mr. Salmond: To ask the Secretary of State for Scotland if he will take steps to ensure that the chief executive of the United Kingdom nuclear holding company will be based in Scotland; and if he will make a statement. [31255]

Mr. Kynoch *[holding answer 28 June 1995]:* My right hon. Friend the President of the Board of Trade announced on 9 May that the nuclear holding company would be registered, and its headquarters would be located, in Scotland. I would expect the chief executive of the company to be based at its headquarters.

Assisted Places Scheme

Mrs. Fyfe: To ask the Secretary of State for Scotland how much expenditure was granted in fee remission and incidental expenses on the assisted places scheme to pupils whose families had a residual income greater than £17,000 per annum in each of the past five years. [29794]

Lord James Douglas-Hamilton: The information requested is not collected centrally.

Mrs. Fyfe: To ask the Secretary of State for Scotland which schools accepted pupils under the assisted places scheme from families with a residual income of over £17,000. [29800]

Lord James Douglas-Hamilton: Schools with assisted place pupils in school session 1994–95 where the residual family income was greater than £17,000 are given.

Aberlour School
Albyn School
Beaconhurst School
Belmont House School
Butterstone School
Cargilfield School
Craigclowan School
Craigholme School
Crawfordton House School
Dollar Academy
Drumley House School
Edinburgh Academy
Fernhill School
Fettes College
George Heriot's School
George Watson's College
Glasgow Academy
Glenalmond College
Gordonstoun School
Hamilton College
High School of Dundee
High School of Glasgow
Hutchesons' Grammar School
Keil School
Kelvinside Academy
Kilgraston School

Laurel Bank School
Lomond School
Loretto School
Merchiston Castle School
Morrison's Academy
The Park School
Rannoch School
Robert Gordon's College
Rudolf Steiner School, Edinburgh
St. Aloysius College
St. Columba's School
St. Denis and Cranley School
St. George's School
St. Leonard's School
St. Margaret's School, Edinburgh
St. Mary's School
Stewart's Melville College and The Mary Erkskine School
Strathallan School
Wellington College.

Schools (Placing Requests)

Mrs. Fyfe: To ask the Secretary of State for Scotland what guidance exists for local authorities on the acceptable reasons for refusing placing requests for schools. [29797]

Lord James Douglas-Hamilton: Under section 28A(1) of the Education (Scotland) Act 1981, where the parent of a child makes a placing request it is the duty of an education authority to place the child in the school specified in the request, being a school under its management. The only exceptions are as set out in section 28A(3). Guidance on section 28A was included in circular number 1074, issued by the Scottish Education Department in November 1981.

Mrs. Fyfe: To ask the Secretary of State for Scotland if he will list cases of which he is aware where the history of placing requests for a school formerly accommodated within the one regional council will now involve cross-boundary placement from one unitary authority to another. [29798]

Lord James Douglas-Hamilton: The information is not collected centrally.

Schools (Catchment Areas)

Mrs. Fyfe: To ask the Secretary of State for Scotland what representations he has had on the catchment areas for schools. [29799]

Lord James Douglas-Hamilton: As with other aspects of the education service, representations are received from time to time on issues in relation to school catchment—or delineated—areas. However, while in certain cases the approval of the Secretary of State is required before a catchment area may be changed, catchment areas are primarily a matter for education authorities.

Higher Education

Mrs. Fyfe: To ask the Secretary of State for Scotland what is the purpose of the Scottish Higher Education Funding Council's request to higher education institutions that their strategic overview should include contingency plans, approved by governing bodies, for action in the event of unforeseen and highly adverse financial circumstances. [30709]

Lord James Douglas-Hamilton: I refer the hon. Member to the answer I gave to the hon. Member for East Lothian (Mr. Home Robertson) on 28 June 1995, *Official Report*, column *732*.

Mrs. Fyfe: To ask the Secretary of State for Scotland what was the total amount of funding for higher education in 1992–93; and what is the intended amount for 1997–98. [30710]

Lord James Douglas-Hamilton: Information on expenditure for the years in question is given in the departmental report of March 1995 "Serving Scotland's Needs", Cm 2814, and is as follows:

	£ million
1992–93 Outturn	
Recurrent and capital funding for the Centrally Funded Colleges	140
Student Allowance Scheme (tuition fees and maintenance grants)	306
Student loans	22
1997–98 Plans	
Recurrent and capital grants to SHEFC	546
Student Allowance Scheme (tuition fees and maintenance grants)	285
Student loans	136

The figures for 1997–98 are provisional and subject to review in the annual public expenditure surveys.

Figures for 1992–93 and later years are not directly comparable because funding for teaching and research at the eight universities in Scotland previously funded by the Universities Funding Council was the responsibility until 31 March 1993 of my right hon. Friend the Secretary of State for Education, and because of changes in the balance between fees and grants for tuition.

Mrs. Fyfe: To ask the Secretary of State for Scotland how many full-time equivalent teachers/lectures were employed in further education colleges, universities, primary and secondary schools, in permanent posts, in each year since 1990. [30711]

Lord James Douglas-Hamilton: The available information is given in the table.

Number of teachers/lecturers (FTE) in Education Authority primary and secondary schools, further education colleges and higher education institutions

Session	Primary schools	Secondary schools	Further education colleges	Higher education institutions
1990–91	21,650	23,226	6,986	10,231
1991–92	n/a	n/a	6,744	10,583
1992–93	21,752	23,139	6,890	10,813
1993–94	n/a	n/a	6,818	11,045
1994–95	[1]21,686	23,679[1]	6,920	n/a

[1] Provisional.

School Boards

Mrs. Fyfe: To ask the Secretary of State for Scotland what training is provided for members of school boards in interviewing of candidates for senior teaching posts. [30712]

Lord James Douglas-Hamilton: It is for each education authority to determine what training should be provided for members of school boards in its area to assist them in carrying out their functions, including their duties in relation to interviewing candidates for senior teaching posts.

Mrs. Fyfe: To ask the Secretary of State for Scotland when he will publish the results of his consultation paper on school boards circulated in April. [30713]

Lord James Douglas-Hamilton: The consultation paper put forward changes which the Government would be disposed to make to the School Boards (Scotland) Act 1988 should a suitable legislative opportunity arise. Accordingly, if such an opportunity arises, the outcome of the consultation exercise will be reflected in the Bill presented to Parliament.

Mrs. Fyfe: To ask the Secretary of State for Scotland what guidance is given to school boards on the publishing of brochures aimed at attracting parents. [30714]

Lord James Douglas-Hamilton: None. There is no requirement on school boards to publish brochures although the legislation does require a school board to make a report to parents of pupils in attendance at the school at least once in every year in order to inform parents of the board's activities. More generally, education authorities are required to produce a school handbook for each school under their management. School handbooks must contain information about the school as set out in regulations and may contain additional information at local discretion.

Mrs. Fyfe: To ask the Secretary of State for Scotland how many school boards have asked for wider powers. [30715]

Lord James Douglas-Hamilton: Under section 15 of and schedule 3 to the School Boards (Scotland) Act 1988, a school board may request the delegation to it of its education authority's functions in relation to a school, except those functions listed in section 15(2) of the Act. However, such requests are made to the education authority and information on the number of schools which have requested wider powers in this way is not held centrally.

The Scottish Office Education Department recently consulted school boards and others on possible changes to the school boards legislation. The closing date for comments was 19 June. Over 350 responses were received, and are currently being analysed. A number of boards have made suggestions on wider powers.

Mrs. Fyfe: To ask the Secretary of State for Scotland, what advice is given to schools boards on promoting academic freedom. [30753]

Lord James Douglas-Hamilton: None.

Mrs. Fyfe: To ask the Secretary of State for Scotland if he will make it his policy to change the name of chairman of a school board to convener. [30754]

Lord James Douglas-Hamilton: No. While the legislation requires every school board formally to appoint a chairman and vice-chairman, a number of boards already informally adopt different terminology, as they see fit.

Mrs. Fyfe: To ask the Secretary of State for Scotland how many members of school boards in 1994 were returned in uncontested elections; and how many schools which formerly had a board no longer have one. [30755]

Lord James Douglas-Hamilton: In the 1993–94 biennial school board elections 3,291 parent members of school boards were returned in uncontested elections. Some 310 school boards in existence at the start of school session 1993–94 were disestablished as a result of insufficient parents coming forward for election. Of these, 21 had been re-established by 31 May 1994 as a result of parental request.

Mrs. Fyfe: To ask the Secretary of State for Scotland what was the cost of conducting school board elections in 1994. [30756]

Lord James Douglas-Hamilton: Expenditure on conducting school board elections is a matter for the education authorities. Under the legislation, the last biennial round of elections was held in school session 1993–94. Information on the expenditure incurred by authorities in that round of elections or in subsequent by-elections is not held centrally.

Mrs. Fyfe: To ask the Secretary of State for Scotland what representations he has had on the composition of school boards. [30757]

Lord James Douglas-Hamilton: Many of the 350 or so responses received on the recent consultation paper on school boards commented on composition.

Offshore Installations (Disposal)

Mrs. Fyfe: To ask the Secretary of State for Scotland (1) what sanctions are at his disposal to ensure compliance with environmental directives by any company wishing to decommission North sea oil platforms and rigs; [30716]

(2) if he will place in the Library a copy of the environmental audit that was conducted concerning the disposal of the Brent Spar installation and other redundant North sea oil platforms and rigs in the Atlantic ocean. [30717]

Sir Hector Monro: Abandonment of offshore installations from the United Kingdom continental shelf is regulated by my right hon. Friend the President of the Board of Trade in accordance with the provisions of the Petroleum Act 1987. Each case requires a best practicable environmental option assessment to be drawn up, and the approved abandonment plan includes appropriate conditions to ensure that the impact on the environment is minimised.

The Brent Spar is the only installation to date for which disposal at sea has been authorised. This required the Scottish Office to issue a licence under the Food and Environment Protection Act 1985 and an authorisation under the Radioactive Substances Act 1993. These were granted only after I was satisfied that disposal in this way would not present a hazard to fisheries, the marine environment or health.

My right hon. Friend is arranging for a copy of the BPEO and the impact hypothesis, which form part of the approved abandonment plan for the Brent Spar, to be placed in the Library within the next week.

Mrs. Fyfe: To ask the Secretary of State for Scotland what is the unemployment rate for the travel-to-work areas for each area in Scotland that is capable of providing a facility for the decommissioning of North sea oil platforms and rigs. [30718]

Mr. Kynoch: Proposals to decommission North Sea oil platforms and rigs offshore would raise a number of environmental issues. Subject to resolution of these, such decommissioning would, inter alia, require access to deep water, flat land and an opportunity to dispose of various kinds of material. Scotland is likely to have a number of such sites, which might include existing fabrication yards, Unemployment rates in travel-to-work areas covering the main fabrication yards in Scotland range from 7 per cent. to approximately 11 per cent.

Local Government Finance

Mr. Raymond S. Robertson: To ask the Secretary of State for Scotland if he intends to cap any Scottish local authorities this year. [32276]

Mr. Lang: No. All Scottish local authorities, with the exception of Strathclyde regional council, have set budgets for 1995–96 at or below the expenditure limits implied by the provisional capping principles which I announced on 29 November 1994, *Official Report*, columns *687–88*.

In the case of Strathclyde, I have considered the representations which the regional council has made to me and also the strategy the council adopted in budgeting and setting its council tax for 1995–96. I have noted, in particular, that the council has taken action to reduce capital funded from current revenue expenditure in both 1994–95 and 1995–96 which has had a direct impact on the level of its 1995–96 council tax. Having considered very carefully all the circumstances, I have decided not to cap the council.

Overall, this is a very satisfactory outcome and again confirms the effectiveness of my capping powers in protecting local taxpayers from excessive spending by their councils.

Later this year, I shall be laying before the House a report in terms of section 24 of the Local Government Etc. (Scotland) Act 1994 specifying the amount for each of the new local authorities which will be used as the baseline for considering capping action in 1996–97. These amounts, which will effectively be notional 1995–96 budgets for the new councils, will be prepared in full consultation with COSLA and will reflect the actual level of planned expenditure by the existing local authorities in 1995–96.

It is also my intention to announce in the autumn provisional capping principles for 1996–97.

Work Experience Schemes

Mrs. Fyfe: To ask the Secretary of State for Scotland what monitoring is undertaken of schoolchildren involved in work experience schemes at workplaces; and how the benefit or otherwise of each scheme is evaluated. [30719]

Lord James Douglas-Hamilton: Preparation takes place before a placement so that pupils know what issues to explore and record. Guidance is available from the Scottish Office Education Department for employers, parents and pupils. During placements, school staff pay visits to help ensure that maximum benefit is derived. Placements are also monitored for health and safety and there must be suitable insurance cover.

Pupils are monitored during the placement to provide a record of what they have done. After each placement, there is full debriefing with teachers. Most placements, including the preparation and debriefing, satisfy the criteria for a pupil to gain the Scottish Vocational Education Council work experience module which provides a measure of the usefulness of the placement.

AGRICULTURE, FISHERIES AND FOOD

Pseud Oil-based Drill Muds

Mr. Dafis: To ask the Minister of Agriculture, Fisheries and Food what advice his Department gave to the Department of Trade and Industry concerning the use of pseudo oil-based drill muds by oil companies. [29937]

Mr. Jack: The Ministry has advised the Department of Trade and Industry that the use of drilling muds of all sorts can be permitted only if the hazards and risks to the marine environment have been properly assessed on a case-by-case basis.

Mr. Dafis: To ask the Minister of Agriculture, Fisheries and Food if he will list the studies into the environmental effects of the use of pseudo oil-based drill muds which *(a)* have been carried out by his Department and *(b)* his Department has evaluated. [29936]

Mr. Jack: The Ministry has a continuing programme of laboratory tests and field surveys into the environmental effects of pseudo oil-based muds—POBMs—for use by the offshore industries. MAFF also evaluates laboratory test data on toxicity to marine life, potential for biodegradation and potential of bioaccumulation of POBM systems as part of the approval process for POBMs developed by the Paris Commission and operated on a non-statutory basis by the Department of Trade and Industry.

Financial Instrument for Fisheries Guidance

Mr. Robin Cook: To ask the Minister of Agriculture, Fisheries and Food if he will list by each objective and by each other Community initiative, including Rechar and Interreg, the value of assistance received under the financial instrument for fisheries guidance both nationally and for each standard region of the United Kingdom for each year since 1989. [31358]

Mr. Jack: EC regulation No. 3699/93, which sets out the detailed rules for assistance under the financial instrument for fisheries guidance—FIFG—came into effect on 1 January 1994. No payments could therefore be made under FIFG before that date. Assistance granted under FIFG since then is as follows:

FIFG assistance by region[1]

	Objective 1	*Non-objective 1*	*Total*
Northern Ireland	1,375,955.00	0.00	1,375,955.00
Scotland[2]	444,308.00	1,361,247.00	1,805,555.00
England	0.00	2,216,324.00	2,216,324.00
Wales	0.00	0.00	0.00
Total UK	1,820,263.00	3,577,571.00	5,397,834.00

Note:

[1] Expenditure relates to 1993 decommissioning scheme.

[2] Excludes provisional awards for other FIFG grants.

No FIFG payments have been made in the UK to date under EC Community initiatives.

Charter Week

Mr. Morgan: To ask the Minister of Agriculture, Fisheries and Food what are the main events he is proposing for Charter Week; what is the total cost to public funds; and how many *(a)* civil servants and *(b)* other public officials will be playing a part. [29882]

Mr. Waldegrave *[holding answer 20 June 1995]:* My Department seeks to meet charter objectives throughout the year in a range of ways. In July, as part of Charter Week, staff from regional service centres will attend a number of county shows across England. The Department's helpline, which has already handled well over 50,000 telephone inquiries from the general public, recently celebrated its second anniversary. MAFF staff will also participate in "Have Your Say Day" sessions, which aim to give our customers and the general public an opportunity to hear and talk about the services we provide. Senior managers will be available to discuss any issues of concern that may be raised.

No additional costs or staff resources will be required.

I also hope to announce shortly details of the regional service centres' performance against the targets set out in the customer service standard "Commitment to Service".

Agriculture Council

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what measures were adopted by the Agriculture Council at its meeting on 19 to 22 June and what was the pattern of voting. [32193]

Mr. Waldegrave: The Council adopted the following measures:

1. Protection of farm animals during transport.
2. Support prices for agricultural products for 1995–96 and related measures.
3. Changes to the agri-monetary system.
4. Adjustment to set-aside arrangements so as to allow arable land taken out of production under forestry or environmental measures to count against the set-aside obligation of the farmer concerned.
5. Changes to the support for cotton.
6. Definitive allocation to Italy and Greece of the increases in milk quotas previously allocated on a temporary basis.
7. Rules for the operation of the knacker industry.
8. Approval of a national aid to French wine producers.

The legal basis of items 1 to 7 was article 43 of the treaty, which provides for adoption by qualified majority vote. Item 8 required unanimity under article 93.2 of the Treaty.

The member states voting against the various measures were:

1. Italy, Austria and Denmark.
3. The United Kingdom.
6. Netherlands, Denmark and Luxembourg.

Sweden subsequently registered a vote against the package covering items 1 to 7.

Written Answers to Questions

Friday 30 June 1995

ENVIRONMENT

Construction Industry

Mr. Galbraith: To ask the Secretary of State for the Environment when he expects to issue his next consultation document on the Latham report. [31297]

Mr. Robert B. Jones: Two consultation documents have recently been issued on legislative proposals arising from recommendations in the Latham report. I have no present plans for any further consultation documents.

Pollution and Breast Cancer

Mr. Dafis: To ask the Secretary of State for the Environment what research projects have been commissioned by his Department to investigate the connection between environmental pollutants and the incidence of breast cancer. [31058]

Mr. Atkins: No research projects to specifically investigate the possible connection between environmental pollutants and the incidence of breast cancer have been commissioned by the Department. However, on behalf of the Department, the Medical Research Council's institute for environment and health is carrying out a review of existing literature and scientific opinion on the evidence for changes in human reproductive health, including breast cancer, and effects on wildlife, and to examine the possible links between the production and release into the environment of manmade chemicals, and the observed effects. The institute's report will be published in due course.

Whatley Quarry

Mr. Dafis: To ask the Secretary of State for the Environment if he will call in Amey Roadstones Corporation's application to expand Whatley quarry. [31059]

Sir Paul Beresford: This application is currently being considered by Somerset county council. The Whatley quarry article 14 direction is still in place and the Secretary of State will, as he has been requested by a number of representations, consider whether he should call in the revised application for his own determination in due course.

Office of Water Services

Mr. Hain: To ask the Secretary of State for the Environment which consultants, individuals and companies, have been employed by Ofwat since 1993 or are currently employed; on what tasks; how much retainer has been or is paid on a regular basis; and how much they have been paid otherwise for tasks completed or tasks under way. [31364]

Sir Paul Beresford: This is a matter for the Director General of Water Services.

Mr. Hain: To ask the Secretary of State for the Environment if he will list the external directorships held and remuneration received by the water regulator. [31540]

Mr. Atkins: The Director General of Water Services holds no external directorships.

Buying Agency

Mr. Sykes: To ask the Secretary of State for the Environment what change has been made to the financial target for the Buying Agency. [31652]

Sir Paul Beresford: The Treasury has today laid a minute setting the Buying Agency a target, from 1 July 1995, of 8 per cent. return on capital employed. This replaces the Buying Agency's previous target of a profit after interest in current cost terms of 1.5 per cent. of the total value of goods procured.

OVERSEAS DEVELOPMENT ADMINISTRATION

Indonesia

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations took place before his Department agreed to fund the police management training project in Indonesia; if he consulted *(a)* the Overseas Development Administration geographical department, *(b)* the overseas post, *(c)* the development division and *(d)* the overseas police adviser; when the project was submitted to his Department for approval; if the submission to his Department was considered by the aid policy department; if the aid policy department considered the question of human rights; what view the aid policy department took of the record of the Indonesian national police in relation to human rights abuses; and on what date ministerial approval was given to the project. [30760]

Mr. Baldry *[holding answer 26 June 1995]:* Appropriate advice, including that on the issue of human rights, was sought from all relevant quarters prior to the project's approval on 22 March 1990.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 13 June, *Official Report* columns *504-505*, under which sub-division of the tropical forest management programme the local application of remote sensing techniques system was supplied to the Indonesian Ministry of Forestry; what was the value of the equipment supplied; how it was funded; and on what date his Department agreed to fund the project to supply the equipment. [30764]

Mr. Baldry *[holding answer 26 June 1995]:* The equipment was provided under sub-project 2, provincial forest management. It cost £30,000 and was financed from technical co-operation funds. Sub-project 2 was approved on 20 July 1993.

Mrs Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 13 June, *Official Report*, columns *504-505*, under which

sub-division of the tropical forest management programme the NASA satellite imagery equipment was supplied to the Indonesian Ministry of Forestry; what was the value of the equipment supplied; how it was funded; and on what date his Department agreed to fund the project to supply the equipment. [30765]

Mr. Baldry *[holding answer 26 June 1995]:* The NASA satellite imagery, which is digital data used for map making, was provided under sub-project 5. No equipment was bought. The cost of the data was $8,000, and was financed from technical co-operation funds. Sub-project 5 was approved on 1 February 1991.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 15 June, *Official Report,* column *631,* and the ministerial letter of 31 May, in the case of steel bridging, phase 1 project in Indonesia, what was *(a)* the appraisal date for the Overseas Development Administration and *(b)* the submission date by the Department of Trade and Industry to the sub-committee on aid and trade; when the project was completed in July 1988; and if he will make a statement on (i) the relationship and (ii) the interval between these dates. [31157]

Mr. Baldry *[holding answer 27 June 1995]:* This project was appraised by the Overseas Development Administration in February 1983 and presented to the sub-committee on aid and trade in January 1983. There is nothing of significance in the relationship between these dates and the completion date of the project in July 1988.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the letter from his Minister of 31 May, what considerations made it necessary to refer to the radio studio's rehabilitation project in Indonesia to the sub-committee on aid and trade on four occasions; and what assessment of the project has been made. [31153]

Mr. Baldry *[holding answer 27 June 1995]:* When this project was presented to the sub-committee on aid and trade in June 1986, it was combined with that for the Bandung television studios project. Detailed negotiations between the supply company and the Government of Indonesia representatives led to delays as well as changes in the equipment specification. SCAT was apprised of these developments in November 1987 and was also advised that consideration was being given to separating the two projects. Formal notification of separation was conveyed to SACT in July 1989 and approval was sought for the radio studios project only. Between then and October 1989 negotiations between the contracting parties were completed and SACT was notified of the final contract costs.

A project completion report was prepared in April 1992. It concluded that the outputs of the implementation phases of the project had largely been met.

EMPLOYMENT

Voluntary Organisations

Miss Hoey: To ask the Secretary of State for Employment how many voluntary sector organisations his Department has *(a)* paid grants to or *(b)* entered into contracts with in (i) 1993–94 and (ii) 1994–95; and what was the total value of these grants and contracts. [31312]

Miss Widdecombe: Information held centrally indicates that in 1993–94 the Department of Employment entered into contracts with 187 voluntary sector organisations. The total value of these contracts was £50,057,200. Figures for 1994–95 will not be available until later this year when I will write to the hon. Member with details.

Social Fund

Mr. Robin Cook: To ask the Secretary of State for Employment if he will list by each objective and by each other Community initiative, including Rechar and Interreg, the value of assistance received under the European social fund both nationally and for each standard region of the United Kingdom for each year since 1989. [31360]

Miss Widdecombe *[holding answer 29 June 1995]:* European social fund allocations to the United Kingdom for the period 1989 to 1994 are given in the following table. Figures on individual Community initiatives by standard region are not readily available and could be provided only at disproportionate cost. Included in the figures for 1994 are those community initiatives which have so far been approved by the Commission, with the exception of EMPLOYMENT and ADAPT for which no expenditure will be recorded for 1994.

European social fund allocations to the United Kingdom (including Community initiatives)

£ million, 1994 prices

	1989	*1990*	*1991*	*1992*	*1993*	*1994*[1]
Objective 1						
North West England	0	0	0	0	0	36
Scotland	0	0	0	0	0	6
Northern Ireland	56	54	53	59	61	39
Total objective 1	56	54	53	59	61	81
Objective 2						
North of England	13	19	19	23	23	21
Yorkshire and Humberside	12	17	17	20	20	19
East Midlands[2]	0	0	0	0	0	5
South East	0	0	0	0	0	5
South West	0	0	0	0	0	1
West Midlands	8	13	13	16	16	23

European social fund allocations to the United Kingdom (including Community initiatives)

£ million, 1994 prices

	1989	*1990*	*1991*	*1992*	*1993*	*1994*[1]
North West England	24	36	36	44	44	25
Scotland	12	17	17	21	21	22
Wales	8	11	11	15	15	12
Total objective 2	77	112	112	140	140	133
Objective 5B						
North of England[3]	0	0	0	0	0	1
East Midlands[4]	0	0	0	0	0	1
East Anglia	0	0	0	0	0	1
South West	5	2	2	2	2	3
West Midlands	0	0	0	0	0	1
Scotland	5	3	3	2	2	2
Wales	5	2	2	2	2	3
Total objective 5B	16	7	7	6	6	13
Total objective 3/4	354	255	262	309	457	389
Total United Kingdom	503	429	434	515	665	616

[1] The figures shown for 1994 include allocations from the following Community initiatives only:
Interreg (Northern Ireland)
Leader (Northern Ireland, Highlands and Islands and Wales)
Urban (Northern Ireland)
SMEs (Northern Ireland)
Allocations for all other Community initiatives are not yet decided.
[2] The 1989–93 allocations are included with those for Yorkshire and Humberside.
[3] The Northern uplands SPD also covers parts of Yorkshire and Humberside and north-west England.
[4] The Midlands uplands SPD also covers parts of the west midlands.

SOCIAL SECURITY

Income Support

Mr. David Martin: To ask the Secretary of State for Social Security if he will estimate the cost to public funds of increasing the £8,000 capital limit for income support and family credit purposes to *(a)* £15,000, *(b)* £20,000, *(c)* £25,000 and *(d)* £50,000. [27936]

Mr. Roger Evans: Information concerning people with capital above the upper capital limit is not sufficiently reliable to enable accurate estimates of the cost of increasing the limit to be provided.

It is not possible, even if an estimate were made in these premises, to give an answer with meaning because the question does not contain any alternative premise for the tariff income rule.

Dr. Marek: To ask the Secretary of State for Social Security, pursuant to his answer of 27 June, *Official Report*, column *586*, on claims by way of arrears of supplementary benefit, what are the reasons the information is not available and could be obtained only at disproportionate cost. [31995]

Mr. Evans: The district of Wrexham and North Wales Coast constitutes the offices of Wrexham, Rhyll, Deeside and Colwyn bay. In June 1994, the office at Wrexham was part of the Mid-Wales and Maelor district. The offices at Rhyll, Deeside and Colwyn bay formed the totally separate district of North Wales Coast.

To obtain the information requested would involve the offices in recovering their giro records for June 1994; identifying the claimants and locating their clerical records; identifying those cases where the payment issued was supplementary benefit; and, as appropriate, identifying the sums involved.

Officials estimate that a minimum of 15 minutes would be required to carry out these tasks in respect of each of the 2,720 clerical giro payments issued by these offices in June 1994, at an overall cost of over £8,000.

Pensioners' Incomes

Mr. Denham: To ask the Secretary of State for Social Security if he will estimate the average pensioner income on retirement in *(a)* 2010 and *(b)* 2020, relative to average earnings, broken down into the contributions from (i) the state retirement benefit, (ii) state earnings-related schemes, (iii) appropriate personal pension schemes and (iv) occupational pensions; and if he will indicate the assumptions made in these calculations. [30788]

Mr. Arbuthnot: The information is not available in the form requested.

Child Support Agency

Ms Gordon: To ask the Secretary of State for Social Security what was the expenditure of the Child Support Agency in each year since its inception on legal fees incurred in defending actions by non-resident parents. [31205]

Mr. Burt: I refer the hon. Member to the reply given to the hon. Member for Islington, North (Mr. Corbyn) on 25 November 1994, *Official Report*, columns *889-90*.

Benefit Offices (Play Areas)

Mr. Redmond: To ask the Secretary of State for Social Security what are the current plans and facilities in Doncaster and Mexborough district benefit offices in respect of providing play areas. [31094]

Mr. Roger Evans: At present, there are no play areas in any of these offices, although baby changing facilities are provided at each location.

A new benefit office for Doncaster is currently under construction. There is insufficient space within the planned Benefits Agency caller facility for inclusion of a separate play area at this stage. However, the Child Support Agency will be providing toys in its interview rooms at the new office.

At Mexborough, all caller inquiries are dealt with by BA staff and there are no dedicated CSA interviewing facilities. There are no plans to provide a play area in the BA facility due to insufficient space.

TRANSPORT

Channel Tunnel Rail Link

Ms Hodge: To ask the Secretary of State for Transport what arrangements he is making for revised submissions in the event of changes to the alignment, tunnelling or stations currently proposed for the channel tunnel rail link. [31726]

Mr. Watts: The Government have no plans to change the route or stations of the channel tunnel rail link. If the House required any change, the procedures set down in Standing Orders would apply.

Rail Privatisation

Mr. Bayley: To ask the Secretary of State for Transport if he will set out the current timetable for privatising *(a)* Railtrack, *(b)* British Rail's infrastructure maintenance units, *(c)* British Rail's track renewal units, *(d)* Signalling Control UK, *(e)* Interlogic Control Engineering and *(f)* British Rail Telecoms. [31593]

Mr. Watts: Railtrack is to be privatised within the lifetime of this Parliament. BR's infrastructure maintenance units and track renewal units are expected to be sold by the end of the year. Signalling Control UK, Interlogic Engineering and British Rail Telecoms have recently been offered for sale to the private sector; BR aims to complete the sales as soon as possible.

Mr. Bayley: To ask the Secretary of State for Transport if he will set out the timetable for privatising each of the British Rail train operating units. [31594]

Mr. Watts: In December 1994, the franchising director invited interested parties to prequalify in respect of eight franchises; Great Western LTS Rail, South West Trains, Gatwick Express, Network South Central, Intercity East Coast, Midland Main Line and ScotRail. Invitations to tender in respect of Great Western, LTS Rail and South West Trains were issued in May. The franchising director aims to let the first franchises by the end of 1995. He aims to issue further invitations to tender later this year. The remaining franchises are being prepared in accordance with the franchising director's view of their readiness of sale.

Mr. Bayley: To ask the Secretary of State for Transport, pursuant to his answer on 21 April, *Official Report*, column *299*, if he will set out the current timetable for privatising the British Rail civil engineering design offices in *(a)* Birmingham, *(b)* Croydon, *(c)* Glasgow, *(d)* Swindon and *(e)* York; and if the BR vendor unit expects to sell all the offices to the same bidder. [31641]

Mr. Watts: The BR board's negotiations with bidders for these offices are well advanced. The board hopes to complete most of them shortly; it does not envisage selling all the offices to the same bidder.

Motorways

Mr. Sheerman: To ask the Secretary of State for Transport what assessment his Department has made on the effectiveness of concrete crash barriers on motorways. [30491]

Mr. Watts: I refer the hon. Member to the reply I gave to my hon. Friend for Meriden (Mr. Mills) on 29 June, *Official Report*, column *745*.

Design, Build, Finance and Operate Schemes

Ms Walley: To ask the Secretary of State for Transport if he will list the DBFO schemes in operation. [31836]

Mr. Watts: No DDFO schemes are in operation.

Europe-United Arab Emirates Flights

Sir Teddy Taylor: To ask the Secretary of State for Transport how many air flights per day take place between the United Arab Emirates and the United Kingdom, France and Germany respectively. [31532]

Mr. Norris *[holding answer 29 June 1995]:* On average, the total number of non-stop flights per day between the United Arab Emirates and the United Kingdom, France and Germany respectively is as follows:

United Kingdom/United Arab Emirates—15

France/United Arab Emirates—3

Germany/United Arab Emirates—5

HEALTH

Hepatitis C

Mrs. Beckett: To ask the Secretary of State for Health what research has been conducted by her Department on Hepatitis C in the last 10 years; and at what cost. [30466]

Mr. Sackville: The Department of Health is funding two pieces of work at the public health laboratory service. One is a feasibility study to develop a programme of surveys to determine and monitor the prevalence of hepatitis C infection in England and Wales and the approximate cost is £78,000. The other is a project to investigate the economic detection of antibody to hepatitis C virus in pooled serum samples and the approximate cost is £48,000.

The main agency through which the Government support bio-medical and clinical research is the Medical Research Council which receives a grant in aid from the office of my right hon. Friend the Chancellor of the Duchy of Lancaster.

The MRC has the following programme of research on hepatitis C:

Hepatitis C; protein crystallography; HSV and bunyavirus suppressor mutations.

Virological and immunological determinants of liver disease in haemophiliacs infected with hepatitis C virus.

Hepatitis C infection and blood exposure incidents: preliminary seroprevalence studies.

Molecular epidemiology of hepatitis C virus in intravenous drug users in West Suffolk.

Detection and quantitation of hepatitis C virus in vivo.

Cloning, sequence analysis and expression of divergent genotypes of hepatitis C virus.

Hepatitis C virus 5 untranslated region as a novel antiviral target.

Cell and molecular virology of hepatitis C virus/Dengue type 4 chimaeric particles.

Hepatitis C virus infection: the molecular basis of virus/host interaction.

Hepatitis C virus in saliva and salivary glands.

In consultation with the MRC, my Department will be considering the need for further research on hepatitis C.

Alcohol

Mrs. Beckett: To ask the Secretary of State for Health what is the safe limit recommended by her Department for men and women for alcohol use daily and weekly in units; and what plans she has to change these recommended limits. [31351]

Mr. Bowis: The current sensible drinking message is that drinking less than 21 units per week by men and 14 units per week by women is unlikely to damage health. The message is currently being reviewed, in the light of the latest scientific evidence, by the interdepartmental group on sensible drinking.

Glaucoma

Mr. Jon Owen Jones: To ask the Secretary of State for Health how many glaucoma sufferers there are in Britain. [31402]

Mr. Sackville: The information is not available centrally.

Termination Payments

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 19 June, *Official Report*, column *36*, on health authority termination payments, if she will indicate *(a)* the number, *(b)* the rank and *(c)* the amount paid to each individual. [32022]

Mr. Malone: Each of the 12 payments listed was to an individual health authority manager: 11 general managers and one senior manager.

NHS Expenditure

Mrs. Beckett: To ask the Secretary of State for Health what percentage of the NHS budget was spent on *(a)* wages, *(b)* drugs, *(c)* equipment, *(d)* vehicles and *(e)* other items in each of the last 15 years. [28640]

Mr. Malone *[holding answer 15 June 1995]:* The available information on revenue expenditure is shown in the table.

Breakdown of total NHS revenue expenditure 1979–80 to 1993–94[1]

Year	*Percentage Wages*[2]	*Percentage Drugs*[3]	*Percentage Transport*[4,5]	*Percentage Equipment*[4,6]	*Percentage Other*[7]	*Total revenue expenditure £ million*
1979–80	57.7	11.4	—	—	31.0	6,925
1980–81	59.2	10.7	—	—	30.1	8,864
1981–82	57.9	11.0	—	—	31.1	9,891
1982–83	56.6	11.7	0.5	4.8	24.4	10,739
1983–84	56.3	12.3	0.5	4.5	26.5	11,397
1984–85	55.6	12.1	0.4	4.5	27.4	12,191
1985–86	55.5	12.2	0.5	4.6	27.3	12,873
1986–87	55.9	12.3	0.4	4.6	26.8	13,810
1987–88	56.1	12.5	0.4	4.4	26.6	15,162
1988–89	56.5	12.5	0.4	4.2	26.5	17,005
1989–90	56.5	12.9	0.5	4.2	25.9	18,236
1990–91	56.1	12.6	0.5	3.9	26.9	20,102
1991–92	49.9	11.5	0.4	3.7	34.5	25,302
1992–93	48.1	11.5	0.4	3.7	36.4	28,551
1993–94	46.2	12.0	0.4	3.9	37.5	30,364

Source:

Annual accounts—1979–80 to 1990–91—and annual financial returns—1991–92 to 1993–94—of regions, districts and special health authorities for the London postgraduate hospitals and family health services authorities, and annual financial returns of NHS trusts—1991–92 to 1993–94.

Notes:

[1] Figures since 1991–92 are not directly comparable with earlier years owing to changes in accounting policy—for example, the introduction of capital charges—as a result of the NHS reforms.

[2] Gross pay costs of hospital and community health service staff and family health services authority administration staff, including employers' national insurance and superannuation contributions, but excluding remuneration of FHS contractors.

[3] Drugs are based on the cost of HCHS and family health service drugs and appliances—after deduction of pharmaceutical price regulation scheme receipts, etcetera—and costs met through prescription charges but do not include dispensing fees.

[4] Not separately identified in financial years 1979–80 to 1981–82 inclusive.

[5] Transport and moveable plant.

[6] Including associated maintenance costs. Excludes capital expenditure on items of equipment.

[7] Including capital charges from 1991–92 inclusive and remuneration of FHS contractors.

Percentages may not add to 100 due to rounding.

Child and Adolescent Mental Health Services Handbook

Mr. Faber: To ask the Secretary of State for Health what has been the response to the recent publication of the handbook on child and adolescent mental health; and if she will make a statement. [32469]

Mr. Bowis: The handbook, copies of which are available in the Library, has been warmly welcomed by all those working in the field as providing a clear statement of the importance of child and adolescent mental health and the need for a variety of agencies to work together to provide a comprehensive and complementary range of services. It was issued in March as part of our programme to help in the development of mental health services for the young, under "The Health of the Nation" initiative, and it has proved to be such a success that we are already having to reprint it within weeks of its launch.

ATTORNEY-GENERAL

Arms Embargo

Mr. Byers: To ask the Attorney-General on what dates in 1990 meetings were held with representatives of Customs and Excise to discuss the prosecution of Chris Cowley and Peter Mitchell for allegedly breaking the arms embargo with Iraq and Iran; and on what date senior Treasury counsel provided advice on the question of bringing a prosecution against Mr. Cowley and Mr. Mitchell. [29261]

The Attorney-General *[holding answer 19 June 1995]:* I reply in relation to meetings and advice involving the Law Officers or their officials. Detailed information relating to the conduct of an individual criminal case is ordinarily confidential but has in this particular case already been substantially disclosed.

I understand that between April and November 1990 there were a number of conferences between representatives of Customs and Excise and senior Treasury counsel. One member of the legal secretariat to the Law Officers was present at such a meeting held on 25 April 1990. Another member attended two meetings in October 1990.

My predecessor and I met with the Solicitor to Customs and Excise and counsel on 8 November 1990. I was at that time Solicitor-General. My predecessor also met the chairman of the commissioners of HM Customs and Excise together with their solicitor on 9 November 1990.

AGRICULTURE, FISHERIES AND FOOD

Nitrate Sensitive Areas

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food when he plans to announce the arrangements for the continuation of the pilot nitrate sensitive areas. [32577]

Mr. Waldegrave: I am pleased to announce that, following our consultations with farmers, details of the scheme for the continuation of the 10 pilot NSAs, originally designated in 1990, will be available from Monday 3 July. The necessary statutory instrument setting out the measures and associated payment rates will shortly be laid before Parliament.

The pilot areas are being incorporated within the scheme for the 22 new NSAs launched under the Ministry's agri-environment programme last year, to form a unified scheme of 32 NSAs. Farmers in the areas will be invited to give five-year undertakings to change their farming practices to reduce nitrate leaching, based on the terms and conditions of that scheme.

The pilot NSA scheme clearly demonstrated that NSA measures are effective in reducing nitrate losses from agricultural land and I look forward to renewing our partnership with farmers in these 10 areas. The level of uptake in the first year of the 22 new NSAs was very encouraging and I am confident that the Ministry's NSA programme will make a major contribution towards ensuring the future viability of the key sources of public drinking water covered by these areas.

All farmers with land in the NSAs will automatically be sent an information pack about the scheme by their local Ministry regional service centre. Applications to join the scheme this year must be returned to regional service centres by 8 September 1995.

SCOTLAND

St. Andrew's College, Bearsden

Mr. Worthington: To ask the Secretary of State for Scotland what powers he has to intervene if reductions in funding threaten the quality of standards he has imposed on courses at St. Andrew's college, Bearsden. [30492]

Lord James Douglas-Hamilton: The Secretary of State does not have any powers under the Further and Higher Education (Scotland) Act 1992 to require conditions to be attached to grants paid by the Scottish Higher Education Funding Council to individual institutions. It is for the council to decide how to allocate the resources available to it taking into account its assessment of quality of teaching, and other relevant evidence as to the needs of an individual institution and the higher education institution sector as a whole. Courses of initial teacher training are subject to the approval of my right hon. Friend and must comply with the guidelines issued by the Scottish Office Education Department.

Staff

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list for each Department in the Scottish Office, expressed as a number and a percentage, *(a)* civil servants who have left the service and their grade, *(b)* voluntary redundancies and their grade, *(c)* compulsory redundancies and their grade and *(d)* those given early retirement and their grade for (i) 1991, (ii) 1992, (iii) 1993, (iv) 1994 and (v) 1995. [31290]

Mr. Lang: This information could be provided only at disproportionate cost.

Forestry Commission

Mr. Tipping: To ask the Secretary of State for Scotland on what dates and by whom, sample valuations have been carried out on the Forestry Commission estate, in the last five years. [30817]

Sir Hector Monro *[holding answer 28 June 1995]:* The Forestry Commission carried out a full open market valuation of its forest estate in 1993. Full details are given in the commission's annual report of the year ended 31 March 1993, a copy of which is in the Library.

Training

Mr. McFall: To ask the Secretary of State for Scotland how many 16 and 17-year-olds were seeking training places in each division of every regional council in Scotland on 1 June; and what was the number of vacancies. [27576]

Lord James Douglas-Hamilton *[holding answer 21 June 1995]:* The number of young people under 18 years of age seeking training places and the number of training vacancies on 31 May are shown in the following table. Information is not available to split these figures into smaller areas.

The number of vacant places on a given day is only a snapshot and does not reflect the total supply of places which would be available over the specified time scale for making offers to young people.

Careers service area	*Number seeking training*	*Number of vacancies*
Borders	107	90
Central	254	145
Dumfries and Galloway	93	123
Fife	390	380
Grampian	293	[1]—
Highland	116	145
Lothian	701	471
Tayside	462	296
Orkney	3	50
Shetland	8	12
Western Isles	12	32
Argyll	42	52
Ayr	445	538
Dumbarton	268	143
Glasgow	565	655
Lanark	339	240
Renfrew	262	253
Total	4,360	[1]3,670

[1] Figures are not available for Grampian Enterprise area.

HOME DEPARTMENT

Prisoners (Testing)

Mr. Beith: To ask the Secretary of State for the Home Department how many prisoners have undergone penile plesythmograph tests; how many of these prisoners have not been convicted of sex offences; and in how many cases home leave or release dates have been altered as a result of the findings of these tests. [30063]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange a reply to be given.

Letter from Brian Landers to Mr. A. J. Beith, dated 30 June 1995:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about how many prisoners have undergone Penile Plesythmograph (PPG) testing; how many of these prisoners have not been convicted of sexual offences; and in how many cases home leave or release dates have been altered or changed as a result of the findings of these tests.

During the year ending 31 March 1995, 103 prisoners took the PPG test, of whom 10 prisoners had not been convicted of a sexual offence, although sexual offending had been identified as an area of concern.

In no cases have any prisoners had their home leave entitlements or release dates altered as a result of the findings of the PPG test.

Young Offenders

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department how many young offenders convicted in the last year were *(a)* illiterate, *(b)* released from care, *(c)* suffering from drug or any other addiction or *(d)* suffering from mental illness. [30988]

Mr. Maclean: The information is not collected centrally on the number of offenders who are illiterate, suffering from drug or any other addiction or who have been released from care.

Court information collected centrally on mentally disordered offenders is limited to those who have committed a more serious offence and as such have been convicted under sections 37 and 41 of the Mental Health Act 1983.

In 1993, one male aged between 14 and 18 was convicted of the offence of arson and sent to hospital under section 37(1) of the Mental Health Act 1983. A further male offender within the same age group was found guilty of robbery and sentenced to a hospital order with restriction under sections 37 and 41 of the Mental Health Act 1983.

Prisoners (Home Leave)

Mr. Cox: To ask the Secretary of State for the Home Department how many prison inmates serving a sentence of over 10 years' imprisonment have been granted home leave during the last 12 months. [31100]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Brian Landers to Mr. Tom Cox, dated 30 June 1995:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about how many prison inmates serving a sentence of over ten years imprisonment have been granted home leave during the last twelve months.

Home leave, as such, has not occurred since 24 April 1995 when the systems of temporary absence were revised. In the 12 months to 24 April 1995 some 680 prisoners serving sentences of over ten years (including life) were granted home leave.

Doncaster Prison

Mr. Redmond: To ask the Secretary of State for the Home Department how many times the contractor at Doncaster prison has failed to deliver the contracted service; how many times a financial remedy has been imposed against the contract; and if he will make a statement. [31092]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Brian Landers to Mr. Martin Redmond, dated 30 June 1995:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about Doncaster prison.

Six default notices have been issued by the Prison Service Controller since the prison opened on 20 June 1994. Premier Prison Services have rectified the faults immediately and at their own expense. In the circumstances, financial penalties have not been considered appropriate.

Prison Officers (Shopping Visits)

Mr. Cox: To ask the Secretary of State for the Home Department how many private shopping visits were made by prison officers on behalf of prison inmates in England and Wales during the week of 12 June. [31101]

Mr. Michael Forsyth: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Brian Landers to Mr. Tom Cox, dated 30 June 1995:

The Home Secretary has asked me, in the absence of the Director General, to reply to your recent Question about shopping trips by prison officers for prison inmates.

No private shopping trips by prison officers were made during the week of 12 June. This is in line with the Home Secretary's announcement last December that the practice of prison officers going shopping at the behest of individual prisoners had stopped.

Immigration (Overstayers)

Mr. Winnick: To ask the Secretary of State for the Home Department if he will list the number and percentage of visitors in 1992 and 1993 who overstayed without authorisation having had their appeals upheld. [31979]

Mr. Nicholas Baker: The information requested is not available.

Domestic Violence

Mr. Boateng: To ask the Secretary of State for the Home Department what plans he has to collate information centrally about the number of police stations that have or are planning special domestic violence units. [31324]

Mr. Maclean *[holding answer 29 June 1995]:* We recognise the important work carried out by specialist domestic violence units. The extent of provision in this area will be considered by the official and ministerial groups on domestic violence.

Mr. Boateng: To ask the Secretary of State for the Home Department what plans he has to collate information centrally about the number of crimes of domestic violence *(a)* alleged, *(b)* investigated by the police, *(c)* prosecuted, *(d)* resulting in conviction and *(e)* resulting in a custodial sentence each year, and about the relationships between offender and victim in each of these categories. [31325]

Mr. Maclean *[holding answer 29 June 1995]:* The official and ministerial groups on domestic violence will shortly be looking at ways of improving the statistical knowledge of the nature and extent of domestic violence.

Mr. Boateng: To ask the Secretary of State for the Home Department when the ministerial group on domestic violence will next meet; and if it has already decided when to publish the inter-agency circular on domestic violence. [31326]

Mr. Maclean *[holding answer 29 June 1995]:* Plans are in hand to hold the next meeting of the ministerial group on domestic violence at the earliest possible opportunity. The launch date of the inter-agency circular on domestic violence has not been finalised.

Mr. Boateng: To ask the Secretary of State for the Home Department when he intends to publish the inter-agency circular on domestic violence; and if he will list the individuals and organisations to which it will be sent. [31327]

Mr. Maclean *[holding answer 29 June 1995]:* The proposed inter-agency circular is in the final stages of preparation and will be issued as soon as possible. Although a definitive list of the individuals and organisations to which it will be sent remains to be finalised, it will include the groups referred to in a reply to a question I gave to the hon. Member on 20 January, *Official Report*, column 696.

Mr. Boateng: To ask the Secretary of State for the Home Department how many officials, and of what grade, his Department has employed to deal with the problem of domestic violence in each of the last 10 years. [31328]

Mr. Maclean *[holding answer 29 June 1995]:* Responsibility for work on domestic violence cuts across a number of areas and grades within the Home Office. Since 1993 the work has been co-ordinated by a unit led by a grade 7 in the criminal policy division of the Home Office.

EDUCATION

Child Labour

Mrs. Clywd: To ask the Secretary of State for Education if she will detail the powers of entry available to local education authority child employment officers; and what plans she has to strengthen and extend such powers. [31707]

Mr. Robin Squire: Section 28(1) of the Children and Young Persons Act 1933 provides for a local authority to apply to a justice of the peace for an order to give child employment officers powers of entry. This legislation is the responsibility of my right hon. Friend the Secretary of

State for Health. I understand that she has no plans to strengthen or extend this power.

Mrs. Clywd: To ask the Secretary of State for Education if she intends to make funds available to local education authorities in England and Wales specifically to carry out their statutory duty to protect school age children at work. [31708]

Mr. Squire: Central Government set the overall framework for the funding of local authority services nationally. It is for each local education authority to determine its own priorities for expenditure. Funding for Wales is a matter for the Welsh Office.

Mrs. Clywd: To ask the Secretary of State for Education what assessment she has made of the work of the child employment departments in Birmingham and North Tyneside in enforcing legislation designed to protect school age children. [31712]

Mr. Forth: None.

Mrs. Clywd: To ask the Secretary of State for Education if she will instruct all local education authorities to adopt the system of enforcing legislation designed to protect school age children at work in use in Birmingham and North Tyneside. [31709]

Mr. Squire: It is for individual local education authorities to consider how best to fulfil their statutory duties in this area in the light of local circumstances.

NORTHERN IRELAND

Northern Ireland Assembly

Mr. Morgan: To ask the Secretary of State for Northern Ireland if he will produce costings for the Northern Ireland Assembly and associated constitutional structures as proposed in the framework document. [31000]

Mr. Ancram: It is not possible at this stage to provide costings for a future Northern Ireland Assembly and associated constitutional structures as envisaged in the framework document. Estimates of such costs will only be possible only after the details of the arrangements have been negotiated and agreed with the relevant Northern Ireland parties and the British and Irish Governments.

Further Education

Mr. Worthington: To ask the Secretary of State for Northern Ireland (1) what proposals he has for the safeguarding of adult education and the education of those with special needs after education colleges are incorporated; [31428]

(2) with whom incorporated further education colleges will be required to discuss their plans for educational activities. [31429]

Mr. Ancram: I am aware of the concerns expressed on these issues and I can assure the hon. Member that, if we proceed with the proposals on incorporation, we will consider very carefully with the further education sector the impact on such areas and the need for adequate consultative arrangements.

EU Funding

Mr. Worthington: To ask the Secretary of State for Northern Ireland what steps he is taking to ensure that the allocation of further European Union funds in Northern Ireland reflects the level of deprivation and grass roots needs and involvement. [31431]

Sir John Wheeler: Regarding the special support programme for peace and reconciliation, the guidelines for the initiative state that all communities should benefit while focusing on the areas and sections of the population suffering most acute deprivation. This is reflected in the programme recently submitted to the European Commission. To ensure that grass roots needs are reflected, the Government have carried out an extensive round of consultation with interested bodies and individuals, which has been invaluable in drafting the programme. Grass roots interests will continue to be involved both through continued consultation during implementation and the mechanisms used to deliver the programme. In implementing the single programme document and Community initiatives programmes agreed for Northern Ireland over the period 1994 to 1999, due consideration is given to addressing deprivation and social need on the basis of specific criteria laid down and approved by the European Commission within the SPD and other programme documents.

Sunday Observance Act (Ireland) 1695

Mr. Mallon: To ask the Secretary of State for Northern Ireland what steps he will take to repeal all of the provisions of the Act for the Better Observation of the Lord's Day, commonly called Sunday, AD 1695. [31288]

Mr. Moss *[holding answer 29 June 1995]:* The Government have no plans at present to repeal all the provisions of the Sunday Observance Act (Ireland) 1695. Ministers are at present considering the responses received to consultation papers published earlier this year on Sunday racing, betting and sport and Sunday trading. If it is decided to relax the current legislative restrictions on these matters, some action to amend, repeal in part or disapply the 1695 Act may be necessary.

Development Expenditure

Dr. Hendron: To ask the Secretary of State for Northern Ireland (1) what is the total expenditure of *(a)* the Local Enterprise Development Unit and *(b)* Industrial Development Board in each of the parliamentary constituencies of Northern Ireland for each of the last 10 years; [29972]

(2) what is the total number of full-time jobs, both from inward investment and expansion of existing companies, created in each constituency for each of the last 10 years as a result of this expenditure. [29974]

Mr. Ancram: Information on expenditure and job creations is not recorded in a manner which readily lends itself to analysis by parliamentary constituency. However, an exercise is being undertaken to produce as much as possible of the information in the form requested. My noble Friend hopes to write to the hon. Member about the matter soon. Information on job promotions by district council area is available from IDB and the results of the last 10 years are set out in the table.

IDB job promotions by district council areas

District Council Areas	*1985–86*	*1986–87*	*1987–88*	*1988–89*	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Antrim	30	477	364	712	798	139	77	869	308	1,156
Armagh	28	137	51	110	34	60	33	20	45	—
Ballymena	71	8	187	90	206	411	—	136	8	—
Ballymoney	17	35	35	16	40	49	107	131	—	—
Banbridge	24	15	—	99	—	—	29	39	—	—
Belfast	94	279	92	303	601	1,091	458	312	590	218
Carrickfergus	21	15	103	452	100	129	—	5	—	315
Castlereagh	141	168	124	95	404	68	84	—	—	14
Coleraine	185	88	254	115	127	—	50	45	—	60
Cookstown	28	—	—	16	70	—	—	—	42	35
Craigavon	506	434	808	169	417	474	716	683	162	977
Down	10	67	108	318	24	—	—	—	50	—
North Down	74	75	108	14	147	—	54	—	—	85
Dungannon	94	102	400	108	136	463	76	155	318	124
Fermanagh	162	35	245	296	76	156	101	200	20	191
Larne	—	22	127	148	78	—	25	2	511	—
Limavady	75	—	80	—	—	—	—	—	383	—
Lisburn	232	255	123	1,039	85	288	155	39	212	—
Londonderry	650	227	393	432	827	371	103	1,169	486	541
Magherafelt	—	21	101	155	53	62	10	—	400	—
Moyle	—	52	—	—	—	—	—	—	—	—
Newtownabbey	198	1,178	523	720	743	46	114	—	681	306
Newry and Mourne	70	28	446	82	32	179	—	75	364	18
Newtownards	155	247	298	164	67	50	149	49	41	—
Omagh	20	32	—	—	36	93	—	25	70	55
Strabane	25	190	330	—	30	273	—	150	195	—
Totals	2,910	4,187	5,300	5,653	5,131	4,402	2,341	4,104	4,886	4,095

Driving Offences

Ms Mowlam: To ask the Secretary of State for Northern Ireland how many of the road traffic offences recorded in Northern Ireland since 1990 were committed by drivers who had been qualified to drive for less than one year. [31046]

Sir John Wheeler: The information requested is not available.

Confidential Telephone Line

Ms Mowlam: To ask the Secretary of State for Northern Ireland how many calls have been received by the RUC on the confidential telephone number every year since 1985. [31047]

Sir John Wheeler: The information is as follows:

Year	*Number of calls*
1985	1,406
1986	2,300
1987	1,953
1988	2,948
1989	2,321
1990	2,841
1991	3,819
1992	22,062
1993	24,442
1994	19,189
1995[1]	3,783

[1] To 31 May.

Sexual Offences

Ms Mowlam: To ask the Secretary of State for Northern Ireland how many *(a)* sexual offences and *(b)* offences against the person have been reported in Northern Ireland since 1985. [31044]

Sir John Wheeler: The information requested is as follows:

	Sexual offences	*Offences against the person*
1985	653	3,458
1986	834	4,205
1987	817	4,198
1988	779	3,469
1989	935	3,338
1990	790	3,374
1991	877	3,995
1992	973	4,102
1993	1,187	4,597
1994	1,333	4,793

Nursery Education

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will make a statement about his proposals for nursery education in Northern Ireland. [31430]

Mr. Ancram: In 1994, the Government published a comprehensive policy statement on early years provision in Northern Ireland, including their objectives for nursery education.

As the Prime Minister reiterated recently, the Government are committed to a major expansion of pre-school provision throughout the United Kingdom. Proposals to achieve this in Northern Ireland will be announced shortly.

FOREIGN AND COMMONWEALTH AFFAIRS

International Court of Justice

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs who is the latest British nominee to the International Court of Justice. [31649]

Mr. Douglas Hogg: Professor Rosalyn Higgins has been formally nominated as a candidate for election to the International Court of Justice by the national groups at the Permanent Court of Arbitration of 15 countries, including the British. There are no other candidates. The Government fully support Professor Higgins. The vote will take place on 12 July.

Hong Kong

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions took place during the recent meeting between the British Government and representatives of the Government of China on the future of the death penalty in Hong Kong, after July 1997; and if he will make a statement. [31369]

Mr. Goodlad: The death penalty was abolished in Hong Kong by the Crimes (Amendment) Ordinance in April 1993. Under the Sino-British Joint Declaration, the laws previously in force in Hong Kong shall be maintained, save for any that contravene the Basic Law and subject to any amendment by the Hong Kong special administrative region legislature. Reintroduction of the death penalty after 1997 would, therefore, be a matter for the HKSAR rather than the Chinese Central People's Government.

Nigeria

Mr. Keith Hill: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 21 June, *Official Report*, column *302*, if he will exceptionally disclose if lethal military equipment of any type has been supplied to Nigeria for peacekeeping since December 1993. [31343]

Mr. David Davis: I have nothing further to add to the answer I gave to the hon. Member on 21 June, *Official Report*, column *302*.

WALES

European Regional Development Fund

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish the final outturn in Wales of *(a)* objective 1 areas, *(b)* objective 3 areas, *(c)* objective 4 areas and *(d)* objective 5b areas; and if he will also indicate the underspend on each programme. [29989]

Mr. David Hunt: There are no objective 1 areas in Wales. For objectives 3 and 4, separate information for Wales is not available before 1993. In 1993, the final amount claimed from the Commission for Wales was £21.56 million. Underspend information is not disaggregated regionally, and is not yet available for 1993. For objective 5b, the total amount available under the 1992–93 Dyfed Gwynedd Powys programme—some £26 million—was allocated to projects by the end of 1993; since projects are not required to be physically and financially complete until 31 December 1995, it is not yet possible to indicate any underspend under the programme.

Sheep Scab

Mr. Martyn Jones: To ask the Secretary of State for Wales what was the recorded levels of sheep scab in each of the last five years. [31243]

Mr. Gwilym Jones: I refer the hon. Member to the reply I gave to the hon. Member for Glanford and Scunthorpe (Mr. Morley) on 25 January 1995, *Official Report*, column *269*.

Objective 5b Monitoring Committee

Mr. Dafis: To ask the Secretary of State for Wales for what reasons the Countryside Council for Wales is not represented on the objective 5b programme monitoring committee for Wales; and what the EU guideline is on this subject. [30266]

Mr. Gwilym Jones: Detailed provisions for the administration of the rural Wales objective 5b programme are for the implementing authority, in this case the Welsh Office. Although the Countryside Council for Wales is not directly represented on the monitoring committee, a member of the council—Mr. Tom Jones—sits on the committee, and the council is represented on the technical group, which has responsibility for considering individual applications for grant assistance. In addition, the council was closely involved with the preparation of the single programming document for rural Wales. These arrangements comply with the terms of the European legislation, which require that the competent environmental authorities are associated with the preparation and implementation of the single programming document.

NHS Staff

Mr. Morgan: To ask the Secretary of State for Wales pursuant to note 4 of his answer to the hon. Member for Caerphilly (Mr. Davies) of 7 June, *Official Report*, column *254*, whether the figure of 193 given as the reduction in the number of administrative and managerial staff below the peak level included clerical staff. [31984]

Mr. David Hunt: The reduction of 193 between September 1993 and March 1995 included all staff on administrative and clerical pay scales.

Mr. Morgan: To ask the Secretary of State for Wales pursuant to note 4 of his answer to the hon. Member for Caerphilly (Mr. Davies) of 7 June, *Official Report*, column *254*, (1) what was the peak level of administrative and managerial staff in the health service in Wales; and whether the figures referred to in note 4 for 1994–95 will be comparable to those figures given in column 1 of his answer to the hon. Member for Caerphilly of 13 December 1994, *Official Report*, columns *605-606*; [31983]

(2) on what date he expects the publication of the figures for the numbers of administrative and managerial staff in the health service in Wales in 1994–95. [31982]

Mr. Hunt: The latest available information on the whole-time equivalent number of administrative and clerical staff in the NHS in Wales was published in a Welsh Office statistical release, "NHS Wales: quarterly

Statistics", issued on 14 June 1995. Figures for March 1994—when the number of these staff reached their peak—are also shown in the release. Copies were sent to all Members representing constituencies in Wales and were placed in the Library of the House. The figures quoted in the release are comparable with the numbers given to the hon. Member for Caerphilly on 13 December.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer to the hon. Member for Caerphilly of 7 June, *Official Report*, column *254*, what were the total costs of *(a)* managers, *(b)* administrators and *(c)* medical staff in the health service in Wales in 1994–95; and what were the corresponding numbers of staff in each category. [31981]

Mr. Hunt: Information on the costs of staff in 1994–95 is not yet available. Data on medical and dental staff are collected on an annual basis—at 30 September. The latest complete information is given in the following table.

	Staff in post at 30 September 1994
Administrative and clerical[1]	9,905
Medical and front line support:	
Directly employed NHS staff[2]	34,571
FHSA contractual staff[3]	3,087

Notes:

[1] Whole-time equivalents. Includes all administrative, clerical and managerial staff employed by health authorities, NHS trusts, family health services authorities and the Welsh Health Common Services Authority.

[2] Whole-time equivalents. Includes:
—medical and dental staff, working in the hospital and community health service, excluding hospital practitioners and clinical assistants
—nurses and midwives, excluding pre-registration learners
—professional and technical staff
Since 1991, student and pupil nurses have been classified as students and are no longer included in NHS staff figures.

[3] Numbers. Includes GPs, principal and assistant dentists, ophthalmic medical practitioners and ophthalmic opticians. Staff directly employed by contractual staff—for example, practice nurses—are not included since complete information is not collected centrally.

South Glamorgan Health Services

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has with the chairman of the South Glamorgan health authority concerning the appointment of a panel of independent experts to examine the difference of opinion between the authority and the Cardiff community health council in relation to accident and emergency department and trauma unit relocation from Cardiff royal infirmary to the University hospital of Wales; and if he will make a statement. [31988]

Mr. David Hunt: None. Officials were informed of the health authority's proposals to commission an independent review and it is clearly understood that the authority will decide on the review panel's membership and remit.

Early Retirement

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 18 May, *Official Report*, column *372*, how many members of staff have now accepted voluntary redundancy terms; how many have actually left; and how many expected to leave under such terms in the rest of the present financial year. [31991]

Mr. David Hunt: Sixty-one staff have accepted voluntary redundancy terms, 52 have left. No firm estimate has been made for the remainder of the present financial year.

Departmental Staff

Mr. Morgan: To ask the Secretary of State for Wales what were the total figures for the numbers of staff employed in his Department for the latest convenient month; and if he will list the figure for the same month in each of *(a)* 1992, *(b)* 1993 and *(c)* 1994 excluding any effects of changes in departmental responsibility. [31985]

Mr. David Hunt: The full-time equivalent number of staff employed by the Welsh Office in June 1995 was 2,450. The nearest equivalent figures for previous years, adjusted to relate to current departmental responsibilities were:

1992: 2,535

1993: 2,612

1994: 2,609

Note:

Figures prior to 1995 have been adjusted to reflect the current method of counting part-time workers hours as a fraction of the working week.

Political Advisers

Mr. Morgan: To ask the Secretary of State for Wales what plans he has to appoint a political adviser. [31989]

Mr. David Hunt: Michael McManus is still my special adviser.

Departmental Expenditure

Mr. Morgan: To ask the Secretary of State for Wales on what date he estimates the final outturn figures for his departmental expenditure for the year 1994–95 to be published; and what is his current estimate of management running cost line final outturn figures for 1994–95 for *(a)* training and enterprise councils, *(b)* the office of Her Majesty's inspectorate of schools in Wales, *(c)* Cadw and *(d)* the Welsh Office in total. [31986]

Mr. David Hunt: The Welsh Office appropriation accounts for 1994–95, including details of administration costs, are due to be published by the National Audit Office in October. Provisional running cost outturn figures for 1994–95 are as follows:

	£ million
TEC management fees	9.7
Cadw	4.9
Rest of Welsh Office	63.1
Total Welsh Office running costs	77.7

The provisional running cost outturn for the office of Her Majesty's chief inspector of schools in Wales, which does not form part of the Welsh Office, is £3.2 million.

Government Policies

Mr Morgan: To ask the Secretary of State for Wales what proposals he has to amend current policy on *(a)* hospital closures, *(b)* bureaucracy in the health service, *(c)* public expenditure controls and *(d)* departments' staffing levels; and what other plans he has to review his predecessor's policies. [31990]

Mr. David Hunt: The Government's policies are clear and will continue.

Countryside Council for Wales

Mr. Ainger: To ask the Secretary of State for Wales how many representations he has received from *(a)* environmental organisations and *(b)* local authorities supporting his predecessor's announcement of 5 May concerning the future role, responsibilities and staffing of the Countryside Council for Wales. [31767]

Mr. Gwilym Jones: The Council of Welsh Districts which was consulted on the implications for its members broadly welcomed it, but with reservations on the question of resources.

TRADE AND INDUSTRY

Utilities (Disconnections)

Mr. Bayley: To ask the President of the Board of Trade how many households had their *(a)* electricity, *(b)* gas or *(c)* telephone disconnected as a result of non-payment of bills in (i) York, (ii) North Yorkshire, (iii) Yorkshire and Humberside and (iv) England in each since 1979. [31587]

Mr. Eggar: This is a matter for the independent regulators and the companies concerned.

International Atomic Energy Agency

Mr. Llew Smith: To ask the President of the Board of Trade what considerations underpin the proposed reduction in staff in man years dedicated to United Kingdom representation at, and work with, the International Atomic Energy Agency on the implementation of nuclear safeguards, as indicated at paragraph 43 of part 2 of his departmental MINIS 95 report on trade policy and export promotion, subsection on export control and non-proliferation—XNP. [31121]

Mr. Ian Taylor: There are no plans to reduce staff effort in this area. The man years of staff effort shown for 1994–95 were incorrectly quoted as 3.7 plan and 3.5 outturn. The correct figure for both plan and outturn should have been 3.

Utilities (Consultants)

Mr. Hain: To ask the President of the Board of Trade if he will list the consultants both individuals and companies, employed by the Office of Electricity Regulation, the Office of Gas Supply and the Office of Telecommunications, since 1993 or currently employed; on what tasks they are or were employed; how much of a retainer has been or is being paid on a regular basis; and how much these consultants have been paid otherwise for tasks completed or tasks under way. [31363]

Mr. Eggar: This is a matter for the regulators concerned.

Small Businesses

Mr. Steen: To ask the President of the Board of Trade how many criminal offences in relation to small businesses have been created in the last three years by statutory instrument in the United Kingdom pursuant to EEC directives. [30991]

Mr. Jonathan Evans *[holding answer 28 June 1995]:* I regret that I am unable to answer this particular question, since the resources required to do so would incur a disproportionate cost. However, I will write to my hon. Friend on this issue shortly.

European Regional Development Fund

Mr. Robin Cook: To ask the President of the Board of Trade if he will list by each objective and by each other community initiative, including Rechar and Interreg, the value of assistance received under the European regional development fund both nationally and for each standard region of the United Kingdom for each year since 1989. [31359]

Mr. Eggar *[holding answer 29 June 1995]:* European regional development fund allocations to the United Kingdom for the period 1989 to 1994 are given in the table. Figures on individual community initiatives by standard region are not readily available and could be produced only at disproportionate cost. Only those community initiatives that have been adopted by the European Commission so far have been included in the figures for 1994.

European regional development fund allocations to the United Kingdom (including community initiatives)

£ million, 1994 prices

	1989	*1990*	*1991*	*1992*	*1993*	*1994*[1]
Objective 1						
North West England	0	0	0	0	0	50
Scotland	0	0	0	0	0	19
Northern Ireland	53	62	65	93	92	92
Total objective 1	53	62	65	93	92	162
Objective 2						
North of England	37	47	43	62	64	62
Yorkshire and Humberside	41	52	48	70	70	58
East Midlands	13	16	15	21	21	15

European regional development fund allocations to the United Kingdom (including community initiatives)

£ million, 1994 prices

	1989	1990	1991	1992	1993	1994[1]
South East	0	0	0	0	0	17
South West	0	0	0	0	0	6
West Midlands	40	51	48	68	69	69
North West England	47	59	55	79	80	57
Scotland	61	77	72	104	105	80
Wales	30	38	36	51	52	35
Total objective 2	269	340	317	455	461	399
Objective 5B						
North of England[2]	0	0	0	0	0	6
East Midlands[3]	0	0	0	0	0	4
East Anglia	0	0	0	0	0	4
South West	7	20	17	12	10	13
West Midlands	0	0	0	0	0	2
Scotland	12	31	24	18	16	9
Wales	11	30	23	17	15	13
Total objective 5B	30	80	65	47	40	51
Total United Kingdom	352	483	446	595	593	612

[1] The figures shown for 1994 include allocations from the following community initiatives only:
Interreg (Northern Ireland)
Leader (Northern Ireland, highlands and islands and Wales)
Urban (Northern Ireland)
SMEs (Northern Ireland).
Allocations for other community initiatives will be announced later.
[2] The Northern uplands SPD also covers parts of Yorkshire and Humberside and north-west England.
[3] The Midlands uplands SPD also covers parts of the west midlands.

Konver II Programme

Mr. Fatchett: To ask the President of the Board of Trade if he will make a statement on the progress towards establishing Konver II. [31110]

Mr. Eggar *[holding answer 29 June 1995]:* Further to the answer I gave the hon. Member on 20 March 1995, *Official Report*, columns *796–97*, I understand that most member states' discussions of their programmes with the European Commission are still continuing. I hope that the British programme will be settled in September. It will then be possible to consider applications.

DEFENCE

Nuclear Weapons Transportation

Mr. Llew Smith: To ask the Secretary of State for Defence if he will place in the Library *(a)* the scenario used, *(b)* the emergency plan evaluated and *(c)* a copy of the unclassified version of the departmental report on the effectiveness of the medium-level nuclear weapon road convoy vehicle accident exercise held in Northampton in June 1994. [31070]

Mr. Soames: The exercise held in Northamptonshire on 29 June 1994 postulated an accident during the refuelling of a truck cargo heavy duty Mk2. It evaluated the generic contingency arrangements which would apply to any accident in the United Kingdom involving the transportation of nuclear weapons; these arrangements are described in the document "Local Authority and Emergency Service Information on Nuclear Weapon Transportation Contingency Plans", a copy of which is in the Library of the House. The departmental report on the exercise is a classified document.

Exercise Short Sermon

Mr. Llew Smith: To ask the Secretary of State for Defence if he will place in the Library a copy of the unclassified version of his departmental report evaluating the effectiveness of the Short Sermon nuclear reactor exercise held in Portsmouth in 1994. [31064]

Mr. Soames: The departmental report on Exercise Short Sermon 1994 is a classified document.

Mr. Smith: To ask the Secretary of State for Defence if he will place in the Library a copy of the scenarios used for the Short Sermon nuclear reactor emergency exercise held in Portsmouth in 1994; and if he will make a statement on the outcome of the exercise. [31065]

Mr. Soames: The full scenario for Exercise Short Sermon 1994 is contained in a classified document, but it postulated a highly unlikely series of events precipitated by a significant external impact on the casing of a nuclear submarine and resulting in serious damage to the submarine reactor. It was part of a routine programme of exercises held each year to test the effectiveness of the MOD's nuclear accident response organisation, and it confirmed that our arrangements are satisfactory.

WE177 Nuclear Warheads

Mr. Llew Smith: To ask the Secretary of State for Defence at what date the number of WE177 nuclear warheads reached the level deemed necessary for full operational deployment; and if this figure remained constant until the announced reductions in 1990. [31071]

Mr. Soames: Our deployment plans for WE177 were complete by the mid-1970s. I am not prepared to add anything to our previous statements, including those in the "Statement on the Defence Estimates 1995", about subsequent changes.

Sellafield

Mr. Llew Smith: To ask the Secretary of State for Defence what details of the Operation Overture committee established to look into the 1957 Windscale fire have been placed in the Public Record Office; and if he will make a statement on the relevance of the findings of Operation Overture for the current safety of facilities used by his Department at Sellafield. [31067]

Mr. Soames: We have been unable to find any record of a committee of that name. The safety of facilities at Sellafield is a matter for the Department of Trade and Industry and the operators of the Sellafield site.

Nuclear Safety

Mr. Llew Smith: To ask the Secretary of State for Defence how often *(a)* the Nuclear Powered Warships Safety Committee and *(b)* the Nuclear Weapon Safety Committee met in each year since 1992; if he will list for each committee (i) the specific subject areas covered and (ii) any reports, guidelines or recommendations provided by these committees; and if he will place unclassified versions of such documents in the Library. [31063]

Mr. Soames: The Nuclear Powered Warships Safety Committee and Nuclear Weapon Safety Committee each met three times in the years 1992, 1993 and 1994, and have so far met once in 1995. Sub-groups of both committees are also convened occasionally to discuss technical issues which do not require the attention of the full membership. The subjects addressed by these committees are invariably sensitive and it is not possible to release summaries of committee business or to prepare unclassified versions of paper.

Mr. Smith: To ask the Secretary of State for Defence if he will publish a list of all reports, guidelines and recommendations provided by his Department's nuclear weapons safety adviser since 1979. [31061]

Mr. Soames: The work of the nuclear weapons safety adviser is invariably highly classified and it would be both impractical and inappropriate to publish such a list.

Former Service Men (Recall)

Ms Rachel Squire: To ask the Secretary of State for Defence if he will make a statement on the continuing liability of former service men for recall in respect of *(a)* early retirement and *(b)* redundancy. [30970]

Mr. Soames: The normal rules for reserve and recall liability apply equally to those service personnel who leave at the end of their commission or engagement, and those who take premature voluntary release. These rules were also applied to those made redundant, with the following exceptions: male and female soldiers with between 12 and 22 years' service received immediate pensions and therefore became Army pensioners with a recall liability until age 60; male soldiers with less than 12 years' service were discharged into the long-term reserve with a recall liability until aged 45; female soldiers who enlisted after 1 January 1987 were discharged without reserve liability; and other ranks of the Royal Marines on nine-year engagements will serve the balance of their engagements in the Royal Fleet Reserve in addition to their normal three-year liability.

Bosnia

Mr. Wareing: To ask the Secretary of State for Defence what information he has on the shelling by Bosnian Government forces of a United Nations High Commissioner for Refugees convoy at Rajlovac; what protection is being provided for such convoys in the area; what representations have been made to President Izetbegovic; and if he will make a statement. [31683]

Mr. Soames: On 21 June 1995, a UNHCR convoy came under shell fire while unloading supplies at Rajlovac, a Bosnian Serb suburb of Sarajevo. Bosnian Government forces are believed to have been responsible for the attack, although this has not been confirmed. The protection of convoys is a matter for the United Nations protection force and UNHCR commanders on the ground, and in this instance we understand that an assurance of safe passage had been secured from the Bosnian Serbs and the Bosnian Government. UN officials are believed to have made representations to the Bosnian Government following the incident.

Mr. Wareing: To ask the Secretary of State for Defence what information he has on the situation in respect of UNPROFOR's Canadian troops stationed at Visoko in Bosnia; and if he will make a statement. [31684]

Mr. Soames: We understand that Canadian troops at Visoko have experienced restrictions on their freedom of movement since 15 June when Bosnian Government forces launched a number of attacks on Bosnian Serb positions around Sarajevo.

Merchant Ships

Dr. David Clark: To ask the Secretary of State for Defence if he will specify the procedures used by his Department to charter merchant ships for operational duties. [31766]

Mr. Soames: My Department's operational movements staff provide a statement of requirement to the defence freight market representative on the Baltic exchange. From there the bid is disseminated to brokers both on and off the exchange. In parallel, the statement of requirement is passed to Crown agents contracted to MOD to provide ship suitability assessments. Once the offers have been received and assessed, my Department's movements staff select the most cost-effective and suitable vessel for the task. Ships' ownership, flag officers and crew are taken into consideration when sensitive equipments are to be carried.

Dr. Clark: To ask the Secretary of State for Defence (1) what difficulties his Department has experienced in chartering merchant vessels to transport troops to Bosnia; [31774]

(2) how many merchant ships his Department has chartered to date to transport the additional British troops deployed to Bosnia; if he will list the name of each vessel together with the country of registration; and if he will make a statement; [31764]

(3) if his Department has chartered merchant ships to transport British forces to Bosnia through the Baltic exchange; [31765]

(4) what assessment he has made of the total number of merchant ships required to transport the additional British troops and equipment to Bosnia. [31769]

Mr. Soames: No difficulties have been experienced in chartering merchant vessels to transport British equipment to Bosnia—no ships have been chartered solely to carry troops. The one vessel chartered, which was through the Baltic exchange, is the Danish roll-on roll-off Mercandian Senator registered in Copenhagen with Danish officers and crew. The number of ships required for the additional British troops and equipment for Bosnia depends upon the carrying capacity of the vessels offered.

Dartmouth Naval College

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 22 June, *Official Report*, column *379*, what is the total annual cost of the Dartmouth naval college. [31776]

Mr. Soames: This is a matter for the Naval Recruiting and Training Agency under its framework document. I have asked the chief executive, NRTA, to write to the hon. Member.

Letter from A. D. Ferguson to Dr. David Clark, dated 30 June 1995:

The Secretary of State for Defence has asked the Chief Executive of the Naval Recruiting and Training Agency to reply to your Parliamentary Question, about the total annual cost of the Britannia Royal Naval College, Dartmouth. I am replying on behalf of the Chief Executive who is away on duty.

The annual running costs for Britannia Royal Naval College, Dartmouth for the last four financial years are as follows:

FY 1991–92: £15.8M

FY 1992–93: £18.5M

FY 1993–94: £19.0M

FY 1994–95: £17.9M (estimate)

All figures shown exclude Sea Training costs and VAT.

TREASURY

Works of Arts

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer, pursuant to his answer of 20 June, *Official Report*, column *149*, what would be the total liability for inheritance tax or capital transfer tax for the owners of chattels as listed for each year since 1987 if they were to lose their conditional exemption. [30654]

Sir George Young: On loss of conditional exemption, tax is charged on the chattels valued at the time the exemption comes to an end. It is not possible to establish the current value of all conditionally exempt chattels and therefore the information requested is not available.

Mr. Prentice: To ask the Chancellor of the Exchequer, pursuant to his answer of 20 June, *Official Report*, column *149*, what estimate he has made of the number of members of the public who have made appointments to view works of art owned by persons who have been granted conditional exemption from inheritance tax or capital transfer tax in each year since 1987. [30653]

Sir George Young: No such estimate has been made.

Mr. Prentice: To ask the Chancellor of the Exchequer, pursuant to his answer of 20 June, *Official Report*, column *149*, if he will make it his policy to collect information on the number of members of the public who have exercised their right to require owners of chattels conditionally exempt from inheritance tax or capital transfer tax to allow viewing of these works of art; and if he will make a statement. [30646]

Sir George Young: No. The current arrangements are designed to ensure that qualifying objects are preserved and public access is available, and, for items not on general public display, that information can be obtained by the public on what has been conditionally exempted and how to arrange viewing. There is no statutory power to require owners to keep statistics of the number of people exercising their right to view conditionally exempt chattels.

Mr. Prentice: To ask the Chancellor of the Exchequer what are the total number of owners of chattels that are conditionally exempt from inheritance tax or capital transfer tax and can be viewed by appointment. [31037]

Sir George Young: I refer the hon. Member to the reply I gave him on 9 June, *Official Report*, column *940*.

Value Added Tax

Mr. Wigley: To ask the Chancellor of the Exchequer if he will make a statement on the Government's long-term strategy in respect of levels of VAT charged; and what assessment he has made of the need for an intermediate VAT band. [31296]

Mr. Heathcoat-Amory: The Government's taxation policies are announced in successive Budgets.

The Chancellor has said that he has no plans to apply the 8 per cent. reduced rate of VAT to anything other than domestic fuel and power.

Sir David Steel: To ask the Chancellor of the Exchequer if he will make it his policy to propose a reduction in the levels of VAT on tourist businesses. [31589]

Mr. Heathcoat-Amory: No. As I have already made clear, the Government have no plans to apply the reduced rate of VAT to anything other than domestic fuel and power.

Taxation

Ms Primarolo: To ask the Chancellor of the Exchequer if he will make it his policy not to impose new taxes or increase existing ones without first conducting a study to *(a)* assess the effects of such a tax on consumer behaviour and *(b)* assess the revenue effects of such a tax. [31344]

Sir George Young: Changes in taxation are made only after an assessment of their effects has been made. Estimates of the direct revenue effects of tax measures are set out in the "Financial Statement and Budget Report", table 5.1 in the 1995–96 FSBR. The wider economic effects are taken into account in the economic forecast, which is also published in the FSBR.

Mr. Frank Field: To ask the Chancellor of the Exchequer if he will list the percentage change of income paid in tax and national insurance between 1974–75 and the latest available date by *(a)* a single person, *(b)* a married couple, *(c)* a married couple with two children and *(d)* a married couple with four children earning (i) one third of average earnings and (ii) average earnings. [31269]

Sir George Young *[holding answer 28 June 1995]:* Available information is in the tax benefit reference manual, 1995–96 edition, a copy of which is in the Library.

Mr. Field: To ask the Chancellor of the Exchequer what was the change in the tax-free income in real terms between 1974–75 and the latest available date for *(a)* a single person, *(b)* a married couple, *(c)* a married couple with one child, *(d)* a married couple with two children and *(e)* a married couple with four children earning (i) one third of an average income and (ii) average earnings. [31268]

Sir George Young *[holding answer 28 June 1995]:* Available information about tax thresholds and break-even points is in appendix C of "Inland Revenue Statistics 1992" for earlier years and table 2.5 of "Inland Revenue Statistics 1994" for recent years.

Credit and Store Cards

Ms Primarolo: To ask the Chancellor of the Exchequer what taxes are imposed on the use of credit and store cards in *(a)* any other EU countries, *(b)* the United States of America and *(c)* Japan. [31321]

Mr. Heathcoat-Amory: Within the EU, only Ireland imposes such a tax—a stamp duty on credit cards at the rate of £15 per annum per card. Neither the United States of America nor Japan imposes such taxes.

Ms Primarolo: To ask the Chancellor of the Exchequer what plans he has to undertake behavioural work to estimate the effects on the use of credit and store cards of a £10 tax on each. [31345]

Mr. Heathcoat-Amory: None.

Inland Revenue Information Technology

Mr. Mullin: To ask the Chancellor of the Exchequer when it was originally envisaged that EDS would be given management of the Inland Revenue computer; what changes have been made to the policy; and for what reasons. [31648]

Sir George Young: EDS was identified as the preferred supplier for delivering the Inland Revenue's IT services in November 1993. Under the terms of the contract signed by EDS and the Department in May 1994, transfer of staff, equipment and work would be in two phases or tranches. The first tranche, on 1 July 1994, covered operational support services. Development work will, subject to a formal decision by the Inland Revenue on whether to proceed, transfer in the second tranche in January 1996.

EDS took over management of the project to develop IT support for self-assessment on 19 June 1995. This does not in any way affect the transfer of the second tranche of work.

Vehicle Excise Duty

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the effect on annual Exchequer revenues of restructuring the rates of vehicle excise duty paid on cars, light vehicles and taxis so that rates are scaled for different engine sizes to *(a)* £100 per annum for engine sizes of 1500 cc and less, *(b)* £130 per annum for engine sizes of 1501 cc to 2400 cc, *(c)* £150 per annum for engine sizes between 2401 cc and 3000 cc and *(d)* £200 per annum for engine sizes of 3001 cc and above. [30097]

Mr. Heathcoat-Amory *[holding answer 22 June 1995.]:* The estimated effect would be to reduce revenue by some £350 million.

Public Expenditure

Mr. Llwyd: To ask the Chancellor of the Exchequer if he will disaggregate each figure which comes under Wales, in table 7.7, Cm 2821 into *(a)* central Government expenditure, *(b)* local government expenditure financed by local government or unhypothecated central Government support and *(c)* local government expenditure financed by specific central Government support naming the relevant Department; and if he will make a statement. [29942]

Mr. Aitken *[holding answer 29 June 1995]:* A disaggregation of each figure under Wales in table 7.7, Cm 2821, into the categories requested is not readily available and could be obtained only at disproportionate cost. Figures for local authority specific grants in Wales are given in tables 4.6 and 4.7 of Cm 2821, and figures for total local authority expenditure in Wales are given in table 4.3 of Cm 2821.

Private Finance Initiative

Mr. Betts: To ask the Chancellor of the Exchequer how many schemes and to what value have been approved in 1994–95 under the private finance initiative; what are the estimates for the current financial year; how many schemes are currently being considered and at what value; for how long have they been considered, and how many have been in the assessment process for over *(a)* six months and *(b)* 12 months; and what was the average length of time taken to assess schemes so far approved. [30824]

Sir George Young *[holding answer 28 June 1995]:* During 1994–95 one major contract of £400 million was approved under the private finance initiative, in addition to smaller contracts with total value of £50 million to 100 million. Since the beginning of the financial year, the award of three major contracts with a total contract value of £650 million has been approved. Over the course of 1995–96 we expect approximately 50 contracts with a total value of over £5 billion to be approved. It is not possible to assess the numbers of projects under consideration and records are not kept centrally of time taken to assess schemes.

Single Currency

Mr. Marlow: To ask the Chancellor of the Exchequer if he will set out the procedures required in the event of the United Kingdom seeking to accede to a European single currency with particular reference to the requirements with regard to exchange rate mechanism membership, the duration of such membership prior to an application to join the single currency and the time lapse between single currency application and joining. [30808]

Mr. Kenneth Clarke *[holding answer 26 June 1995]:* The convergence criteria, including the exchange rate criterion, are set out in article 109j(l) of the treaty on European Union. The interpretation of the criteria will be considered by the European Commission and the European Monetary Institute, when preparing their reports to the European Council under article 109j(1), and thereafter by the Council, when it assesses those reports under article 109j(2).

The timing of the UK notification is set out in article 1 of the United Kingdom protocol to the treaty.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 262**

SESSION 1994–95

19th June—30th June 1995

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc, under subject headings and under the names of those taking part.

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The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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